

Calendar No. 140

106TH CONGRESS
1ST Session

S. 323

[Report No. 106-69]

A BILL

To redesignate the Black Canyon of the Gunnison National Monument as a national park and establish the Gunnison Gorge National Conservation Area, and for other purposes.

JUNE 8 (legislative day, JUNE 7), 1999

Reported with an amendment

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To redesignate the Black Canyon of the Gunnison National Monument as a national park and establish the Gunnison Gorge National Conservation Area, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 28, 1999

Mr. CAMPBELL (for himself and Mr. ALLARD) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JUNE 8 (legislative day, JUNE 7), 1999

Reported by Mr. MURKOWSKI, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

A BILL

To redesignate the Black Canyon of the Gunnison National Monument as a national park and establish the Gunnison Gorge National Conservation Area, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Black Canyon National
3 Park and Gunnison Gorge National Conservation Area
4 Act of 1999”.

5 **SEC. 2. FINDINGS.**

6 Congress finds that—

7 (1) Black Canyon of the Gunnison National
8 Monument was established for the preservation of its
9 spectacular gorges and additional features of scenic,
10 scientific, and educational interest;

11 (2) the Black Canyon and adjacent upland in-
12 clude a variety of unique ecological, geological, sce-
13 nic, historical, and wildlife components enhanced by
14 the serenity and rural western setting of the area;

15 (3) the Black Canyon and adjacent land provide
16 extensive opportunities for educational and rec-
17 reational activities, and are publicly used for hiking,
18 camping, and fishing, and for wilderness value, in-
19 cluding solitude;

20 (4) adjacent public land downstream of the
21 Black Canyon of the Gunnison National Monument
22 has wilderness value and offers unique geological,
23 paleontological, scientific, educational, and rec-
24 reational resources;

25 (5) public land adjacent to the Black Canyon of
26 the Gunnison National Monument contributes to the

1 protection of the wildlife, viewshed, and scenic quali-
 2 ties of the Black Canyon;

3 (6) some private land adjacent to the Black
 4 Canyon of the Gunnison National Monument has ex-
 5 ceptional natural and scenic value, that, would be
 6 threatened by future development pressures;

7 (7) the benefits of designating public and pri-
 8 vate land surrounding the national monument as a
 9 national park include greater long-term protection of
 10 the resources and expanded visitor use opportunities;
 11 and

12 (8) land in and adjacent to the Black Canyon
 13 of the Gunnison Gorge is—

14 (A) recognized for offering exceptional
 15 multiple use opportunities;

16 (B) recognized for offering natural, cul-
 17 tural, scenic, wilderness, and recreational re-
 18 sources; and

19 (C) worthy of additional protection as a
 20 national conservation area, and with respect to
 21 the Gunnison Gorge itself, as a component of
 22 the national wilderness system.

23 **SEC. 3. DEFINITIONS.**

24 In this Act:

1 (1) CONSERVATION AREA.—The term “Con-
 2 servation Area” means the Gunnison Gorge National
 3 Conservation Area, consisting of approximately
 4 57,725 acres surrounding the Gunnison Gorge as
 5 depicted on the Map.

6 (2) MAP.—The term “Map” means the map en-
 7 titled “Black Canyon National Park and Gunnison
 8 Gorge NCA—1/22/99”.

9 (3) PARK.—The term “Park” means the Black
 10 Canyon National Park established under section 4
 11 and depicted on the Map.

12 (4) SECRETARY.—The term “Secretary” means
 13 the Secretary of the Interior.

14 **SEC. 4. ESTABLISHMENT OF BLACK CANYON NATIONAL**
 15 **PARK.**

16 (a) ESTABLISHMENT.—

17 (1) IN GENERAL.—There is established the
 18 Black Canyon National Park in the State of Colo-
 19 rado, as generally depicted on the Map.

20 (2) AVAILABILITY OF MAP.—The Map shall be
 21 on file and available for public inspection in the of-
 22 fices of the National Park Service of the Depart-
 23 ment of the Interior.

24 (3) REDESIGNATION OF MONUMENT.—

1 (A) ~~TERMINATION OF BLACK CANYON DES-~~
2 ~~IGNATION.~~—The designation of the Black Can-
3 yon of the Gunnison National Monument in ex-
4 istence on the date of enactment of this Act is
5 terminated.

6 (B) ~~TRANSFER.~~—All land and interests
7 within the boundary of the Black Canyon of the
8 Gunnison National Monument are incorporated
9 in and made part of the Black Canyon National
10 Park, including—

11 (i) land and interests within the
12 boundary of the Black Canyon of the Gun-
13 nison National Monument as established
14 by section 2(a) of the first section of Pub-
15 lic Law 98–357; and

16 (ii) any land and interests identified
17 on the Map and transferred by the Bureau
18 of Land Management under this Act.

19 (C) ~~REFERENCE TO PARK.~~—Any reference
20 to the Black Canyon of the Gunnison National
21 Monument shall be deemed a reference to Black
22 Canyon National Park.

