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116TH CONGRESS
1ST SESSION

H. R. 823

[Report No. 116-226]

To provide for the designation of certain wilderness areas, recreation management areas, and conservation areas in the State of Colorado, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2019

Mr. NEGUSE introduced the following bill; which was referred to the Committee on Natural Resources

OCTOBER 4, 2019

Additional sponsors: Mr. PERLMUTTER, Ms. DEGETTE, and Mr. CROW

OCTOBER 4, 2019

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on January 28, 2019]

A BILL

To provide for the designation of certain wilderness areas, recreation management areas, and conservation areas in the State of Colorado, 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,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the “Col-*
 5 *orado Outdoor Recreation and Economy Act”.*

6 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 7 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Definition of state.

TITLE I—CONTINENTAL DIVIDE

Sec. 101. Definitions.

Sec. 102. Colorado Wilderness additions.

Sec. 103. Williams Fork Mountains Wilderness.

Sec. 104. Tenmile Recreation Management Area.

Sec. 105. Porcupine Gulch Wildlife Conservation Area.

Sec. 106. Williams Fork Mountains Wildlife Conservation Area.

Sec. 107. Camp Hale National Historic Landscape.

Sec. 108. White River National Forest Boundary modification.

Sec. 109. Rocky Mountain National Park Potential Wilderness Boundary adjust-
ment.

Sec. 110. Administrative provisions.

TITLE II—SAN JUAN MOUNTAINS

Sec. 201. Definitions.

Sec. 202. Additions to National Wilderness Preservation System.

Sec. 203. Special management areas.

Sec. 204. Release of wilderness study areas.

Sec. 205. Administrative provisions.

TITLE III—THOMPSON DIVIDE

Sec. 301. Purposes.

Sec. 302. Definitions.

Sec. 303. Thompson Divide Withdrawal and Protection Area.

Sec. 304. Thompson Divide lease exchange.

Sec. 305. Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Pro-
gram.

Sec. 306. Effect.

TITLE IV—CURECANTI NATIONAL RECREATION AREA

Sec. 401. Definitions.

Sec. 402. Curecanti National Recreation Area.

Sec. 403. Acquisition of land; boundary management.

Sec. 404. General management plan.

Sec. 405. Boundary survey.

1 **SEC. 2. DEFINITION OF STATE.**

2 *In this Act, the term “State” means the State of Colo-*
3 *rado.*

4 **TITLE I—CONTINENTAL DIVIDE**

5 **SEC. 101. DEFINITIONS.**

6 *In this title:*

7 (1) *COVERED AREA.*—*The term “covered area”*
8 *means any area designated as wilderness by the*
9 *amendments to section 2(a) of the Colorado Wilder-*
10 *ness Act of 1993 (16 U.S.C. 1132 note; Public Law*
11 *103–77) made by section 102(a).*

12 (2) *HISTORIC LANDSCAPE.*—*The term “Historic*
13 *Landscape” means the Camp Hale National Historic*
14 *Landscape designated by section 107(a).*

15 (3) *RECREATION MANAGEMENT AREA.*—*The term*
16 *“Recreation Management Area” means the Tenmile*
17 *Recreation Management Area designated by section*
18 *104(a).*

19 (4) *SECRETARY.*—*The term “Secretary” means*
20 *the Secretary of Agriculture.*

21 (5) *WILDLIFE CONSERVATION AREA.*—*The term*
22 *“Wildlife Conservation Area” means, as applicable—*

23 (A) *the Porcupine Gulch Wildlife Conserva-*
24 *tion Area designated by section 105(a); and*

25 (B) *the Williams Fork Mountains Wildlife*
26 *Conservation Area designated by section 106(a).*

1 **SEC. 102. COLORADO WILDERNESS ADDITIONS.**

2 (a) *DESIGNATION.*—Section 2(a) of the Colorado Wil-
3 derness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-
4 77) is amended—

5 (1) in paragraph (18), by striking “1993,” and
6 inserting “1993, and certain Federal land within the
7 White River National Forest that comprises approxi-
8 mately 6,896 acres, as generally depicted as ‘Proposed
9 Ptarmigan Peak Wilderness Additions’ on the map
10 entitled ‘Proposed Ptarmigan Peak Wilderness Addi-
11 tions’ and dated June 24, 2019,”; and

12 (2) by adding at the end the following:

13 “(23) *HOLY CROSS WILDERNESS ADDITION.*—
14 Certain Federal land within the White River Na-
15 tional Forest that comprises approximately 3,866
16 acres, as generally depicted as ‘Proposed Megan
17 Dickie Wilderness Addition’ on the map entitled
18 ‘Holy Cross Wilderness Addition Proposal’ and dated
19 June 24, 2019, which shall be incorporated into, and
20 managed as part of, the Holy Cross Wilderness des-
21 ignated by section 102(a)(5) of Public Law 96–560
22 (94 Stat. 3266).

23 “(24) *HOOSIER RIDGE WILDERNESS.*—Certain
24 Federal land within the White River National Forest
25 that comprises approximately 5,235 acres, as gen-
26 erally depicted as ‘Proposed Hoosier Ridge Wilder-

1 *ness’ on the map entitled ‘Tenmile Proposal’ and*
2 *dated June 24, 2019, which shall be known as the*
3 *‘Hoosier Ridge Wilderness’.*

4 *“(25) TENMILE WILDERNESS.—Certain Federal*
5 *land within the White River National Forest that*
6 *comprises approximately 7,624 acres, as generally de-*
7 *scribed as ‘Proposed Tenmile Wilderness’ on the map*
8 *entitled ‘Tenmile Proposal’ and dated June 24, 2019,*
9 *which shall be known as the ‘Tenmile Wilderness’.*

10 *“(26) EAGLES NEST WILDERNESS ADDITIONS.—*
11 *Certain Federal land within the White River Na-*
12 *tional Forest that comprises approximately 9,670*
13 *acres, as generally depicted as ‘Proposed Freeman*
14 *Creek Wilderness Addition’ and ‘Proposed Spraddle*
15 *Creek Wilderness Addition’ on the map entitled ‘Ea-*
16 *gles Nest Wilderness Additions Proposal’ and dated*
17 *June 24, 2019, which shall be incorporated into, and*
18 *managed as part of, the Eagles Nest Wilderness des-*
19 *ignated by Public Law 94–352 (90 Stat. 870).”.*

20 *(b) APPLICABLE LAW.—Any reference in the Wilder-*
21 *ness Act (16 U.S.C. 1131 et seq.) to the effective date of*
22 *that Act shall be considered to be a reference to the date*
23 *of enactment of this Act for purposes of administering a*
24 *covered area.*

1 (c) *FIRE, INSECTS, AND DISEASES.*—*In accordance*
2 *with section 4(d)(1) of the Wilderness Act (16 U.S.C.*
3 *1133(d)(1)), the Secretary may carry out any activity in*
4 *a covered area that the Secretary determines to be necessary*
5 *for the control of fire, insects, and diseases, subject to such*
6 *terms and conditions as the Secretary determines to be ap-*
7 *propriate.*

8 (d) *GRAZING.*—*The grazing of livestock on a covered*
9 *area, if established before the date of enactment of this Act,*
10 *shall be permitted to continue subject to such reasonable reg-*
11 *ulations as are considered to be necessary by the Secretary,*
12 *in accordance with—*

13 (1) *section 4(d)(4) of the Wilderness Act (16*
14 *U.S.C. 1133(d)(4)); and*

15 (2) *the guidelines set forth in Appendix A of the*
16 *report of the Committee on Interior and Insular Af-*
17 *airs of the House of Representatives accompanying*
18 *H.R. 2570 of the 101st Congress (H. Rept. 101–405).*

19 (e) *COORDINATION.*—*For purposes of administering*
20 *the Federal land designated as wilderness by paragraph*
21 *(26) of section 2(a) of the Colorado Wilderness Act of 1993*
22 *(16 U.S.C. 1132 note; Public Law 103–77) (as added by*
23 *subsection (a)(2)), the Secretary shall, as determined to be*
24 *appropriate for the protection of watersheds, coordinate the*
25 *activities of the Secretary in response to fires and flooding*

1 *events with interested State and local agencies, including*
2 *operations using aircraft or mechanized equipment.*

3 **SEC. 103. WILLIAMS FORK MOUNTAINS WILDERNESS.**

4 (a) *DESIGNATION.*—*In furtherance of the purposes of*
5 *the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal*
6 *land in the White River National Forest in the State, com-*
7 *prising approximately 8,036 acres and generally depicted*
8 *as “Proposed Williams Fork Mountains Wilderness” on the*
9 *map entitled “Williams Fork Mountains Proposal” and*
10 *dated June 24, 2019, is designated as a potential wilderness*
11 *area.*

12 (b) *MANAGEMENT.*—*Subject to valid existing rights*
13 *and except as provided in subsection (d), the potential wil-*
14 *derness area designated by subsection (a) shall be managed*
15 *in accordance with—*

16 (1) *the Wilderness Act (16 U.S.C. 1131 et seq.);*

17 *and*

18 (2) *this section.*

19 (c) *LIVESTOCK USE OF VACANT ALLOTMENTS.*—

20 (1) *IN GENERAL.*—*Not later than 3 years after*
21 *the date of enactment of this Act, in accordance with*
22 *applicable laws (including regulations), the Secretary*
23 *shall publish a determination regarding whether to*
24 *authorize livestock grazing or other use by livestock on*
25 *the vacant allotments known as—*

1 (A) the “Big Hole Allotment”; and

2 (B) the “Blue Ridge Allotment”.

3 (2) *MODIFICATION OF ALLOTMENTS.*—In pub-
4 lishing a determination pursuant to paragraph (1),
5 the Secretary may modify or combine the vacant al-
6 lotments referred to in that paragraph.

7 (3) *PERMIT OR OTHER AUTHORIZATION.*—Not
8 later than 1 year after the date on which a deter-
9 mination of the Secretary to authorize livestock graz-
10 ing or other use by livestock is published under para-
11 graph (1), if applicable, the Secretary shall grant a
12 permit or other authorization for that livestock graz-
13 ing or other use in accordance with applicable laws
14 (including regulations).

15 (d) *RANGE IMPROVEMENTS.*—

16 (1) *IN GENERAL.*—If the Secretary permits live-
17 stock grazing or other use by livestock on the potential
18 wilderness area under subsection (c), the Secretary, or
19 a third party authorized by the Secretary, may use
20 any motorized or mechanized transport or equipment
21 for purposes of constructing or rehabilitating such
22 range improvements as are necessary to obtain appro-
23 priate livestock management objectives (including
24 habitat and watershed restoration).