23 (D) ~~FUNDS.~~—Any funds made available
24 for the purposes of the Black Canyon of the

1 Gunnison National Monument shall be available
2 for purposes of the Park.

3 ~~(b) AUTHORITY.—The Secretary, acting through the~~
4 ~~Director of the National Park Service, shall manage the~~
5 ~~Park subject to valid rights, in accordance with this Act~~
6 ~~and the provisions of law applicable to units of the Na-~~
7 ~~tional Park System, including—~~

8 ~~(1) the Act entitled “An Act to establish a Na-~~
9 ~~tional Park Service, and for other purposes”, ap-~~
10 ~~proved August 25, 1916 (16 U.S.C. 1 et seq.);~~

11 ~~(2) the Act entitled “An Act to provide for the~~
12 ~~preservation of historic American sites, buildings,~~
13 ~~objects, and antiquities of national significance, and~~
14 ~~for other purposes”, approved August 21, 1935 (16~~
15 ~~U.S.C. 461 et seq.); and~~

16 ~~(3) other applicable provisions of law.~~

17 ~~(c) GRAZING.—~~

18 ~~(1) GRAZING PERMITTED.—The Secretary may~~
19 ~~permit grazing within the Park, if the use of the~~
20 ~~Park for grazing is permitted on the date of enact-~~
21 ~~ment of this Act.~~

22 ~~(2) GRAZING PLAN.—The Secretary shall pre-~~
23 ~~pare a grazing management plan to administer any~~
24 ~~grazing activities within the Park.~~

1 **SEC. 5. ACQUISITION OF PROPERTY AND MINOR BOUND-**
 2 **ARY ADJUSTMENTS.**

3 (a) **ADDITIONAL ACQUISITIONS.—**

4 (1) **IN GENERAL.**—The Secretary may acquire
 5 land or interests in land depicted on the Map as pro-
 6 posed additions.

7 (2) **METHOD OF ACQUISITION.—**

8 (A) **IN GENERAL.**—Land or interests in
 9 land may be acquired by—

10 (i) donation;

11 (ii) transfer;

12 (iii) purchase with donated or appro-
 13 priated funds; or

14 (iv) exchange.

15 (B) **CONSENT.**—No land or interest in
 16 land may be acquired without the consent of
 17 the owner of the land.

18 (b) **BOUNDARY REVISION.**—After acquiring land for
 19 the Park, the Secretary shall—

20 (1) revise the boundary of the Park to include
 21 newly-acquired land within the boundary; and

22 (2) administer newly-acquired land subject to
 23 applicable laws (including regulations).

24 (c) **BOUNDARY SURVEY.**—Not later than 5 years
 25 after the date of enactment of this Act, the Secretary shall
 26 complete an official boundary survey of the Park

1 (d) HUNTING ON PRIVATELY OWNED LANDS.—

2 (1) IN GENERAL.—The Secretary may permit
3 hunting on privately owned land added to the Park
4 under this Act, subject to limitations, conditions, or
5 regulations that may be prescribed by the Secretary.

6 (2) TERMINATION OF AUTHORITY.—On the
7 date that the Secretary acquires fee ownership of
8 any privately owned land added to the Park under
9 this Act, the authority under paragraph (1) shall
10 terminate with respect to the privately owned land
11 acquired.

12 **SEC. 6. EXPANSION OF THE BLACK CANYON OF THE GUNNI-**
13 **SON WILDERNESS.**

14 (a) EXPANSION OF BLACK CANYON.—The Black
15 Canyon of the Gunnison Wilderness, as established by
16 subsection (b) of the first section of Public Law 94–567
17 (90 Stat. 2692), is expanded to include the parcel of land
18 depicted on the Map as “Tract A” and consisting of ap-
19 proximately 4,460 acres.

20 (b) ADMINISTRATION.—The Black Canyon of the
21 Gunnison Wilderness shall be administered as a compo-
22 nent of the Park.

1 **SEC. 7. ESTABLISHMENT OF THE GUNNISON GORGE NA-**
2 **TIONAL CONSERVATION AREA.**

3 (a) **IN GENERAL.**—There is established the Gunnison
4 Gorge National Conservation Area, consisting of approxi-
5 mately 57,725 acres as generally depicted on the Map.

6 (b) **MANAGEMENT OF CONSERVATION AREA.**—The
7 Secretary, acting through the Director of the Bureau of
8 Land Management, shall manage the Conservation Area
9 to protect the resources of the Conservation Area in ac-
10 cordance with—

11 (1) this Act;

12 (2) the Federal Land Policy and Management
13 Act of 1976 (43 U.S.C. 1701 et seq.); and

14 (3) other applicable provisions of law.

15 (c) **WITHDRAWAL OF LAND.**—Subject to valid rights
16 in existence on the date of enactment of this Act, all Fed-
17 eral land and interests within the Conservation Area ac-
18 quired by the United States are withdrawn from—

19 (1) all forms of entry, appropriation, or disposal
20 under the public land laws;

21 (2) location, entry, and patent under the mining
22 laws; and

23 (3) operation of the mineral leasing and geo-
24 thermal leasing laws.