1 (2) *TERMINATION OF AUTHORITY.*—*The author-*
2 *ity provided by this subsection terminates on the date*
3 *that is 2 years after the date on which the Secretary*
4 *publishes a positive determination under subsection*
5 *(c)(3).*

6 (e) *DESIGNATION AS WILDERNESS.*—

7 (1) *DESIGNATION.*—*The potential wilderness*
8 *area designated by subsection (a) shall be designated*
9 *as wilderness, to be known as the “Williams Fork*
10 *Mountains Wilderness”*—

11 (A) *effective not earlier than the date that*
12 *is 180 days after the date of enactment this Act;*
13 *and*

14 (B) *on the earliest of—*

15 (i) *the date on which the Secretary*
16 *publishes in the Federal Register a notice*
17 *that the construction or rehabilitation of*
18 *range improvements under subsection (d) is*
19 *complete;*

20 (ii) *the date described in subsection*
21 *(d)(2); and*

22 (iii) *the effective date of a determina-*
23 *tion of the Secretary not to authorize live-*
24 *stock grazing or other use by livestock under*
25 *subsection (c)(1).*

1 (2) *ADMINISTRATION.*—*Subject to valid existing*
2 *rights, the Secretary shall manage the Williams Fork*
3 *Mountains Wilderness in accordance with—*

4 (A) *the Colorado Wilderness Act of 1993 (16*
5 *U.S.C. 1132 note; Public Law 103–77); and*

6 (B) *this title.*

7 **SEC. 104. TENMILE RECREATION MANAGEMENT AREA.**

8 (a) *DESIGNATION.*—*Subject to valid existing rights,*
9 *the approximately 17,122 acres of Federal land in the White*
10 *River National Forest in the State, as generally depicted*
11 *as “Proposed Tenmile Recreation Management Area” on*
12 *the map entitled “Tenmile Proposal” and dated June 24,*
13 *2019, are designated as the “Tenmile Recreation Manage-*
14 *ment Area”.*

15 (b) *PURPOSES.*—*The purposes of the Recreation Man-*
16 *agement Area are to conserve, protect, and enhance for the*
17 *benefit and enjoyment of present and future generations the*
18 *recreational, scenic, watershed, habitat, and ecological re-*
19 *sources of the Recreation Management Area.*

20 (c) *MANAGEMENT.*—

21 (1) *IN GENERAL.*—*The Secretary shall manage*
22 *the Recreation Management Area—*

23 (A) *in a manner that conserves, protects,*
24 *and enhances—*

1 (i) *the purposes of the Recreation Man-*
2 *agement Area described in subsection (b);*
3 *and*

4 (ii) *recreation opportunities, including*
5 *mountain biking, hiking, fishing, horseback*
6 *riding, snowshoeing, climbing, skiing,*
7 *camping, and hunting; and*

8 (B) *in accordance with—*

9 (i) *the Forest and Rangeland Renew-*
10 *able Resources Planning Act of 1974 (16*
11 *U.S.C. 1600 et seq.);*

12 (ii) *any other applicable laws (includ-*
13 *ing regulations); and*

14 (iii) *this section.*

15 (2) *USES.—*

16 (A) *IN GENERAL.—The Secretary shall only*
17 *allow such uses of the Recreation Management*
18 *Area as the Secretary determines would further*
19 *the purposes described in subsection (b).*

20 (B) *VEHICLES.—*

21 (i) *IN GENERAL.—Except as provided*
22 *in clause (iii), the use of motorized vehicles*
23 *in the Recreation Management Area shall be*
24 *limited to the roads, vehicle classes, and pe-*

1 *riods authorized for motorized vehicle use*
2 *on the date of enactment of this Act.*

3 *(ii) NEW OR TEMPORARY ROADS.—Ex-*
4 *cept as provided in clause (iii), no new or*
5 *temporary road shall be constructed in the*
6 *Recreation Management Area.*

7 *(iii) EXCEPTIONS.—Nothing in clause*
8 *(i) or (ii) prevents the Secretary from—*

9 *(I) rerouting or closing an exist-*
10 *ing road or trail to protect natural re-*
11 *sources from degradation, as the Sec-*
12 *retary determines to be appropriate;*

13 *(II) authorizing the use of motor-*
14 *ized vehicles for administrative pur-*
15 *poses or roadside camping;*

16 *(III) constructing temporary*
17 *roads or permitting the use of motor-*
18 *ized vehicles to carry out pre- or post-*
19 *fire watershed protection projects;*

20 *(IV) authorizing the use of motor-*
21 *ized vehicles to carry out any activity*
22 *described in subsection (d), (e)(1), or*
23 *(f); or*

24 *(V) responding to an emergency.*

25 *(C) COMMERCIAL TIMBER.—*

1 (i) *IN GENERAL.*—Subject to clause
2 (ii), no project shall be carried out in the
3 Recreation Management Area for the pur-
4 pose of harvesting commercial timber.

5 (ii) *LIMITATION.*—Nothing in clause
6 (i) prevents the Secretary from harvesting
7 or selling a merchantable product that is a
8 byproduct of an activity authorized under
9 this section.

10 (d) *FIRE, INSECTS, AND DISEASES.*—The Secretary
11 may carry out any activity, in accordance with applicable
12 laws (including regulations), that the Secretary determines
13 to be necessary to prevent, control, or mitigate fire, insects,
14 or disease in the Recreation Management Area, subject to
15 such terms and conditions as the Secretary determines to
16 be appropriate.

17 (e) *WATER.*—

18 (1) *EFFECT ON WATER MANAGEMENT INFRA-*
19 *STRUCTURE.*—Nothing in this section affects the con-
20 struction, repair, reconstruction, replacement, oper-
21 ation, maintenance, or renovation within the Recre-
22 ation Management Area of—

23 (A) water management infrastructure in ex-
24 istence on the date of enactment of this Act; or

1 (B) any future infrastructure necessary for
2 the development or exercise of water rights de-
3 creed before the date of enactment of this Act.

4 (2) *APPLICABLE LAW.*—Section 3(e) of the James
5 Peak Wilderness and Protection Area Act (Public
6 Law 107–216; 116 Stat. 1058) shall apply to the
7 Recreation Management Area.

8 (f) *REGIONAL TRANSPORTATION PROJECTS.*—Nothing
9 in this section precludes the Secretary from authorizing, in
10 accordance with applicable laws (including regulations),
11 the use or leasing of Federal land within the Recreation
12 Management Area for—

13 (1) a regional transportation project, includ-
14 ing—

15 (A) highway widening or realignment; and

16 (B) construction of multimodal transpor-
17 tation systems; or

18 (2) any infrastructure, activity, or safety meas-
19 ure associated with the implementation or use of a fa-
20 cility constructed under paragraph (1).

21 (g) *APPLICABLE LAW.*—Nothing in this section affects
22 the designation of the Federal land within the Recreation
23 Management Area for purposes of—

24 (1) section 138 of title 23, United States Code;

25 or

1 (2) *section 303 of title 49, United States Code.*

2 (h) *PERMITS.—Nothing in this section alters or lim-*
3 *its—*

4 (1) *any permit held by a ski area or other enti-*
5 *ty; or*

6 (2) *the acceptance, review, or implementation of*
7 *associated activities or facilities proposed or author-*
8 *ized by law or permit outside the boundaries of the*
9 *Recreation Management Area.*

10 **SEC. 105. PORCUPINE GULCH WILDLIFE CONSERVATION**

11 **AREA.**

12 (a) *DESIGNATION.—Subject to valid existing rights,*
13 *the approximately 8,287 acres of Federal land located in*
14 *the White River National Forest, as generally depicted as*
15 *“Proposed Porcupine Gulch Wildlife Conservation Area” on*
16 *the map entitled “Porcupine Gulch Wildlife Conservation*
17 *Area Proposal” and dated June 24, 2019, are designated*
18 *as the “Porcupine Gulch Wildlife Conservation Area” (re-*
19 *ferred to in this section as the “Wildlife Conservation*
20 *Area”).*

21 (b) *PURPOSES.—The purposes of the Wildlife Con-*
22 *servation Area are—*

23 (1) *to conserve and protect a wildlife migration*
24 *corridor over Interstate 70; and*

1 (2) *to conserve, protect, and enhance for the ben-*
2 *efit and enjoyment of present and future generations*
3 *the wildlife, scenic, roadless, watershed, and ecological*
4 *resources of the Wildlife Conservation Area.*

5 *(c) MANAGEMENT.—*

6 (1) *IN GENERAL.—The Secretary shall manage*
7 *the Wildlife Conservation Area—*

8 (A) *in a manner that conserves, protects,*
9 *and enhances the purposes described in sub-*
10 *section (b); and*

11 (B) *in accordance with—*

12 (i) *the Forest and Rangeland Renew-*
13 *able Resources Planning Act of 1974 (16*
14 *U.S.C. 1600 et seq.);*

15 (ii) *any other applicable laws (includ-*
16 *ing regulations); and*

17 (iii) *this section.*

18 (2) *USES.—*

19 (A) *IN GENERAL.—The Secretary shall only*
20 *allow such uses of the Wildlife Conservation Area*
21 *as the Secretary determines would further the*
22 *purposes described in subsection (b).*

23 (B) *RECREATION.—The Secretary may per-*
24 *mit such recreational activities in the Wildlife*
25 *Conservation Area that the Secretary determines*

1 *are consistent with the purposes described in*
2 *subsection (b).*

3 (C) *MOTORIZED VEHICLES AND MECHA-*
4 *NIZED TRANSPORT; NEW OR TEMPORARY*
5 *ROADS.—*

6 (i) *MOTORIZED VEHICLES AND MECHA-*
7 *NIZED TRANSPORT.—Except as provided in*
8 *clause (iii), the use of motorized vehicles*
9 *and mechanized transport in the Wildlife*
10 *Conservation Area shall be prohibited.*

11 (ii) *NEW OR TEMPORARY ROADS.—Ex-*
12 *cept as provided in clause (iii) and sub-*
13 *section (e), no new or temporary road shall*
14 *be constructed within the Wildlife Conserva-*
15 *tion Area.*

16 (iii) *EXCEPTIONS.—Nothing in clause*
17 *(i) or (ii) prevents the Secretary from—*

18 (I) *authorizing the use of motor-*
19 *ized vehicles or mechanized transport*
20 *for administrative purposes;*

21 (II) *constructing temporary roads*
22 *or permitting the use of motorized ve-*
23 *hicles or mechanized transport to carry*
24 *out pre- or post-fire watershed protec-*
25 *tion projects;*

1 (III) *authorizing the use of motor-*
2 *ized vehicles or mechanized transport*
3 *to carry out activities described in sub-*
4 *section (d) or (e); or*

5 (IV) *responding to an emergency.*

6 (D) *COMMERCIAL TIMBER.—*

7 (i) *IN GENERAL.—Subject to clause*
8 *(ii), no project shall be carried out in the*
9 *Wildlife Conservation Area for the purpose*
10 *of harvesting commercial timber.*

11 (ii) *LIMITATION.—Nothing in clause*
12 *(i) prevents the Secretary from harvesting*
13 *or selling a merchantable product that is a*
14 *byproduct of an activity authorized under*
15 *this section.*

16 (d) *FIRE, INSECTS, AND DISEASES.—The Secretary*
17 *may carry out any activity, in accordance with applicable*
18 *laws (including regulations), that the Secretary determines*
19 *to be necessary to prevent, control, or mitigate fire, insects,*
20 *or disease in the Wildlife Conservation Area, subject to such*
21 *terms and conditions as the Secretary determines to be ap-*
22 *propriate.*

23 (e) *REGIONAL TRANSPORTATION PROJECTS.—Nothing*
24 *in this section or section 110(e) precludes the Secretary*
25 *from authorizing, in accordance with applicable laws (in-*

1 *cluding regulations), the use or leasing of Federal land*
 2 *within the Wildlife Conservation Area for—*

3 *(1) a regional transportation project, includ-*
 4 *ing—*

5 *(A) highway widening or realignment; and*

6 *(B) construction of multimodal transpor-*
 7 *tation systems; or*

8 *(2) any infrastructure, activity, or safety meas-*
 9 *ure associated with the implementation or use of a fa-*
 10 *cility constructed under paragraph (1).*

11 *(f) APPLICABLE LAW.—Nothing in this section affects*
 12 *the designation of the Federal land within the Wildlife Con-*
 13 *servation Area for purposes of—*