25 (d) **PERMITTED USES.**—

1 (1) ~~IN GENERAL.~~—The Secretary shall permit
 2 hunting, trapping, and fishing within the Conserva-
 3 tion Area in accordance with applicable laws (includ-
 4 ing regulations) of the United States and the State
 5 of Colorado.

6 (2) ~~EXCEPTION.~~—The Secretary, after con-
 7 sultation with the Colorado Division of Wildlife, may
 8 issue regulations designating zones where and estab-
 9 lishing periods when no hunting or trapping shall be
 10 permitted for reasons concerning—

11 (A) public safety;

12 (B) administration; or

13 (C) public use and enjoyment.

14 (e) ~~USE OF MOTORIZED VEHICLES.~~—In addition to
 15 the use of motorized vehicles on established roadways, the
 16 use of motorized vehicles in the Conservation Area shall
 17 be allowed—

18 (1) to the extent the use is compatible with off-
 19 highway vehicle designations as described in the
 20 management plan in effect on the date of enactment
 21 of this Act; or

22 (2) to the extent the use is practicable under a
 23 management plan prepared under this Act.

24 (f) ~~CONSERVATION AREA MANAGEMENT PLAN.~~—

1 ~~(1) IN GENERAL.~~—Not later than 4 years after
2 the date of enactment of this Act, the Secretary
3 shall—

4 ~~(A)~~ develop a comprehensive plan for the
5 long-range protection and management of the
6 Conservation Area; and

7 ~~(B)~~ transmit the plan to—

8 ~~(i)~~ the Committee on Energy and
9 Natural Resources of the Senate; and

10 ~~(ii)~~ the Committee on Resources of
11 the House of Representatives.

12 ~~(2) CONTENTS OF PLAN.~~—The plan—

13 ~~(A)~~ shall describe the appropriate uses and
14 management of the Conservation Area in ac-
15 cordance with this Act;

16 ~~(B)~~ may incorporate appropriate decisions
17 contained in any management or activity plan
18 for the area completed prior to the date of en-
19 actment of this Act;

20 ~~(C)~~ may incorporate appropriate wildlife
21 habitat management plans or other plans pre-
22 pared for the land within or adjacent to the
23 Conservation Area prior to the date of enact-
24 ment of this Act;

1 ~~(D)~~ shall be prepared in close consultation
 2 with appropriate Federal, State, county, and
 3 local agencies; and

4 ~~(E)~~ shall use information developed prior
 5 to the date of enactment of this Act in studies
 6 of the land within or adjacent to the Conserva-
 7 tion Area.

8 ~~(g)~~ BOUNDARY REVISIONS.—The Secretary may
 9 make revisions to the boundary of the Conservation Area
 10 following acquisition of land necessary to accomplish the
 11 purposes for which the Conservation Area was designated.

12 **SEC. 8. DESIGNATION OF WILDERNESS WITHIN THE CON-**
 13 **SERVATION AREA.**

14 ~~(a)~~ GUNNISON GORGE WILDERNESS.—

15 ~~(1)~~ IN GENERAL.—Within the Conservation
 16 Area, there is designated as wilderness, and as a
 17 component of the National Wilderness Preservation
 18 System, the Gunnison Gorge Wilderness, consisting
 19 of approximately 17,700 acres, as generally depicted
 20 on the Map.

21 ~~(2)~~ ADMINISTRATION.—

22 ~~(A)~~ WILDERNESS STUDY AREA EXEMP-
 23 TION.—The approximately 300-acre portion of
 24 the wilderness study area depicted on the Map
 25 for release from section 603 of the Federal

1 Land Policy and Management Act of 1976 (43
 2 U.S.C. 1782) shall not be subject to section
 3 603(e) of that Act.

4 (B) INCORPORATION INTO NATIONAL CON-
 5 SERVATION AREA.—The portion of the wilder-
 6 ness study area described in subparagraph (A)
 7 shall be incorporated into the Conservation
 8 Area.

9 (b) ADMINISTRATION.—Subject to valid rights in ex-
 10 istence on the date of enactment of this Act, the wilder-
 11 ness areas designated under this Act shall be administered
 12 by the Secretary in accordance with the Wilderness Act
 13 (16 U.S.C. 1131 et seq.).

14 (c) STATE RESPONSIBILITY.—As provided in section
 15 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
 16 nothing in this Act or in the Wilderness Act shall affect
 17 the jurisdiction or responsibilities of the State of Colorado
 18 with respect to wildlife and fish on the public land located
 19 in that State.

20 **SEC. 9. WITHDRAWAL.**

21 The land identified as tract B on the Map, consisting
 22 of approximately 1,554 acres, is withdrawn—

23 (1) from all forms of entry, appropriation, or
 24 disposal under the public land laws;

1 (2) from location, entry, and patent under the
2 mining laws; and

3 ~~(3) from operation of the mineral leasing and~~
4 geothermal leasing laws.

5 **SEC. 10. WATER RIGHTS.**

6 (a) EFFECT ON WATER RIGHTS.—Nothing in this
7 Act shall—

8 (1) constitute an express or implied reservation
9 of water for any purpose; or

10 (2) affect any water rights in existence prior to
11 the date of enactment of this Act, including any
12 water rights held by the United States.

13 (b) ADDITIONAL WATER RIGHTS.—Any new water
14 right that the Secretary determines is necessary for the
15 purposes of this Act shall be established in accordance
16 with the procedural and substantive requirements of the
17 laws of the State of Colorado.

18 **SEC. 11. STUDY OF LANDS WITHIN AND ADJACENT TO**
19 **CURECANTI NATIONAL RECREATION AREA.**

20 (a) IN GENERAL.—Not later than 2 years after the
21 date of enactment of this Act, the Secretary, acting
22 through the Director of the National Park Service, shall
23 conduct a study concerning land protection and open space
24 within and adjacent to the area administered as the
25 Curecanti National Recreation Area.

1 (b) PURPOSE OF STUDY.—The study required to be
2 completed under subsection (a) shall—

3 (1) assess the natural, cultural, recreational
4 and scenic resource value and character of the land
5 within and surrounding the Curecanti National
6 Recreation Area (including open vistas, wildlife habi-
7 tat, and other public benefits);

8 (2) identify practicable alternatives that protect
9 the resource value and character of the land within
10 and surrounding the Curecanti National Recreation
11 Area;

12 (3) recommend a variety of economically fea-
13 sible and viable tools to achieve the purposes de-
14 scribed in paragraphs (1) and (2); and

15 (4) estimate the costs of implementing the ap-
16 proaches recommended by the study.

17 (c) SUBMISSION OF REPORT.—Not later than 3 years
18 from the date of enactment of this Act, the Secretary shall
19 submit a report to Congress that—

20 (1) contains the findings of the study required
21 by subsection (a);

22 (2) makes recommendations to Congress with
23 respect to the findings of the study required by sub-
24 section (a); and

1 ~~(3)~~ makes recommendations to Congress re-
 2 garding action that may be taken with respect to the
 3 land described in the report.

4 ~~(d) ACQUISITION OF ADDITIONAL LAND AND INTER-~~
 5 ~~ESTS IN LAND.—~~

6 ~~(1) IN GENERAL.—~~Prior to the completion of
 7 the study required by subsection (a), the Secretary
 8 may acquire certain private land or interests in land
 9 as depicted on the Map entitled “Proposed Additions
 10 to the Curecanti National Recreation Area,” dated
 11 09/15/98, totaling approximately 1,065 acres and
 12 entitled “Hall and Fitti properties”.

13 ~~(2) METHOD OF ACQUISITION.—~~

14 ~~(A) IN GENERAL.—~~Land or an interest in
 15 land under paragraph (1) may be acquired by—

16 ~~(i) donation;~~

17 ~~(ii) purchase with donated or appro-~~
 18 ~~priated funds; or~~

19 ~~(iii) exchange.~~

20 ~~(B) CONSENT.—~~No land or interest in
 21 land may be acquired without the consent of
 22 the owner of the land.

23 ~~(C) BOUNDARY REVISIONS FOLLOWING AC-~~
 24 ~~QUISITION.—~~Following the acquisition of land
 25 under paragraph (1), the Secretary shall—

- 1 (i) revise the boundary of the
 2 Curecanti National Recreation Area to in-
 3 clude newly-acquired land; and
 4 (ii) administer newly-acquired land ac-
 5 cording to applicable laws (including regu-
 6 lations).

7 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated such sums
 9 as are necessary to carry out this Act.

10 **SECTION 1. SHORT TITLE.**

11 *This Act may be cited as the “Black Canyon of the*
 12 *Gunnison National Park and Gunnison Gorge National*
 13 *Conservation Area Act of 1999”.*

14 **SEC. 2. FINDINGS.**

15 *Congress finds that—*

16 (1) *Black Canyon of the Gunnison National*
 17 *Monument was established for the preservation of its*
 18 *spectacular gorges and additional features of scenic,*
 19 *scientific, and educational interest;*

20 (2) *the Black Canyon of the Gunnison and adja-*
 21 *cent upland include a variety of unique ecological, ge-*
 22 *ological, scenic, historical, and wildlife components*
 23 *enhanced by the serenity and rural western setting of*
 24 *the area;*

1 (3) *the Black Canyon of the Gunnison and adja-*
 2 *cent land provide extensive opportunities for edu-*
 3 *cational and recreational activities, and are publicly*
 4 *used for hiking, camping, and fishing, and for wilder-*
 5 *ness value, including solitude;*

6 (4) *adjacent public land downstream of the*
 7 *Black Canyon of the Gunnison National Monument*
 8 *has wilderness value and offers unique geological, pa-*
 9 *leontological, scientific, educational, and recreational*
 10 *resources;*