14 *(1) section 138 of title 23, United States Code;*

15 *or*

16 *(2) section 303 of title 49, United States Code.*

17 *(g) WATER.—Section 3(e) of the James Peak Wilder-*
 18 *ness and Protection Area Act (Public Law 107–216; 116*
 19 *Stat. 1058) shall apply to the Wildlife Conservation Area.*

20 **SEC. 106. WILLIAMS FORK MOUNTAINS WILDLIFE CON-**
 21 **SERVATION AREA.**

22 *(a) DESIGNATION.—Subject to valid existing rights,*
 23 *the approximately 3,528 acres of Federal land in the White*
 24 *River National Forest in the State, as generally depicted*
 25 *as “Proposed Williams Fork Mountains Wildlife Conserva-*

1 *tion Area” on the map entitled “Williams Fork Mountains*
2 *Proposal” and dated June 24, 2019, are designated as the*
3 *“Williams Fork Mountains Wildlife Conservation Area”*
4 *(referred to in this section as the “Wildlife Conservation*
5 *Area”).*

6 (b) *PURPOSES.—The purposes of the Wildlife Con-*
7 *servaion Area are to conserve, protect, and enhance for the*
8 *benefit and enjoyment of present and future generations the*
9 *wildlife, scenic, roadless, watershed, recreational, and eco-*
10 *logical resources of the Wildlife Conservation Area.*

11 (c) *MANAGEMENT.—*

12 (1) *IN GENERAL.—The Secretary shall manage*
13 *the Wildlife Conservation Area—*

14 (A) *in a manner that conserves, protects,*
15 *and enhances the purposes described in sub-*
16 *section (b); and*

17 (B) *in accordance with—*

18 (i) *the Forest and Rangeland Renew-*
19 *able Resources Planning Act of 1974 (16*
20 *U.S.C. 1600 et seq.);*

21 (ii) *any other applicable laws (includ-*
22 *ing regulations); and*

23 (iii) *this section.*

24 (2) *USES.—*

1 (A) *IN GENERAL.*—*The Secretary shall only*
2 *allow such uses of the Wildlife Conservation Area*
3 *as the Secretary determines would further the*
4 *purposes described in subsection (b).*

5 (B) *MOTORIZED VEHICLES.*—

6 (i) *IN GENERAL.*—*Except as provided*
7 *in clause (iii), the use of motorized vehicles*
8 *in the Wildlife Conservation Area shall be*
9 *limited to designated roads and trails.*

10 (ii) *NEW OR TEMPORARY ROADS.*—*Ex-*
11 *cept as provided in clause (iii), no new or*
12 *temporary road shall be constructed in the*
13 *Wildlife Conservation Area.*

14 (iii) *EXCEPTIONS.*—*Nothing in clause*
15 *(i) or (ii) prevents the Secretary from—*

16 (I) *authorizing the use of motor-*
17 *ized vehicles for administrative pur-*
18 *poses;*

19 (II) *authorizing the use of motor-*
20 *ized vehicles to carry out activities de-*
21 *scribed in subsection (d); or*

22 (III) *responding to an emergency.*

23 (C) *BICYCLES.*—*The use of bicycles in the*
24 *Wildlife Conservation Area shall be limited to*
25 *designated roads and trails.*

1 (D) *COMMERCIAL TIMBER.*—

2 (i) *IN GENERAL.*—Subject to clause
3 (ii), no project shall be carried out in the
4 Wildlife Conservation Area for the purpose
5 of harvesting commercial timber.

6 (ii) *LIMITATION.*—Nothing in clause
7 (i) prevents the Secretary from harvesting
8 or selling a merchantable product that is a
9 byproduct of an activity authorized under
10 this section.

11 (E) *GRAZING.*—The laws (including regula-
12 tions) and policies followed by the Secretary in
13 issuing and administering grazing permits or
14 leases on land under the jurisdiction of the Sec-
15 retary shall continue to apply with regard to the
16 land in the Wildlife Conservation Area, con-
17 sistent with the purposes described in subsection
18 (b).

19 (d) *FIRE, INSECTS, AND DISEASES.*—The Secretary
20 may carry out any activity, in accordance with applicable
21 laws (including regulations), that the Secretary determines
22 to be necessary to prevent, control, or mitigate fire, insects,
23 or disease in the Wildlife Conservation Area, subject to such
24 terms and conditions as the Secretary determines to be ap-
25 propriate.

1 (e) *REGIONAL TRANSPORTATION PROJECTS.*—*Nothing*
2 *in this section or section 110(e) precludes the Secretary*
3 *from authorizing, in accordance with applicable laws (in-*
4 *cluding regulations), the use or leasing of Federal land*
5 *within the Wildlife Conservation Area for—*

6 (1) *a regional transportation project, includ-*
7 *ing—*

8 (A) *highway widening or realignment; and*

9 (B) *construction of multimodal transpor-*
10 *tation systems; or*

11 (2) *any infrastructure, activity, or safety meas-*
12 *ure associated with the implementation or use of a fa-*
13 *cility constructed under paragraph (1).*

14 (f) *WATER.*—*Section 3(e) of the James Peak Wilder-*
15 *ness and Protection Area Act (Public Law 107–216; 116*
16 *Stat. 1058) shall apply to the Wildlife Conservation Area.*

17 **SEC. 107. CAMP HALE NATIONAL HISTORIC LANDSCAPE.**

18 (a) *DESIGNATION.*—*Subject to valid existing rights,*
19 *the approximately 28,676 acres of Federal land in the White*
20 *River National Forest in the State, as generally depicted*
21 *as “Proposed Camp Hale National Historic Landscape” on*
22 *the map entitled “Camp Hale National Historic Landscape*
23 *Proposal” and dated June 24, 2019, are designated the*
24 *“Camp Hale National Historic Landscape”.*

1 (b) *PURPOSES.*—*The purposes of the Historic Land-*
2 *scape are—*

3 (1) *to provide for—*

4 (A) *the interpretation of historic events, ac-*
5 *tivities, structures, and artifacts of the Historic*
6 *Landscape, including with respect to the role of*
7 *the Historic Landscape in local, national, and*
8 *world history;*

9 (B) *the historic preservation of the Historic*
10 *Landscape, consistent with—*

11 (i) *the designation of the Historic*
12 *Landscape as a national historic site; and*

13 (ii) *the other purposes of the Historic*
14 *Landscape;*

15 (C) *recreational opportunities, with an em-*
16 *phasis on the activities related to the historic use*
17 *of the Historic Landscape, including skiing,*
18 *snowshoeing, snowmobiling, hiking, horseback*
19 *riding, climbing, other road- and trail-based ac-*
20 *tivities, and other outdoor activities; and*

21 (D) *the continued environmental remedi-*
22 *ation and removal of unexploded ordnance at the*
23 *Camp Hale Formerly Used Defense Site and the*
24 *Camp Hale historic cantonment area; and*

1 (2) *to conserve, protect, restore, and enhance for*
2 *the benefit and enjoyment of present and future gen-*
3 *erations the scenic, watershed, and ecological resources*
4 *of the Historic Landscape.*

5 *(c) MANAGEMENT.—*

6 (1) *IN GENERAL.—The Secretary shall manage*
7 *the Historic Landscape in accordance with—*

8 (A) *the purposes of the Historic Landscape*
9 *described in subsection (b); and*

10 (B) *any other applicable laws (including*
11 *regulations).*

12 (2) *MANAGEMENT PLAN.—*

13 (A) *IN GENERAL.—Not later than 5 years*
14 *after the date of enactment of this Act, the Sec-*
15 *retary shall prepare a management plan for the*
16 *Historic Landscape.*

17 (B) *CONTENTS.—The management plan*
18 *prepared under subparagraph (A) shall include*
19 *plans for—*

20 (i) *improving the interpretation of his-*
21 *toric events, activities, structures, and arti-*
22 *facts of the Historic Landscape, including*
23 *with respect to the role of the Historic*
24 *Landscape in local, national, and world*
25 *history;*

1 (ii) conducting historic preservation
2 activities;

3 (iii) managing recreational opportuni-
4 ties, including the use and stewardship of—

5 (I) the road and trail systems;

6 and

7 (II) dispersed recreation resources;

8 (iv) the conservation, protection, res-
9 toration, or enhancement of the scenic, wa-
10 tershed, and ecological resources of the His-
11 toric Landscape, including conducting the
12 restoration and enhancement project under
13 subsection (d); and

14 (v) environmental remediation and,
15 consistent with subsection (e)(2), the re-
16 moval of unexploded ordnance.

17 (3) *EXPLOSIVE HAZARDS.*—The Secretary shall
18 provide to the Secretary of the Army a notification of
19 any unexploded ordnance (as defined in section
20 101(e) of title 10, United States Code) that is discov-
21 ered in the Historic Landscape.

22 (d) *CAMP HALE RESTORATION AND ENHANCEMENT*
23 *PROJECT.*—

1 (1) *IN GENERAL.*—*The Secretary shall conduct a*
2 *restoration and enhancement project in the Historic*
3 *Landscape—*

4 (A) *to improve aquatic, riparian, and wet-*
5 *land conditions in and along the Eagle River*
6 *and tributaries of the Eagle River;*

7 (B) *to maintain or improve recreation and*
8 *interpretive opportunities and facilities; and*

9 (C) *to conserve historic values in the Camp*
10 *Hale area.*

11 (2) *COORDINATION.*—*In carrying out the project*
12 *described in paragraph (1), the Secretary shall co-*
13 *ordinate with—*

14 (A) *the United States Army Corps of Engi-*
15 *neers;*

16 (B) *the Camp Hale-Eagle River Head-*
17 *waters Collaborative Group;*

18 (C) *the National Forest Foundation;*

19 (D) *the Colorado Department of Public*
20 *Health and Environment;*

21 (E) *the Colorado State Historic Preserva-*
22 *tion Office;*

23 (F) *units of local government; and*

24 (G) *other interested organizations and*
25 *members of the public.*

1 (e) *ENVIRONMENTAL REMEDIATION.*—

2 (1) *IN GENERAL.*—*The Secretary of the Army*
3 *shall continue to carry out the projects and activities*
4 *of the Department of the Army in existence on the*
5 *date of enactment of this Act relating to cleanup of—*

6 (A) *the Camp Hale Formerly Used Defense*
7 *Site; or*

8 (B) *the Camp Hale historic cantonment*
9 *area.*

10 (2) *REMOVAL OF UNEXPLODED ORDNANCE.*—

11 (A) *IN GENERAL.*—*The Secretary of the*
12 *Army may remove unexploded ordnance (as de-*
13 *fined in section 101(e) of title 10, United States*
14 *Code) from the Historic Landscape, as the Sec-*
15 *retary of the Army determines to be appropriate*
16 *in accordance with applicable law (including*
17 *regulations).*

18 (B) *ACTION ON RECEIPT OF NOTICE.*—*On*
19 *receipt from the Secretary of a notification of*
20 *unexploded ordnance under subsection (c)(3), the*
21 *Secretary of the Army may remove the*
22 *unexploded ordnance in accordance with—*

23 (i) *the program for environmental res-*
24 *toration of formerly used defense sites under*
25 *section 2701 of title 10, United States Code;*

1 (ii) the Comprehensive Environmental
2 Response, Compensation, and Liability Act
3 of 1980 (42 U.S.C. 9601 et seq.); and

4 (iii) any other applicable provision of
5 law (including regulations).