11 (5) *public land adjacent to the Black Canyon of*
 12 *the Gunnison National Monument contributes to the*
 13 *protection of the wildlife, viewshed, and scenic quali-*
 14 *ties of the Black Canyon;*

15 (6) *some private land adjacent to the Black Can-*
 16 *yon of the Gunnison National Monument has excep-*
 17 *tional natural and scenic value that would be threat-*
 18 *ened by future development pressures;*

19 (7) *the benefits of designating public and private*
 20 *land surrounding the national monument as a na-*
 21 *tional park include greater long-term protection of the*
 22 *resources and expanded visitor use opportunities; and*

23 (8) *land in and adjacent to the Black Canyon of*
 24 *the Gunnison Gorge is—*

1 (A) recognized for offering exceptional mul-
2 tiple use opportunities;

3 (B) recognized for offering natural, cultural,
4 scenic, wilderness, and recreational resources;
5 and

6 (C) worthy of additional protection as a na-
7 tional conservation area, and with respect to the
8 Gunnison Gorge itself, as a component of the na-
9 tional wilderness system.

10 **SEC. 3. DEFINITIONS.**

11 *In this Act:*

12 (1) *CONSERVATION AREA.*—The term “Conserva-
13 tion Area” means the Gunnison Gorge National Con-
14 servation Area, consisting of approximately 57,725
15 acres surrounding the Gunnison Gorge as depicted on
16 the Map.

17 (2) *MAP.*—The term “Map” means the map enti-
18 tled “Black Canyon of the Gunnison National Park
19 and Gunnison Gorge NCA—1/22/99”. The map shall
20 be on file and available for public inspection in the
21 offices of the Department of the Interior.

22 (3) *PARK.*—The term “Park” means the Black
23 Canyon of the Gunnison National Park established
24 under section 4 and depicted on the Map.

1 (4) *SECRETARY.*—*The term “Secretary” means*
 2 *the Secretary of the Interior.*

3 **SEC. 4. ESTABLISHMENT OF BLACK CANYON OF THE GUNNI-**
 4 **SON NATIONAL PARK.**

5 (a) *ESTABLISHMENT.*—*There is hereby established the*
 6 *Black Canyon of the Gunnison National Park in the State*
 7 *of Colorado as generally depicted on the map identified in*
 8 *section 3. The Black Canyon of the Gunnison National*
 9 *Monument is hereby abolished as such, the lands and inter-*
 10 *ests therein are incorporated within and made part of the*
 11 *new Black Canyon of the Gunnison National Park, and any*
 12 *funds available for purposes of the monument shall be avail-*
 13 *able for purposes of the park.*

14 (b) *ADMINISTRATION.*—*Upon enactment of this title,*
 15 *the Secretary shall transfer the lands under the jurisdiction*
 16 *of the Bureau of Land Management which are identified*
 17 *on the map for inclusion in the park to the administrative*
 18 *jurisdiction of the National Park Service. The Secretary*
 19 *shall administer the park in accordance with this Act and*
 20 *laws generally applicable to units of the National Park Sys-*
 21 *tem, including the Act entitled “An Act to establish a Na-*
 22 *tional Park Service, and for other purposes”, approved Au-*
 23 *gust 25, 1916 (16 U.S.C. 1, 2–4), and the Act entitled “An*
 24 *Act to provide for the preservation of historic American*
 25 *sites, buildings, objects, and antiquities of national signifi-*

1 *cance, and for other purposes, approved August 21, 1935*
2 *(16 U.S.C. 461 et seq.).*

3 (c) *MAPS AND LEGAL DESCRIPTION.*—*As soon as prac-*
4 *ticable after the date of enactment of this Act, the Secretary*
5 *shall file maps and a legal description of the park with*
6 *the Committee on Energy and Natural Resources of the*
7 *United States Senate and the Committee on Resources of*
8 *the United States House of Representatives. Such maps and*
9 *legal description shall have the same force and effect as if*
10 *included in this Act, except that the Secretary may correct*
11 *clerical and typographical errors in such legal description*
12 *and maps. The maps and legal description shall be on file*
13 *and available for public inspection in the appropriate of-*
14 *fices of the National Park Service.*

15 (d) *WITHDRAWAL.*—*Subject to valid existing rights, all*
16 *Federal lands within the park are hereby withdrawn from*
17 *all forms of entry, appropriation, or disposal under the*
18 *public land laws; from location, entry, and patent under*
19 *the mining laws; and from disposition under all laws relat-*
20 *ing to mineral and geothermal leasing, and all amendments*
21 *thereto.*

22 (e) *GRAZING.*—(1)(A) *Consistent with the require-*
23 *ments of this subsection, including the limitation in para-*
24 *graph (3), the Secretary shall allow the grazing of livestock*
25 *within the park to continue where authorized under permits*

1 *or leases in existence as of the date of enactment of this*
2 *Act. Grazing shall be at no more than the current level,*
3 *and subject to applicable laws and National Park Service*
4 *regulations.*

5 *(B) Nothing in this subsection shall be construed as*
6 *extending grazing privileges for any party or their assignee*
7 *in any area of the park where, prior to the date of enact-*
8 *ment of this Act, such use was scheduled to expire according*
9 *to the terms of a settlement by the U.S. Claims Court affect-*
10 *ing property incorporated into the boundary of the Black*
11 *Canyon of the Gunnison National Monument.*

12 *(C) Nothing in this subsection shall prohibit the Sec-*
13 *retary from accepting the voluntary termination of leases*
14 *or permits for grazing within the park.*

15 *(2) Within areas of the park designated as wilderness,*
16 *the grazing of livestock, where authorized under permits in*
17 *existence as of the date of enactment of this Act, shall be*
18 *permitted to continue subject to such reasonable regulations,*
19 *policies, and practices as the Secretary deems necessary,*
20 *consistent with this Act, the Wilderness Act, and other ap-*
21 *plicable laws and National Park Service regulations.*

22 *(3) With respect to the grazing permits and leases ref-*
23 *erenced in this subsection, the Secretary shall allow grazing*
24 *to continue, subject to periodic renewal, for a period equal*

1 *to the lifetime of the holder of the grazing permit or lease*
 2 *as of the date of enactment of this Act.*

3 **SEC. 5. ACQUISITION OF PROPERTY AND MINOR BOUNDARY**

4 **ADJUSTMENTS.**

5 *(a) ADDITIONAL ACQUISITIONS.—*

6 *(1) IN GENERAL.—The Secretary may acquire*
 7 *land or interests in land depicted on the Map as pro-*
 8 *posed additions.*

9 *(2) METHOD OF ACQUISITION.—*

10 *(A) IN GENERAL.—Land or interests in*
 11 *land may be acquired by—*

12 *(i) donation;*

13 *(ii) transfer;*

14 *(iii) purchase with donated or appro-*
 15 *priated funds; or*

16 *(iv) exchange.*

17 *(B) CONSENT.—No land or interest in land*
 18 *may be acquired without the consent of the*
 19 *owner of the land.*

20 *(b) BOUNDARY REVISION.—After acquiring land for*
 21 *the Park, the Secretary shall—*

22 *(1) revise the boundary of the Park to include*
 23 *newly-acquired land within the boundary; and*

24 *(2) administer newly-acquired land subject to*
 25 *applicable laws (including regulations).*

1 (c) *BOUNDARY SURVEY.*—*As soon as practicable and*
 2 *subject to the availability of funds the Secretary shall com-*
 3 *plete an official boundary survey of the Park.*

4 (d) *HUNTING ON PRIVATELY OWNED LANDS.*—

5 (1) *IN GENERAL.*—*The Secretary may permit*
 6 *hunting on privately owned land added to the Park*
 7 *under this Act, subject to limitations, conditions, or*
 8 *regulations that may be prescribed by the Secretary.*

9 (2) *TERMINATION OF AUTHORITY.*—*On the date*
 10 *that the Secretary acquires fee ownership of any pri-*
 11 *vately owned land added to the Park under this Act,*
 12 *the authority under paragraph (1) shall terminate*
 13 *with respect to the privately owned land acquired.*

14 **SEC. 6. EXPANSION OF THE BLACK CANYON OF THE GUNNI-**
 15 **SON WILDERNESS.**

16 (a) *EXPANSION OF BLACK CANYON OF THE GUNNISON*
 17 *WILDERNESS.*—*The Black Canyon of the Gunnison Wilder-*
 18 *ness, as established by subsection (b) of the first section of*
 19 *Public Law 94–567 (90 Stat. 2692), is expanded to include*
 20 *the parcel of land depicted on the Map as “Tract A” and*
 21 *consisting of approximately 4,419 acres.*

22 (b) *ADMINISTRATION.*—*The Black Canyon of the Gun-*
 23 *nison Wilderness shall be administered as a component of*
 24 *the Park.*

1 **SEC. 7. ESTABLISHMENT OF THE GUNNISON GORGE NA-**
2 **TIONAL CONSERVATION AREA.**

3 (a) *IN GENERAL.*—*There is established the Gunnison*
4 *Gorge National Conservation Area, consisting of approxi-*
5 *mately 57,725 acres as generally depicted on the Map.*

6 (b) *MANAGEMENT OF CONSERVATION AREA.*—*The Sec-*
7 *retary, acting through the Director of the Bureau of Land*
8 *Management, shall manage the Conservation Area to pro-*
9 *tect the resources of the Conservation Area in accordance*
10 *with—*

11 (1) *this Act;*

12 (2) *the Federal Land Policy and Management*
13 *Act of 1976 (43 U.S.C. 1701 et seq.); and*

14 (3) *other applicable provisions of law.*

15 (c) *WITHDRAWAL.*—*Subject to valid existing rights, all*
16 *Federal lands within the Conservation Area are hereby*
17 *withdrawn from all forms of entry, appropriation or dis-*
18 *posal under the public land laws; from location, entry, and*
19 *patent under the mining laws; and from disposition under*
20 *all laws relating to mineral and geothermal leasing, and*
21 *all amendments thereto.*