6 (3) *EFFECT OF SUBSECTION.*—Nothing in this
7 subsection modifies any obligation in existence on the
8 date of enactment of this Act relating to environ-
9 mental remediation or removal of any unexploded
10 ordnance located in or around the Camp Hale his-
11 toric cantonment area, the Camp Hale Formerly
12 Used Defense Site, or the Historic Landscape, includ-
13 ing such an obligation under—

14 (A) the program for environmental restora-
15 tion of formerly used defense sites under section
16 2701 of title 10, United States Code;

17 (B) the Comprehensive Environmental Re-
18 sponse, Compensation, and Liability Act of 1980
19 (42 U.S.C. 9601 et seq.); or

20 (C) any other applicable provision of law
21 (including regulations).

22 (f) *INTERAGENCY AGREEMENT.*—The Secretary and
23 the Secretary of the Army shall enter into an agreement—

24 (1) to specify—

1 (A) the activities of the Secretary relating
2 to the management of the Historic Landscape;
3 and

4 (B) the activities of the Secretary of the
5 Army relating to environmental remediation and
6 the removal of unexploded ordnance in accord-
7 ance with subsection (e) and other applicable
8 laws (including regulations); and

9 (2) to require the Secretary to provide to the Sec-
10 retary of the Army, by not later than 1 year after the
11 date of enactment of this Act and periodically there-
12 after, as appropriate, a management plan for the
13 Historic Landscape for purposes of the removal ac-
14 tivities described in subsection (e).

15 (g) *EFFECT.*—Nothing in this section—

16 (1) affects the jurisdiction of the State over any
17 water law, water right, or adjudication or adminis-
18 tration relating to any water resource;

19 (2) affects any water right in existence on or
20 after the date of enactment of this Act, or the exercise
21 of such a water right, including—

22 (A) a water right under an interstate water
23 compact (including full development of any ap-
24 portionment made in accordance with such a
25 compact);

1 (B) a water right decreed within, above,
2 below, or through the Historic Landscape;

3 (C) a water right held by the United States;

4 (D) the management or operation of any
5 reservoir, including the storage, management, re-
6 lease, or transportation of water; and

7 (E) the construction or operation of such
8 infrastructure as is determined to be necessary
9 by an individual or entity holding water rights
10 to develop and place to beneficial use those
11 rights, subject to applicable Federal, State, and
12 local law (including regulations);

13 (3) constitutes an express or implied reservation
14 by the United States of any reserved or appropriative
15 water right;

16 (4) alters or limits—

17 (A) a permit held by a ski area;

18 (B) the implementation of activities gov-
19 erned by a ski area permit; or

20 (C) the authority of the Secretary to modify
21 or expand an existing ski area permit;

22 (5) prevents the Secretary from closing portions
23 of the Historic Landscape for public safety, environ-
24 mental remediation, or other use in accordance with
25 applicable laws; or

1 (6) *affects—*

2 (A) *any special use permit in effect on the*
3 *date of enactment of this Act; or*

4 (B) *the renewal of a permit described in*
5 *subparagraph (A).*

6 (h) *FUNDING.—*

7 (1) *IN GENERAL.—There is established in the*
8 *general fund of the Treasury a special account, to be*
9 *known as the “Camp Hale Historic Preservation and*
10 *Restoration Fund”.*

11 (2) *AUTHORIZATION OF APPROPRIATIONS.—*
12 *There is authorized to be appropriated to the Camp*
13 *Hale Historic Preservation and Restoration Fund*
14 *\$10,000,000, to be available to the Secretary until ex-*
15 *pended, for activities relating to historic interpreta-*
16 *tion, preservation, and restoration carried out in and*
17 *around the Historic Landscape.*

18 **SEC. 108. WHITE RIVER NATIONAL FOREST BOUNDARY**

19 **MODIFICATION.**

20 (a) *IN GENERAL.—The boundary of the White River*
21 *National Forest is modified to include the approximately*
22 *120 acres comprised of the SW 1/4, the SE 1/4, and the*
23 *NE 1/4 of the SE 1/4 of sec. 1, T. 2 S., R. 80 W., 6th*
24 *Principal Meridian, in Summit County in the State.*

1 (b) *LAND AND WATER CONSERVATION FUND.*—For
2 *purposes of section 200306 of title 54, United States Code,*
3 *the boundaries of the White River National Forest, as modi-*
4 *fied under subsection (a), shall be considered to be the*
5 *boundaries of the White River National Forest as in exist-*
6 *ence on January 1, 1965.*

7 **SEC. 109. ROCKY MOUNTAIN NATIONAL PARK POTENTIAL**
8 **WILDERNESS BOUNDARY ADJUSTMENT.**

9 (a) *PURPOSE.*—*The purpose of this section is to pro-*
10 *vide for the ongoing maintenance and use of portions of*
11 *the Trail River Ranch and the associated property located*
12 *within Rocky Mountain National Park in Grand County*
13 *in the State.*

14 (b) *BOUNDARY ADJUSTMENT.*—*Section 1952(b) of the*
15 *Omnibus Public Land Management Act of 2009 (Public*
16 *Law 111–11; 123 Stat. 1070) is amended by adding at the*
17 *end the following:*

18 “(3) *BOUNDARY ADJUSTMENT.*—*The boundary of*
19 *the Potential Wilderness is modified to exclude the*
20 *area comprising approximately 15.5 acres of land*
21 *identified as ‘Potential Wilderness to Non-wilderness’*
22 *on the map entitled ‘Rocky Mountain National Park*
23 *Proposed Wilderness Area Amendment’ and dated*
24 *January 16, 2018.’”.*

1 **SEC. 110. ADMINISTRATIVE PROVISIONS.**

2 (a) *FISH AND WILDLIFE.*—*Nothing in this title affects*
3 *the jurisdiction or responsibility of the State with respect*
4 *to fish and wildlife in the State.*

5 (b) *NO BUFFER ZONES.*—

6 (1) *IN GENERAL.*—*Nothing in this title or an*
7 *amendment made by this title establishes a protective*
8 *perimeter or buffer zone around—*

9 (A) *a covered area;*

10 (B) *a wilderness area or potential wilder-*
11 *ness area designated by section 103;*

12 (C) *the Recreation Management Area;*

13 (D) *a Wildlife Conservation Area; or*

14 (E) *the Historic Landscape.*

15 (2) *OUTSIDE ACTIVITIES.*—*The fact that a non-*
16 *wilderness activity or use on land outside of a covered*
17 *area can be seen or heard from within the covered*
18 *area shall not preclude the activity or use outside the*
19 *boundary of the covered area.*

20 (c) *MAPS AND LEGAL DESCRIPTIONS.*—

21 (1) *IN GENERAL.*—*As soon as practicable after*
22 *the date of enactment of this Act, the Secretary shall*
23 *file maps and legal descriptions of each area described*
24 *in subsection (b)(1) with—*

25 (A) *the Committee on Natural Resources of*
26 *the House of Representatives; and*

1 (B) *the Committee on Energy and Natural*
2 *Resources of the Senate.*

3 (2) *FORCE OF LAW.—Each map and legal de-*
4 *scription filed under paragraph (1) shall have the*
5 *same force and effect as if included in this title, ex-*
6 *cept that the Secretary may correct any typo-*
7 *graphical errors in the maps and legal descriptions.*

8 (3) *PUBLIC AVAILABILITY.—Each map and legal*
9 *description filed under paragraph (1) shall be on file*
10 *and available for public inspection in the appropriate*
11 *offices of the Forest Service.*

12 (d) *ACQUISITION OF LAND.—*

13 (1) *IN GENERAL.—The Secretary may acquire*
14 *any land or interest in land within the boundaries of*
15 *an area described in subsection (b)(1) only through*
16 *exchange, donation, or purchase from a willing seller.*

17 (2) *MANAGEMENT.—Any land or interest in land*
18 *acquired under paragraph (1) shall be incorporated*
19 *into, and administered as a part of, the wilderness*
20 *area, Recreation Management Area, Wildlife Con-*
21 *servation Area, or Historic Landscape, as applicable,*
22 *in which the land or interest in land is located.*

23 (e) *WITHDRAWAL.—Subject to valid rights in existence*
24 *on the date of enactment of this Act, the areas described*
25 *in subsection (b)(1) are withdrawn from—*

1 (1) *entry, appropriation, and disposal under the*
2 *public land laws;*

3 (2) *location, entry, and patent under mining*
4 *laws; and*

5 (3) *operation of the mineral leasing, mineral*
6 *materials, and geothermal leasing laws.*

7 (f) *MILITARY OVERFLIGHTS.*—*Nothing in this title or*
8 *an amendment made by this title restricts or precludes—*

9 (1) *any low-level overflight of military aircraft*
10 *over any area subject to this title or an amendment*
11 *made by this title, including military overflights that*
12 *can be seen, heard, or detected within such an area;*

13 (2) *flight testing or evaluation over an area de-*
14 *scribed in paragraph (1); or*

15 (3) *the use or establishment of—*

16 (A) *any new unit of special use airspace*
17 *over an area described in paragraph (1); or*

18 (B) *any military flight training or trans-*
19 *portation over such an area.*

20 **TITLE II—SAN JUAN MOUNTAINS**

21 **SEC. 201. DEFINITIONS.**

22 *In this title:*

23 (1) *COVERED LAND.*—*The term “covered land”*
24 *means—*

1 (A) land designated as wilderness under
 2 paragraphs (27) through (29) of section 2(a) of
 3 the Colorado Wilderness Act of 1993 (16 U.S.C.
 4 1132 note; Public Law 103-77) (as added by sec-
 5 tion 202); and

6 (B) a Special Management Area.

7 (2) SECRETARY.—The term “Secretary” means
 8 the Secretary of Agriculture.

9 (3) SPECIAL MANAGEMENT AREA.—The term
 10 “Special Management Area” means each of—

11 (A) the Sheep Mountain Special Manage-
 12 ment Area designated by section 203(a)(1); and

13 (B) the Liberty Bell East Special Manage-
 14 ment Area designated by section 203(a)(2).

15 **SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
 16 **VATION SYSTEM.**

17 Section 2(a) of the Colorado Wilderness Act of 1993
 18 (16 U.S.C. 1132 note; Public Law 103-77) (as amended
 19 by section 102(a)(2)) is amended by adding at the end the
 20 following:

21 “(27) LIZARD HEAD WILDERNESS ADDITION.—
 22 Certain Federal land in the Grand Mesa,
 23 Uncompahgre, and Gunnison National Forests com-
 24 prising approximately 3,141 acres, as generally de-
 25 picted on the map entitled ‘Proposed Wilson, Sun-

1 *shine, Black Face and San Bernardo Additions to the*
2 *Lizard Head Wilderness’ and dated September 6,*
3 *2018, which is incorporated in, and shall be adminis-*
4 *tered as part of, the Lizard Head Wilderness.*

5 “(28) MOUNT SNEFFELS WILDERNESS ADDI-
6 TIONS.—

7 “(A) LIBERTY BELL AND LAST DOLLAR AD-
8 DITIONS.—*Certain Federal land in the Grand*
9 *Mesa, Uncompahgre, and Gunnison National*
10 *Forests comprising approximately 7,235 acres,*
11 *as generally depicted on the map entitled ‘Pro-*
12 *posed Liberty Bell and Last Dollar Additions to*
13 *the Mt. Sneffels Wilderness, Liberty Bell East*
14 *Special Management Area’ and dated September*
15 *6, 2018, which is incorporated in, and shall be*
16 *administered as part of, the Mount Sneffels Wil-*
17 *derness.*

18 “(B) WHITEHOUSE ADDITIONS.—*Certain*
19 *Federal land in the Grand Mesa, Uncompahgre,*
20 *and Gunnison National Forests comprising ap-*
21 *proximately 12,465 acres, as generally depicted*
22 *on the map entitled ‘Proposed Whitehouse Addi-*
23 *tions to the Mt. Sneffels Wilderness’ and dated*
24 *September 6, 2018, which is incorporated in,*

1 *and shall be administered as part of, the Mount*
2 *Sneffels Wilderness.*

3 “(29) *MCKENNA PEAK WILDERNESS.*—*Certain*
4 *Federal land in the State of Colorado comprising ap-*
5 *proximately 8,884 acres of Bureau of Land Manage-*
6 *ment land, as generally depicted on the map entitled*
7 *‘Proposed McKenna Peak Wilderness Area’ and dated*
8 *September 18, 2018, to be known as the ‘McKenna*
9 *Peak Wilderness’.*”.