22 (d) *HUNTING, TRAPPING AND FISHING.*—

23 (1) *IN GENERAL.*—*The Secretary shall permit*
24 *hunting, trapping, and fishing within the Conserva-*
25 *tion Area in accordance with applicable laws (includ-*

1 *ing regulations) of the United States and the State of*
 2 *Colorado.*

3 (2) *EXCEPTION.—The Secretary, after consulta-*
 4 *tion with the Colorado Division of Wildlife, may issue*
 5 *regulations designating zones where and establishing*
 6 *periods when no hunting or trapping shall be per-*
 7 *mitted for reasons concerning—*

8 (A) *public safety;*

9 (B) *administration; or*

10 (C) *public use and enjoyment.*

11 (e) *USE OF MOTORIZED VEHICLES.—In addition to*
 12 *the use of motorized vehicles on established roadways, the*
 13 *use of motorized vehicles in the Conservation Area shall be*
 14 *allowed—*

15 (1) *to the extent the use is compatible with off-*
 16 *highway vehicle designations as described in the man-*
 17 *agement plan in effect on the date of enactment of*
 18 *this Act; or*

19 (2) *to the extent the use is practicable under a*
 20 *management plan prepared under this Act.*

21 (f) *CONSERVATION AREA MANAGEMENT PLAN.—*

22 (1) *IN GENERAL.—Not later than 4 years after*
 23 *the date of enactment of this Act, the Secretary*
 24 *shall—*

1 (A) develop a comprehensive plan for the
2 long-range protection and management of the
3 Conservation Area; and

4 (B) transmit the plan to—

5 (i) the Committee on Energy and Nat-
6 ural Resources of the Senate; and

7 (ii) the Committee on Resources of the
8 House of Representatives.

9 (2) CONTENTS OF PLAN.—The plan—

10 (A) shall describe the appropriate uses and
11 management of the Conservation Area in accord-
12 ance with this Act;

13 (B) may incorporate appropriate decisions
14 contained in any management or activity plan
15 for the area completed prior to the date of enact-
16 ment of this Act;

17 (C) may incorporate appropriate wildlife
18 habitat management plans or other plans pre-
19 pared for the land within or adjacent to the Con-
20 servation Area prior to the date of enactment of
21 this Act;

22 (D) shall be prepared in close consultation
23 with appropriate Federal, State, county, and
24 local agencies; and

1 (E) may use information developed prior to
 2 the date of enactment of this Act in studies of the
 3 land within or adjacent to the Conservation
 4 Area.

5 (g) *BOUNDARY REVISIONS.*—The Secretary may make
 6 revisions to the boundary of the Conservation Area fol-
 7 lowing acquisition of land necessary to accomplish the pur-
 8 poses for which the Conservation Area was designated.

9 **SEC. 8. DESIGNATION OF WILDERNESS WITHIN THE CON-**
 10 **SERVATION AREA.**

11 (a) *GUNNISON GORGE WILDERNESS.*—

12 (1) *IN GENERAL.*—Within the Conservation
 13 Area, there is designated as wilderness, and as a com-
 14 ponent of the National Wilderness Preservation Sys-
 15 tem, the Gunnison Gorge Wilderness, consisting of ap-
 16 proximately 17,700 acres, as generally depicted on the
 17 Map.

18 (2) *ADMINISTRATION.*—

19 (A) *WILDERNESS STUDY AREA EXEMP-*
 20 *TION.*—The approximately 300-acre portion of
 21 the wilderness study area depicted on the Map
 22 for release from section 603 of the Federal Land
 23 Policy and Management Act of 1976 (43 U.S.C.
 24 1782) shall not be subject to section 603(c) of
 25 that Act.

1 (B) INCORPORATION INTO NATIONAL CON-
 2 SERVATION AREA.—*The portion of the wilderness*
 3 *study area described in subparagraph (A) shall*
 4 *be incorporated into the Conservation Area.*

5 (b) ADMINISTRATION.—*Subject to valid rights in exist-*
 6 *ence on the date of enactment of this Act, the wilderness*
 7 *areas designated under this Act shall be administered by*
 8 *the Secretary in accordance with the Wilderness Act (16*
 9 *U.S.C. 1131 et seq.) except that any reference in such provi-*
 10 *sions to the effective date of the Wilderness Act shall be*
 11 *deemed to be a reference to the effective date of this Act*
 12 *and any reference to the Secretary of Agriculture shall be*
 13 *deemed to be a reference to the Secretary of the Interior.*

14 (c) STATE RESPONSIBILITY.—*As provided in section*
 15 *4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), noth-*
 16 *ing in this Act or in the Wilderness Act shall affect the*
 17 *jurisdiction or responsibilities of the State of Colorado with*
 18 *respect to wildlife and fish on the public land located in*
 19 *that State.*