10 **SEC. 203. SPECIAL MANAGEMENT AREAS.**

11 *(a) DESIGNATION.*—

12 (1) *SHEEP MOUNTAIN SPECIAL MANAGEMENT*
13 *AREA.*—*The Federal land in the Grand Mesa,*
14 *Uncompahgre, and Gunnison and San Juan National*
15 *Forests in the State comprising approximately 21,663*
16 *acres, as generally depicted on the map entitled “Pro-*
17 *posed Sheep Mountain Special Management Area”*
18 *and dated September 19, 2018, is designated as the*
19 *“Sheep Mountain Special Management Area”.*

20 (2) *LIBERTY BELL EAST SPECIAL MANAGEMENT*
21 *AREA.*—*The Federal land in the Grand Mesa,*
22 *Uncompahgre, and Gunnison National Forests in the*
23 *State comprising approximately 792 acres, as gen-*
24 *erally depicted on the map entitled “Proposed Liberty*
25 *Bell and Last Dollar Additions to the Mt. Sneffels*

1 *Wilderness, Liberty Bell East Special Management*
2 *Area” and dated September 6, 2018, is designated as*
3 *the “Liberty Bell East Special Management Area”.*

4 *(b) PURPOSE.—The purpose of the Special Manage-*
5 *ment Areas is to conserve and protect for the benefit and*
6 *enjoyment of present and future generations the geological,*
7 *cultural, archaeological, paleontological, natural, scientific,*
8 *recreational, wilderness, wildlife, riparian, historical, edu-*
9 *cational, and scenic resources of the Special Management*
10 *Areas.*

11 *(c) MANAGEMENT.—*

12 *(1) IN GENERAL.—The Secretary shall manage*
13 *the Special Management Areas in a manner that—*

14 *(A) conserves, protects, and enhances the re-*
15 *sources and values of the Special Management*
16 *Areas described in subsection (b);*

17 *(B) subject to paragraph (3), maintains or*
18 *improves the wilderness character of the Special*
19 *Management Areas and the suitability of the*
20 *Special Management Areas for potential inclu-*
21 *sion in the National Wilderness Preservation*
22 *System; and*

23 *(C) is in accordance with—*

24 *(i) the National Forest Management*
25 *Act of 1976 (16 U.S.C. 1600 et seq.);*

1 (ii) *this title; and*

2 (iii) *any other applicable laws.*

3 (2) *PROHIBITIONS.—The following shall be pro-*
4 *hibited in the Special Management Areas:*

5 (A) *Permanent roads.*

6 (B) *Except as necessary to meet the min-*
7 *imum requirements for the administration of the*
8 *Federal land, to provide access for abandoned*
9 *mine cleanup, and to protect public health and*
10 *safety—*

11 (i) *the use of motor vehicles, motorized*
12 *equipment, or mechanical transport (other*
13 *than as provided in paragraph (3)); and*

14 (ii) *the establishment of temporary*
15 *roads.*

16 (3) *AUTHORIZED ACTIVITIES.—*

17 (A) *IN GENERAL.—The Secretary may*
18 *allow any activities (including helicopter access*
19 *for recreation and maintenance and the competi-*
20 *tive running event permitted since 1992) that*
21 *have been authorized by permit or license as of*
22 *the date of enactment of this Act to continue*
23 *within the Special Management Areas, subject to*
24 *such terms and conditions as the Secretary may*
25 *require.*

1 (B) *PERMITTING.*—*The designation of the*
2 *Special Management Areas by subsection (a)*
3 *shall not affect the issuance of permits relating*
4 *to the activities covered under subparagraph (A)*
5 *after the date of enactment of this Act.*

6 (C) *BICYCLES.*—*The Secretary may permit*
7 *the use of bicycles in—*

8 (i) *the portion of the Sheep Mountain*
9 *Special Management Area identified as*
10 *“Ophir Valley Area” on the map entitled*
11 *“Proposed Sheep Mountain Special Man-*
12 *agement Area” and dated September 19,*
13 *2018; and*

14 (ii) *the portion of the Liberty Bell*
15 *East Special Management Area identified*
16 *as “Liberty Bell Corridor” on the map enti-*
17 *tled “Proposed Liberty Bell and Last Dollar*
18 *Additions to the Mt. Sneffels Wilderness,*
19 *Liberty Bell East Special Management*
20 *Area” and dated September 6, 2018.*

21 (d) *APPLICABLE LAW.*—*Water and water rights in the*
22 *Special Management Areas shall be administered in accord-*
23 *ance with section 8 of the Colorado Wilderness Act of 1993*
24 *(Public Law 103–77; 107 Stat. 762), except that, for pur-*
25 *poses of this Act—*

1 (1) any reference contained in that section to
2 “the lands designated as wilderness by this Act”, “the
3 Piedra, Roubideau, and Tabeguache areas identified
4 in section 9 of this Act, or the Bowen Gulch Protec-
5 tion Area or the Fossil Ridge Recreation Management
6 Area identified in sections 5 and 6 of this Act”, or
7 “the areas described in sections 2, 5, 6, and 9 of this
8 Act” shall be considered to be a reference to “the Spe-
9 cial Management Areas”; and

10 (2) any reference contained in that section to
11 “this Act” shall be considered to be a reference to “the
12 Colorado Outdoor Recreation and Economy Act”.

13 **SEC. 204. RELEASE OF WILDERNESS STUDY AREAS.**

14 (a) *DOMINGUEZ CANYON WILDERNESS STUDY*
15 *AREA*.—Subtitle *E* of title *II* of Public Law 111–11 is
16 amended—

17 (1) by redesignating section 2408 (16 U.S.C.
18 460zzz–7) as section 2409; and

19 (2) by inserting after section 2407 (16 U.S.C.
20 460zzz–6) the following:

21 **“SEC. 2408. RELEASE.**

22 “(a) *IN GENERAL*.—Congress finds that, for the pur-
23 poses of section 603(c) of the Federal Land Policy and Man-
24 agement Act of 1976 (43 U.S.C. 1782(c)), the portions of
25 the *Dominguez Canyon Wilderness Study Area* not des-

1 *ignated as wilderness by this subtitle have been adequately*
2 *studied for wilderness designation.*

3 “(b) *RELEASE.—Any public land referred to in sub-*
4 *section (a) that is not designated as wilderness by this sub-*
5 *title—*

6 “(1) *is no longer subject to section 603(c) of the*
7 *Federal Land Policy and Management Act of 1976*
8 *(43 U.S.C. 1782(c)); and*

9 “(2) *shall be managed in accordance with this*
10 *subtitle and any other applicable laws.”.*

11 “(b) *MCKENNA PEAK WILDERNESS STUDY AREA.—*

12 “(1) *IN GENERAL.—Congress finds that, for the*
13 *purposes of section 603(c) of the Federal Land Policy*
14 *and Management Act of 1976 (43 U.S.C. 1782(c)), the*
15 *portions of the McKenna Peak Wilderness Study Area*
16 *in San Miguel County in the State not designated as*
17 *wilderness by paragraph (29) of section 2(a) of the*
18 *Colorado Wilderness Act of 1993 (16 U.S.C. 1132*
19 *note; Public Law 103–77) (as added by section 202)*
20 *have been adequately studied for wilderness designa-*
21 *tion.*

22 “(2) *RELEASE.—Any public land referred to in*
23 *paragraph (1) that is not designated as wilderness by*
24 *paragraph (29) of section 2(a) of the Colorado Wil-*

1 *derness Act of 1993 (16 U.S.C. 1132 note; Public Law*
2 *103–77) (as added by section 202)—*

3 *(A) is no longer subject to section 603(c) of*
4 *the Federal Land Policy and Management Act of*
5 *1976 (43 U.S.C. 1782(c)); and*

6 *(B) shall be managed in accordance with*
7 *applicable laws.*

8 **SEC. 205. ADMINISTRATIVE PROVISIONS.**

9 *(a) FISH AND WILDLIFE.—Nothing in this title affects*
10 *the jurisdiction or responsibility of the State with respect*
11 *to fish and wildlife in the State.*

12 *(b) NO BUFFER ZONES.—*

13 *(1) IN GENERAL.—Nothing in this title estab-*
14 *lishes a protective perimeter or buffer zone around*
15 *covered land.*

16 *(2) ACTIVITIES OUTSIDE WILDERNESS.—The fact*
17 *that a nonwilderness activity or use on land outside*
18 *of the covered land can be seen or heard from within*
19 *covered land shall not preclude the activity or use*
20 *outside the boundary of the covered land.*

21 *(c) MAPS AND LEGAL DESCRIPTIONS.—*

22 *(1) IN GENERAL.—As soon as practicable after*
23 *the date of enactment of this Act, the Secretary or the*
24 *Secretary of the Interior, as appropriate, shall file a*
25 *map and a legal description of each wilderness area*

1 *designated by paragraphs (27) through (29) of section*
2 *2(a) of the Colorado Wilderness Act of 1993 (16*
3 *U.S.C. 1132 note; Public Law 103–77) (as added by*
4 *section 202) and the Special Management Areas*
5 *with—*

6 *(A) the Committee on Natural Resources of*
7 *the House of Representatives; and*

8 *(B) the Committee on Energy and Natural*
9 *Resources of the Senate.*

10 (2) *FORCE OF LAW.—Each map and legal de-*
11 *scription filed under paragraph (1) shall have the*
12 *same force and effect as if included in this title, ex-*
13 *cept that the Secretary or the Secretary of the Inte-*
14 *rior, as appropriate, may correct any typographical*
15 *errors in the maps and legal descriptions.*

16 (3) *PUBLIC AVAILABILITY.—Each map and legal*
17 *description filed under paragraph (1) shall be on file*
18 *and available for public inspection in the appropriate*
19 *offices of the Bureau of Land Management and the*
20 *Forest Service.*

21 (d) *ACQUISITION OF LAND.—*

22 (1) *IN GENERAL.—The Secretary or the Sec-*
23 *retary of the Interior, as appropriate, may acquire*
24 *any land or interest in land within the boundaries of*
25 *a Special Management Area or the wilderness des-*

1 *ignated under paragraphs (27) through (29) of section*
2 *2(a) of the Colorado Wilderness Act of 1993 (16*
3 *U.S.C. 1132 note; Public Law 103–77) (as added by*
4 *section 202) only through exchange, donation, or pur-*
5 *chase from a willing seller.*

6 (2) *MANAGEMENT.*—*Any land or interest in land*
7 *acquired under paragraph (1) shall be incorporated*
8 *into, and administered as a part of, the wilderness or*
9 *Special Management Area in which the land or inter-*
10 *est in land is located.*

11 (e) *GRAZING.*—*The grazing of livestock on covered*
12 *land, if established before the date of enactment of this Act,*
13 *shall be permitted to continue subject to such reasonable reg-*
14 *ulations as are considered to be necessary by the Secretary*
15 *with jurisdiction over the covered land, in accordance*
16 *with—*

17 (1) *section 4(d)(4) of the Wilderness Act (16*
18 *U.S.C. 1133(d)(4)); and*

19 (2) *the applicable guidelines set forth in Appen-*
20 *dix A of the report of the Committee on Interior and*
21 *Insular Affairs of the House of Representatives ac-*
22 *companying H.R. 2570 of the 101st Congress (H.*
23 *Rept. 101–405) or H.R. 5487 of the 96th Congress*
24 *(H. Rept. 96–617).*

1 (f) *FIRE, INSECTS, AND DISEASES.*—*In accordance*
 2 *with section 4(d)(1) of the Wilderness Act (16 U.S.C.*
 3 *1133(d)(1)), the Secretary with jurisdiction over a wilder-*
 4 *ness area designated by paragraphs (27) through (29) of*
 5 *section 2(a) of the Colorado Wilderness Act of 1993 (16*
 6 *U.S.C. 1132 note; Public Law 103–77) (as added by section*
 7 *202) may carry out any activity in the wilderness area that*
 8 *the Secretary determines to be necessary for the control of*
 9 *fire, insects, and diseases, subject to such terms and condi-*
 10 *tions as the Secretary determines to be appropriate.*

11 (g) *WITHDRAWAL.*—*Subject to valid rights in existence*
 12 *on the date of enactment of this Act, the covered land and*
 13 *the approximately 6,590 acres generally depicted on the*
 14 *map entitled “Proposed Naturita Canyon Mineral With-*
 15 *drawal Area” and dated September 6, 2018, is withdrawn*
 16 *from—*

17 (1) *entry, appropriation, and disposal under the*
 18 *public land laws;*

19 (2) *location, entry, and patent under mining*
 20 *laws; and*

21 (3) *operation of the mineral leasing, mineral*
 22 *materials, and geothermal leasing laws.*

23 **TITLE III—THOMPSON DIVIDE**

24 **SEC. 301. PURPOSES.**

25 *The purposes of this title are—*

1 (1) *subject to valid existing rights, to withdraw*
2 *certain Federal land in the Thompson Divide area*
3 *from mineral and other disposal laws; and*

4 (2) *to promote the capture of fugitive methane*
5 *emissions that would otherwise be emitted into the at-*
6 *mosphere—*

7 (A) *to reduce methane gas emissions; and*

8 (B) *to provide—*

9 (i) *new renewable electricity supplies*
10 *and other beneficial uses of fugitive methane*
11 *emissions; and*

12 (ii) *increased royalties for taxpayers.*

13 **SEC. 302. DEFINITIONS.**

14 *In this title:*

15 (1) *FUGITIVE METHANE EMISSIONS.—The term*
16 *“fugitive methane emissions” means methane gas*
17 *from those Federal lands in Garfield, Gunnison,*
18 *Delta, or Pitkin County in the State generally de-*
19 *scribed on the pilot program map as “Fugitive Coal*
20 *Mine Methane Use Pilot Program Area” that would*
21 *leak or be vented into the atmosphere from an active,*
22 *inactive or abandoned underground coal mine.*

23 (2) *PILOT PROGRAM.—The term “pilot program”*
24 *means the Greater Thompson Divide Fugitive Coal*

1 *Mine Methane Use Pilot Program established by sec-*
2 *tion 305(a)(1).*

3 (3) *PILOT PROGRAM MAP.*—*The term “pilot pro-*
4 *gram map” means the map entitled “Greater Thomp-*
5 *son Divide Fugitive Coal Mine Methane Use Pilot*
6 *Program Area” and dated June 17, 2019.*

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

9 (5) *THOMPSON DIVIDE LEASE.*—

10 (A) *IN GENERAL.*—*The term “Thompson*
11 *Divide lease” means any oil or gas lease in effect*
12 *on the date of enactment of this Act within the*
13 *Thompson Divide Withdrawal and Protection*
14 *Area.*

15 (B) *EXCLUSIONS.*—*The term “Thompson*
16 *Divide lease” does not include any oil or gas*
17 *lease that—*

18 (i) *is associated with a Wolf Creek*
19 *Storage Field development right; or*

20 (ii) *before the date of enactment of this*
21 *Act, has expired, been cancelled, or other-*
22 *wise terminated.*

23 (6) *THOMPSON DIVIDE MAP.*—*The term “Thomp-*
24 *son Divide map” means the map entitled “Greater*

1 *Thompson Divide Area Map*” and dated June 13,
2 2019.

3 (7) *THOMPSON DIVIDE WITHDRAWAL AND PRO-*
4 *TECTION AREA.*—*The term “Thompson Divide With-*
5 *drawal and Protection Area” means the Federal land*
6 *and minerals generally depicted on the Thompson Di-*
7 *vide map as the “Thompson Divide Withdrawal and*
8 *Protection Area”.*

9 (8) *WOLF CREEK STORAGE FIELD DEVELOPMENT*
10 *RIGHT.*—

11 (A) *IN GENERAL.*—*The term “Wolf Creek*
12 *Storage Field development right” means a devel-*
13 *opment right for any of the Federal mineral*
14 *leases numbered COC 007496, COC 007497,*
15 *COC 007498, COC 007499, COC 007500, COC*
16 *007538, COC 008128, COC 015373, COC*
17 *0128018, COC 051645, and COC 051646, and*
18 *generally depicted on the Thompson Divide map*
19 *as “Wolf Creek Storage Agreement”.*

20 (B) *EXCLUSIONS.*—*The term “Wolf Creek*
21 *Storage Field development right” does not in-*
22 *clude any storage right or related activity within*
23 *the area described in subparagraph (A).*

1 **SEC. 303. THOMPSON DIVIDE WITHDRAWAL AND PROTEC-**
2 **TION AREA.**

3 (a) *WITHDRAWAL.*—Subject to valid existing rights,
4 the Thompson Divide Withdrawal and Protection Area is
5 withdrawn from—

6 (1) entry, appropriation, and disposal under the
7 public land laws;

8 (2) location, entry, and patent under the mining
9 laws; and

10 (3) operation of the mineral leasing, mineral
11 materials, and geothermal leasing laws.

12 (b) *SURVEYS.*—The exact acreage and legal description
13 of the Thompson Divide Withdrawal and Protection Area
14 shall be determined by surveys approved by the Secretary,
15 in consultation with the Secretary of Agriculture.

16 **SEC. 304. THOMPSON DIVIDE LEASE EXCHANGE.**

17 (a) *IN GENERAL.*—In exchange for the relinquishment
18 by a leaseholder of all Thompson Divide leases of the lease-
19 holder, the Secretary may issue to the leaseholder credits
20 for any bid, royalty, or rental payment due under any Fed-
21 eral oil or gas lease on Federal land in the State, in accord-
22 ance with subsection (b).

23 (b) *AMOUNT OF CREDITS.*—

24 (1) *IN GENERAL.*—Subject to paragraph (2), the
25 amount of the credits issued to a leaseholder of a

1 *Thompson Divide lease relinquished under subsection*

2 *(a) shall—*

3 *(A) be equal to the sum of—*

4 *(i) the amount of the bonus bids paid*
5 *for the applicable Thompson Divide leases;*

6 *(ii) the amount of any rental paid for*
7 *the applicable Thompson Divide leases as of*
8 *the date on which the leaseholder submits to*
9 *the Secretary a notice of the decision to re-*
10 *linquish the applicable Thompson Divide*
11 *leases; and*

12 *(iii) the amount of any expenses in-*
13 *curring by the leaseholder of the applicable*
14 *Thompson Divide leases in the preparation*
15 *of any drilling permit, sundry notice, or*
16 *other related submission in support of the*
17 *development of the applicable Thompson Di-*
18 *vide leases as of January 28, 2019, includ-*
19 *ing any expenses relating to the preparation*
20 *of any analysis under the National Envi-*
21 *ronmental Policy Act of 1969 (42 U.S.C.*
22 *4321 et seq.); and*

23 *(B) require the approval of the Secretary.*

24 *(2) EXCLUSION.—The amount of a credit issued*
25 *under subsection (a) shall not include any expenses*

1 *paid by the leaseholder of a Thompson Divide lease*
2 *for legal fees or related expenses for legal work with*
3 *respect to a Thompson Divide lease.*

4 (c) *CANCELLATION.—Effective on relinquishment*
5 *under this section, and without any additional action by*
6 *the Secretary, a Thompson Divide lease—*

7 (1) *shall be permanently cancelled; and*

8 (2) *shall not be reissued.*

9 (d) *CONDITIONS.—*

10 (1) *APPLICABLE LAW.—Except as otherwise pro-*
11 *vided in this section, each exchange under this section*
12 *shall be conducted in accordance with—*

13 (A) *this Act; and*

14 (B) *other applicable laws (including regula-*
15 *tions).*

16 (2) *ACCEPTANCE OF CREDITS.—The Secretary*
17 *shall accept credits issued under subsection (a) in the*
18 *same manner as cash for the payments described in*
19 *that subsection.*

20 (3) *APPLICABILITY.—The use of a credit issued*
21 *under subsection (a) shall be subject to the laws (in-*
22 *cluding regulations) applicable to the payments de-*
23 *scribed in that subsection, to the extent that the laws*
24 *are consistent with this section.*

1 (4) *TREATMENT OF CREDITS.*—All amounts in
2 the form of credits issued under subsection (a) accept-
3 ed by the Secretary shall be considered to be amounts
4 received for the purposes of—

5 (A) section 35 of the Mineral Leasing Act

6 (30 U.S.C. 191); and

7 (B) section 20 of the Geothermal Steam Act

8 of 1970 (30 U.S.C. 1019).

9 (e) *WOLF CREEK STORAGE FIELD DEVELOPMENT*

10 *RIGHTS.*—

11 (1) *CONVEYANCE TO SECRETARY.*—As a condi-
12 tion precedent to the relinquishment of a Thompson
13 Divide lease, any leaseholder with a Wolf Creek Stor-
14 age Field development right shall permanently relin-
15 quish, transfer, and otherwise convey to the Secretary,
16 in a form acceptable to the Secretary, all Wolf Creek
17 Storage Field development rights of the leaseholder.

18 (2) *LIMITATION OF TRANSFER.*—An interest ac-
19 quired by the Secretary under paragraph (1)—

20 (A) shall be held in perpetuity; and

21 (B) shall not be—

22 (i) transferred;

23 (ii) reissued; or

24 (iii) otherwise used for mineral extrac-
25 tion.

1 **SEC. 305. GREATER THOMPSON DIVIDE FUGITIVE COAL**
2 **MINE METHANE USE PILOT PROGRAM.**

3 (a) *FUGITIVE COAL MINE METHANE USE PILOT PRO-*
4 *GRAM.—*

5 (1) *ESTABLISHMENT.—There is established in*
6 *the Bureau of Land Management a pilot program, to*
7 *be known as the “Greater Thompson Divide Fugitive*
8 *Coal Mine Methane Use Pilot Program”.*

9 (2) *PURPOSE.—The purpose of the pilot program*
10 *is to promote the capture, beneficial use, mitigation,*
11 *and sequestration of fugitive methane emissions—*

- 12 (A) *to reduce methane emissions;*
13 (B) *to promote economic development;*
14 (C) *to produce bid and royalty revenues;*
15 (D) *to improve air quality; and*
16 (E) *to improve public safety.*

17 (3) *PLAN.—*

18 (A) *IN GENERAL.—Not later than 180 days*
19 *after the date of enactment of this Act, the Sec-*
20 *retary shall develop a plan—*

21 (i) *to complete an inventory of fugitive*
22 *methane emissions in accordance with sub-*
23 *section (b);*

24 (ii) *to provide for the leasing of fugi-*
25 *tive methane emissions in accordance with*
26 *subsection (c); and*

1 (iii) to provide for the capping or de-
2 struction of fugitive methane emissions in
3 accordance with subsection (d).