20 (d) MAPS AND LEGAL DESCRIPTIONS.—*As soon as*
 21 *practicable after the date of enactment of this section, the*
 22 *Secretary of the Interior shall file a map and a legal de-*
 23 *scription of the Gunnison Gorge Wilderness with the Com-*
 24 *mittee on Energy and Natural Resources of the United*
 25 *States Senate and the Committee on Resources of the United*

1 *States House of Representatives. This map and description*
 2 *shall have the same force and effect as if included in this*
 3 *Act. The Secretary of the Interior may correct clerical and*
 4 *typographical errors in the map and legal description. The*
 5 *map and legal description shall be on file and available*
 6 *in the office of the Director of the BLM.*

7 **SEC. 9. WITHDRAWAL.**

8 *Subject to valid existing rights, the Federal lands iden-*
 9 *tified on the Map as “BLM Withdrawal (Tract B)” (com-*
 10 *prising approximately 1,154 acres) are hereby withdrawn*
 11 *from all forms of entry, appropriation or disposal under*
 12 *the public land laws; from location, entry, and patent under*
 13 *the mining laws; and from disposition under all laws relat-*
 14 *ing to mineral and geothermal leasing, and all amendments*
 15 *thereto.*

16 **SEC. 10. WATER RIGHTS.**

17 *(a) EFFECT ON WATER RIGHTS.—Nothing in this Act*
 18 *shall—*

19 *(1) constitute an express or implied reservation*
 20 *of water for any purpose; or*

21 *(2) affect any water rights in existence prior to*
 22 *the date of enactment of this Act, including any water*
 23 *rights held by the United States.*

24 *(b) ADDITIONAL WATER RIGHTS.—Any new water*
 25 *right that the Secretary determines is necessary for the pur-*

1 *poses of this Act shall be established in accordance with the*
 2 *procedural and substantive requirements of the laws of the*
 3 *State of Colorado.*

4 **SEC. 11. STUDY OF LANDS WITHIN AND ADJACENT TO**
 5 **CURECANTI NATIONAL RECREATION AREA.**

6 (a) *IN GENERAL.*—*Not later than 3 years after the*
 7 *date of enactment of this Act, the Secretary, acting through*
 8 *the Director of the National Park Service, shall conduct a*
 9 *study concerning land protection and open space within*
 10 *and adjacent to the area administered as the Curecanti Na-*
 11 *tional Recreation Area.*

12 (b) *PURPOSE OF STUDY.*—*The study required to be*
 13 *completed under subsection (a) shall—*

14 (1) *assess the natural, cultural, recreational and*
 15 *scenic resource value and character of the land within*
 16 *and surrounding the Curecanti National Recreation*
 17 *Area (including open vistas, wildlife habitat, and*
 18 *other public benefits);*

19 (2) *identify practicable alternatives that protect*
 20 *the resource value and character of the land within*
 21 *and surrounding the Curecanti National Recreation*
 22 *Area;*

23 (3) *recommend a variety of economically feasible*
 24 *and viable tools to achieve the purposes described in*
 25 *paragraphs (1) and (2); and*

1 (4) *estimate the costs of implementing the ap-*
 2 *proaches recommended by the study.*

3 (c) *SUBMISSION OF REPORT.*—*Not later than 3 years*
 4 *from the date of enactment of this Act, the Secretary shall*
 5 *submit a report to Congress that—*

6 (1) *contains the findings of the study required by*
 7 *subsection (a);*

8 (2) *makes recommendations to Congress with re-*
 9 *spect to the findings of the study required by sub-*
 10 *section (a); and*

11 (3) *makes recommendations to Congress regard-*
 12 *ing action that may be taken with respect to the land*
 13 *described in the report.*

14 (d) *ACQUISITION OF ADDITIONAL LAND AND INTER-*
 15 *ESTS IN LAND.*—

16 (1) *IN GENERAL.*—*Prior to the completion of the*
 17 *study required by subsection (a), the Secretary may*
 18 *acquire certain private land or interests in land as*
 19 *depicted on the Map entitled ‘Proposed Additions to*
 20 *the Curecanti National Recreation Area,’ dated 01/25/*
 21 *99, totaling approximately 1,065 acres and entitled*
 22 *‘Hall and Fitti properties’.*

23 (2) *METHOD OF ACQUISITION.*—

24 (A) *IN GENERAL.*—*Land or an interest in*
 25 *land under paragraph (1) may be acquired by—*

1 (i) donation;

2 (ii) purchase with donated or appro-
3 priated funds; or

4 (iii) exchange.

5 (B) CONSENT.—No land or interest in land
6 may be acquired without the consent of the
7 owner of the land.

8 (C) BOUNDARY REVISIONS FOLLOWING AC-
9 QUISTION.—Following the acquisition of land
10 under paragraph (1), the Secretary shall—

11 (i) revise the boundary of the
12 Curecanti National Recreation Area to in-
13 clude newly-acquired land; and

14 (ii) administer newly-acquired land
15 according to applicable laws (including reg-
16 ulations).

17 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

18 There are authorized to be appropriated such sums as
19 are necessary to carry out this Act.