4 (B) COORDINATION.—In developing the
5 plan under this paragraph, the Secretary shall
6 coordinate with—

7 (i) the State;

8 (ii) Garfield, Gunnison, Delta, and
9 Pitkin Counties in the State;

10 (iii) lessees of Federal coal within the
11 counties referred to in clause (ii);

12 (iv) interested institutions of higher
13 education in the State; and

14 (v) interested members of the public.

15 (b) FUGITIVE METHANE EMISSION INVENTORY.—

16 (1) IN GENERAL.—Not later than 1 year after
17 the date of enactment of this Act, the Secretary shall
18 complete an inventory of fugitive methane emissions.

19 (2) CONDUCT.—The Secretary may conduct the
20 inventory under paragraph (1) through, or in collabo-
21 ration with—

22 (A) the Bureau of Land Management;

23 (B) the United States Geological Survey;

24 (C) the Environmental Protection Agency;

25 (D) the United States Forest Service;

1 (E) State departments or agencies;

2 (F) Garfield, Gunnison, Delta, or Pitkin
3 County in the State;

4 (G) the Garfield County Federal Mineral
5 Lease District;

6 (H) institutions of higher education in the
7 State;

8 (I) lessees of Federal coal within a county
9 referred to in subparagraph (F);

10 (J) the National Oceanic and Atmospheric
11 Administration;

12 (K) the National Center for Atmospheric
13 Research; or

14 (L) other interested entities, including mem-
15 bers of the public.

16 (3) CONTENTS.—The inventory under paragraph
17 (1) shall include—

18 (A) the general location and geographic co-
19 ordinates of each vent, seep, or other source pro-
20 ducing significant fugitive methane emissions;

21 (B) an estimate of the volume and con-
22 centration of fugitive methane emissions from
23 each source of significant fugitive methane emis-
24 sions including details of measurements taken
25 and the basis for that emissions estimate;

1 (C) an estimate of the total volume of fugi-
2 tive methane emissions each year;

3 (D) relevant data and other information
4 available from—

5 (i) the Environmental Protection
6 Agency;

7 (ii) the Mine Safety and Health Ad-
8 ministration;

9 (iii) Colorado Department of Natural
10 Resources;

11 (iv) Colorado Public Utility Commis-
12 sion;

13 (v) Colorado Department of Health
14 and Environment; and

15 (vi) Office of Surface Mining Reclama-
16 tion and Enforcement; and

17 (E) such other information as may be useful
18 in advancing the purposes of the pilot program.

19 (4) PUBLIC PARTICIPATION; DISCLOSURE.—

20 (A) PUBLIC PARTICIPATION.—The Secretary
21 shall provide opportunities for public participa-
22 tion in the inventory under this subsection.

23 (B) AVAILABILITY.—The Secretary shall
24 make the inventory under this subsection pub-
25 licly available.

1 (C) *DISCLOSURE.*—*Nothing in this sub-*
2 *section requires the Secretary to publicly release*
3 *information that—*

4 (i) *poses a threat to public safety;*

5 (ii) *is confidential business informa-*
6 *tion; or*

7 (iii) *is otherwise protected from public*
8 *disclosure.*

9 (5) *USE.*—*The Secretary shall use the inventory*
10 *in carrying out—*

11 (A) *the leasing program under subsection*
12 (i); *and*

13 (B) *the capping or destruction of fugitive*
14 *methane emissions under subsection (d).*

15 (c) *FUGITIVE METHANE EMISSION LEASING PRO-*
16 *GRAM.*—

17 (1) *IN GENERAL.*—*Subject to valid existing*
18 *rights and in accordance with this section, not later*
19 *than 1 year after the date of completion of the inven-*
20 *tory required under subsection (b), the Secretary shall*
21 *carry out a program to encourage the use and de-*
22 *struction of fugitive methane emissions.*

23 (2) *FUGITIVE METHANE EMISSIONS FROM COAL*
24 *MINES SUBJECT TO LEASE.*—

1 (A) *IN GENERAL.*—*The Secretary shall au-*
2 *thorize the holder of a valid existing Federal coal*
3 *lease for a mine that is producing fugitive meth-*
4 *ane emissions to capture for use, or destroy by*
5 *flaring, the fugitive methane emissions.*

6 (B) *CONDITIONS.*—*The authority under*
7 *subparagraph (A) shall be—*

8 (i) *subject to valid existing rights; and*

9 (ii) *subject to such terms and condi-*
10 *tions as the Secretary may require.*

11 (C) *LIMITATIONS.*—*The program carried*
12 *out under paragraph (1) shall only include fugi-*
13 *tive methane emissions that can be captured for*
14 *use, or destroyed by flaring, in a manner that*
15 *does not—*

16 (i) *endanger the safety of any coal*
17 *mine worker; or*

18 (ii) *unreasonably interfere with any*
19 *ongoing operation at a coal mine.*

20 (D) *COOPERATION.*—

21 (i) *IN GENERAL.*—*The Secretary shall*
22 *work cooperatively with the holders of valid*
23 *existing Federal coal leases for mines that*
24 *produce fugitive methane emissions to en-*
25 *courage—*

1 (I) *the capture of fugitive methane*
2 *emissions for beneficial use, such as*
3 *generating electrical power, producing*
4 *usable heat, transporting the methane*
5 *to market, transforming the fugitive*
6 *methane emissions into a different*
7 *marketable material; or*

8 (II) *if the beneficial use of the fu-*
9 *gitive methane emissions is not fea-*
10 *sible, the destruction of the fugitive*
11 *methane emissions by flaring.*

12 (ii) *GUIDANCE.—In furtherance of the*
13 *purposes of this paragraph, not later than*
14 *1 year after the date of enactment of this*
15 *Act, the Secretary shall issue guidance for*
16 *the implementation of Federal authorities*
17 *and programs to encourage the capture for*
18 *use, or destruction by flaring, of fugitive*
19 *methane emissions while minimizing im-*
20 *pacts on natural resources or other public*
21 *interest values.*

22 (E) *ROYALTIES.—The Secretary shall deter-*
23 *mine whether any fugitive methane emissions*
24 *used or destroyed pursuant to this paragraph are*

1 *subject to the payment of a royalty under appli-*
2 *cable law.*

3 (3) *FUGITIVE METHANE EMISSIONS FROM ABAN-*
4 *DONED COAL MINES.—*

5 (A) *IN GENERAL.—Except as otherwise pro-*
6 *vided in this section, notwithstanding section*
7 *303, subject to valid existing rights, and in ac-*
8 *cordance with section 21 of the Mineral Leasing*
9 *Act (30 U.S.C. 241) and any other applicable*
10 *law, the Secretary shall—*

11 (i) *authorize the capture for use, or de-*
12 *struction by flaring, of fugitive methane*
13 *emissions from abandoned coal mines on*
14 *Federal land; and*

15 (ii) *make available for leasing such fu-*
16 *gitive methane emissions from abandoned*
17 *coal mines on Federal land as the Secretary*
18 *considers to be in the public interest.*

19 (B) *SOURCE.—To the maximum extent*
20 *practicable, the Secretary shall offer for lease*
21 *each significant vent, seep, or other source of fu-*
22 *gitive methane emissions from abandoned coal*
23 *mines.*

24 (C) *BID QUALIFICATIONS.—A bid to lease*
25 *fugitive methane emissions under this paragraph*

1 shall specify whether the prospective lessee in-
2 tends—

3 (i) to capture the fugitive methane
4 emissions for beneficial use, such as gener-
5 ating electrical power, producing usable
6 heat, transporting the methane to market,
7 transforming the fugitive methane emissions
8 into a different marketable material;

9 (ii) to destroy the fugitive methane
10 emissions by flaring; or

11 (iii) to employ a specific combination
12 of—

13 (I) capturing the fugitive methane
14 emissions for beneficial use; and

15 (II) destroying the fugitive meth-
16 ane emission by flaring.

17 (D) PRIORITY.—

18 (i) IN GENERAL.—If there is more than
19 1 qualified bid for a lease under this para-
20 graph, the Secretary shall select the bid that
21 the Secretary determines is likely to most
22 significantly advance the public interest.

23 (ii) CONSIDERATIONS.—In deter-
24 mining the public interest under clause (i),

1 *the Secretary shall take into consider-*
2 *ation—*

3 *(I) the size of the overall decrease*
4 *in the time-integrated radiative forcing*
5 *of the fugitive methane emissions;*

6 *(II) the impacts to other natural*
7 *resource values, including wildlife,*
8 *water, and air; and*

9 *(III) other public interest values,*
10 *including scenic, economic, recreation,*
11 *and cultural values.*

12 *(E) LEASE FORM.—*

13 *(i) IN GENERAL.—The Secretary shall*
14 *develop and provide to prospective bidders a*
15 *lease form for leases issued under this para-*
16 *graph.*

17 *(ii) DUE DILIGENCE.—The lease form*
18 *developed under clause (i) shall include*
19 *terms and conditions requiring the leased*
20 *fugitive methane emissions to be put to ben-*
21 *eficial use or flared by not later than 1 year*
22 *after the date of issuance of the lease.*

23 *(F) ROYALTY RATE.—The Secretary shall*
24 *develop a minimum bid and royalty rate for*
25 *leases under this paragraph to advance the pur-*

1 poses of this section, to the maximum extent
2 practicable.

3 (d) *SEQUESTRATION*.—If, by not later than 4 years
4 after the date of enactment of this Act, any significant fugi-
5 tive methane emissions from abandoned coal mines on Fed-
6 eral land are not leased under subsection (c)(3), the Sec-
7 retary shall, in accordance with applicable law, take all
8 reasonable measures—

9 (1) to cap those fugitive methane emissions at
10 the source in any case in which the cap will result
11 in the long-term sequestration of all or a significant
12 portion of the fugitive methane emissions; or

13 (2) if sequestration under paragraph (1) is not
14 feasible, destroy the fugitive methane emissions by
15 flaring.

16 (e) *REPORT TO CONGRESS*.—Not later than 4 years
17 after the date of enactment of this Act the Secretary shall
18 submit to the Committee on Natural Resources of the House
19 of Representatives and the Committee on Energy and Nat-
20 ural Resources of the Senate a report detailing—

21 (1) the economic and environmental impacts of
22 the pilot program, including information on in-
23 creased royalties and estimates of avoided greenhouse
24 gas emissions; and

1 (2) *any recommendations by the Secretary on*
 2 *whether the pilot program could be expanded geo-*
 3 *graphically to include other significant sources of fu-*
 4 *gitive methane emissions from coal mines.*

5 **SEC. 306. EFFECT.**

6 *Except as expressly provided in this title, nothing in*
 7 *this title—*

8 (1) *expands, diminishes, or impairs any valid*
 9 *existing mineral leases, mineral interest, or other*
 10 *property rights wholly or partially within the*
 11 *Thompson Divide Withdrawal and Protection Area,*
 12 *including access to the leases, interests, rights, or land*
 13 *in accordance with applicable Federal, State, and*
 14 *local laws (including regulations);*

15 (2) *prevents the capture of methane from any ac-*
 16 *tive, inactive, or abandoned coal mine covered by this*
 17 *title, in accordance with applicable laws; or*

18 (3) *prevents access to, or the development of, any*
 19 *new or existing coal mine or lease in Delta or Gunni-*
 20 *son County in the State.*

21 **TITLE IV—CURECANTI**
 22 **NATIONAL RECREATION AREA**

23 **SEC. 401. DEFINITIONS.**

24 *In this title:*

1 (1) *MAP.*—*The term “map” means the map enti-*
2 *tled “Curecanti National Recreation Area, Proposed*
3 *Boundary”, numbered 616/100,485C, and dated Au-*
4 *gust 11, 2016.*

5 (2) *NATIONAL RECREATION AREA.*—*The term*
6 *“National Recreation Area” means the Curecanti Na-*
7 *tional Recreation Area established by section 402(a).*

8 (3) *SECRETARY.*—*The term “Secretary” means*
9 *the Secretary of the Interior.*

10 **SEC. 402. CURECANTI NATIONAL RECREATION AREA.**

11 (a) *ESTABLISHMENT.*—*Effective beginning on the ear-*
12 *lier of the date on which the Secretary approves a request*
13 *under subsection (c)(2)(B)(i)(I) and the date that is 1 year*
14 *after the date of enactment of this Act, there shall be estab-*
15 *lished as a unit of the National Park System the Curecanti*
16 *National Recreation Area, in accordance with this Act, con-*
17 *sisting of approximately 50,667 acres of land in the State,*
18 *as generally depicted on the map as “Curecanti National*
19 *Recreation Area Proposed Boundary”.*

20 (b) *AVAILABILITY OF MAP.*—*The map shall be on file*
21 *and available for public inspection in the appropriate of-*
22 *fices of the National Park Service.*

23 (c) *ADMINISTRATION.*—

1 (1) *IN GENERAL.*—*The Secretary shall admin-*
2 *ister the National Recreation Area in accordance*
3 *with—*

4 (A) *this title; and*

5 (B) *the laws (including regulations) gen-*
6 *erally applicable to units of the National Park*
7 *System, including section 100101(a), chapter*
8 *1003, and sections 100751(a), 100752, 100753,*
9 *and 102101 of title 54, United States Code.*

10 (2) *DAM, POWERPLANT, AND RESERVOIR MAN-*
11 *AGEMENT AND OPERATIONS.—*

12 (A) *IN GENERAL.*—*Nothing in this title af-*
13 *fects or interferes with the authority of the Sec-*
14 *retary—*

15 (i) *to operate the Uncompahgre Valley*
16 *Reclamation Project under the reclamation*
17 *laws;*

18 (ii) *to operate the Wayne N. Aspinall*
19 *Unit of the Colorado River Storage Project*
20 *under the Act of April 11, 1956 (commonly*
21 *known as the “Colorado River Storage*
22 *Project Act”)* (43 U.S.C. 620 *et seq.*); *or*

23 (iii) *under the Federal Water Project*
24 *Recreation Act* (16 U.S.C. 460l–12 *et seq.*).

25 (B) *RECLAMATION LAND.—*

1 (i) *SUBMISSION OF REQUEST TO RE-*
2 *TAIN ADMINISTRATIVE JURISDICTION.—If,*
3 *before the date that is 1 year after the date*
4 *of enactment of this Act, the Commissioner*
5 *of Reclamation submits to the Secretary a*
6 *request for the Commissioner of Reclama-*
7 *tion to retain administrative jurisdiction*
8 *over the minimum quantity of land within*
9 *the land identified on the map as “Lands*
10 *withdrawn or acquired for Bureau of Rec-*
11 *lamation projects” that the Commissioner of*
12 *Reclamation identifies as necessary for the*
13 *effective operation of Bureau of Reclama-*
14 *tion water facilities, the Secretary may—*

15 (I) *approve, approve with modi-*
16 *fications, or disapprove the request;*
17 *and*

18 (II) *if the request is approved*
19 *under subclause (I), make any modi-*
20 *fications to the map that are necessary*
21 *to reflect that the Commissioner of Rec-*
22 *lamation retains management author-*
23 *ity over the minimum quantity of land*
24 *required to fulfill the reclamation mis-*
25 *sion.*

1 (ii) *TRANSFER OF LAND.*—

2 (I) *IN GENERAL.*—*Administrative*
3 *jurisdiction over the land identified on*
4 *the map as “Lands withdrawn or ac-*
5 *quired for Bureau of Reclamation*
6 *projects”, as modified pursuant to*
7 *clause (i)(II), if applicable, shall be*
8 *transferred from the Commissioner of*
9 *Reclamation to the Director of the Na-*
10 *tional Park Service by not later than*
11 *the date that is 1 year after the date*
12 *of enactment of this Act.*

13 (II) *ACCESS TO TRANSFERRED*
14 *LAND.*—

15 (aa) *IN GENERAL.*—*Subject*
16 *to item (bb), the Commissioner of*
17 *Reclamation shall retain access to*
18 *the land transferred to the Direc-*
19 *tor of the National Park Service*
20 *under subclause (I) for reclama-*
21 *tion purposes, including for the*
22 *operation, maintenance, and ex-*
23 *pansion or replacement of facili-*
24 *ties.*

1 (bb) *MEMORANDUM OF UN-*
2 *DERSTANDING.—The terms of the*
3 *access authorized under item (aa)*
4 *shall be determined by a memo-*
5 *randum of understanding entered*
6 *into between the Commissioner of*
7 *Reclamation and the Director of*
8 *the National Park Service not*
9 *later than 1 year after the date of*
10 *enactment of this Act.*

11 (3) *MANAGEMENT AGREEMENTS.—*

12 (A) *IN GENERAL.—The Secretary may enter*
13 *into management agreements, or modify man-*
14 *agement agreements in existence on the date of*
15 *enactment of this Act, relating to the authority*
16 *of the Director of the National Park Service, the*
17 *Commissioner of Reclamation, the Director of the*
18 *Bureau of Land Management, or the Chief of the*
19 *Forest Service to manage Federal land within or*
20 *adjacent to the boundary of the National Recre-*
21 *ation Area.*

22 (B) *STATE LAND.—The Secretary may*
23 *enter into cooperative management agreements*
24 *for any land administered by the State that is*
25 *within or adjacent to the National Recreation*

1 Area, in accordance with the cooperative man-
2 agement authority under section 101703 of title
3 54, United States Code.

4 (4) *RECREATIONAL ACTIVITIES.*—

5 (A) *AUTHORIZATION.*—*Except as provided*
6 *in subparagraph (B), the Secretary shall allow*
7 *boating, boating-related activities, hunting, and*
8 *fishing in the National Recreation Area in ac-*
9 *cordance with applicable Federal and State laws.*

10 (B) *CLOSURES; DESIGNATED ZONES.*—

11 (i) *IN GENERAL.*—*The Secretary, act-*
12 *ing through the Superintendent of the Na-*
13 *tional Recreation Area, may designate zones*
14 *in which, and establish periods during*
15 *which, no boating, hunting, or fishing shall*
16 *be permitted in the National Recreation*
17 *Area under subparagraph (A) for reasons of*
18 *public safety, administration, or compliance*
19 *with applicable laws.*

20 (ii) *CONSULTATION REQUIRED.*—*Ex-*
21 *cept in the case of an emergency, any clo-*
22 *sure proposed by the Secretary under clause*
23 *(i) shall not take effect until after the date*
24 *on which the Superintendent of the Na-*
25 *tional Recreation Area consults with—*

1 (I) the appropriate State agency
2 responsible for hunting and fishing ac-
3 tivities; and

4 (II) the Board of County Commis-
5 sioners in each county in which the
6 zone is proposed to be designated.

7 (5) *LANDOWNER ASSISTANCE*.—On the written
8 request of an individual that owns private land lo-
9 cated not more than 3 miles from the boundary of the
10 National Recreation Area, the Secretary may work in
11 partnership with the individual to enhance the long-
12 term conservation of natural, cultural, recreational,
13 and scenic resources in and around the National
14 Recreation Area—

15 (A) by acquiring all or a portion of the pri-
16 vate land or interests in private land located not
17 more than 3 miles from the boundary of the Na-
18 tional Recreation Area by purchase, exchange, or
19 donation, in accordance with section 403;

20 (B) by providing technical assistance to the
21 individual, including cooperative assistance;

22 (C) through available grant programs; and

23 (D) by supporting conservation easement
24 opportunities.

1 (6) *WITHDRAWAL.*—*Subject to valid existing*
2 *rights, all Federal land within the National Recre-*
3 *ation Area is withdrawn from—*

4 (A) *entry, appropriation, and disposal*
5 *under the public land laws;*

6 (B) *location, entry, and patent under the*
7 *mining laws; and*

8 (C) *operation of the mineral leasing, min-*
9 *eral materials, and geothermal leasing laws.*

10 (7) *GRAZING.*—

11 (A) *STATE LAND SUBJECT TO A STATE*
12 *GRAZING LEASE.*—

13 (i) *IN GENERAL.*—*If State land ac-*
14 *quired under this title is subject to a State*
15 *grazing lease in effect on the date of acqui-*
16 *sition, the Secretary shall allow the grazing*
17 *to continue for the remainder of the term of*
18 *the lease, subject to the related terms and*
19 *conditions of user agreements, including*
20 *permitted stocking rates, grazing fee levels,*
21 *access rights, and ownership and use of*
22 *range improvements.*

23 (ii) *ACCESS.*—*A lessee of State land*
24 *may continue its use of established routes*
25 *within the National Recreation Area to ac-*

1 *cess State land for purposes of admin-*
2 *istering the lease if the use was permitted*
3 *before the date of enactment of this Act, sub-*
4 *ject to such terms and conditions as the Sec-*
5 *retary may require.*

6 *(B) STATE AND PRIVATE LAND.—The Sec-*
7 *retary may, in accordance with applicable laws,*
8 *authorize grazing on land acquired from the*
9 *State or private landowners under section 403, if*
10 *grazing was established before the date of acqui-*
11 *sition.*

12 *(C) PRIVATE LAND.—On private land ac-*
13 *quired under section 403 for the National Recre-*
14 *ation Area on which authorized grazing is occur-*
15 *ring before the date of enactment of this Act, the*
16 *Secretary, in consultation with the lessee, may*
17 *allow the continuation and renewal of grazing*
18 *on the land based on the terms of acquisition or*
19 *by agreement between the Secretary and the les-*
20 *see, subject to applicable law (including regula-*
21 *tions).*

22 *(D) FEDERAL LAND.—The Secretary*
23 *shall—*

24 *(i) allow, consistent with the grazing*
25 *leases, uses, and practices in effect as of the*

1 *date of enactment of this Act, the continu-*
2 *ation and renewal of grazing on Federal*
3 *land located within the boundary of the Na-*
4 *tional Recreation Area on which grazing is*
5 *allowed before the date of enactment of this*
6 *Act, unless the Secretary determines that*
7 *grazing on the Federal land would present*
8 *unacceptable impacts (as defined in section*
9 *1.4.7.1 of the National Park Service docu-*
10 *ment entitled “Management Policies 2006:*
11 *The Guide to Managing the National Park*
12 *System”) to the natural, cultural, rec-*
13 *reational, and scenic resource values and*
14 *the character of the land within the Na-*
15 *tional Recreation Area; and*

16 *(ii) retain all authorities to manage*
17 *grazing in the National Recreation Area.*

18 *(E) TERMINATION OF LEASES.—Within the*
19 *National Recreation Area, the Secretary may—*

20 *(i) accept the voluntary termination of*
21 *a lease or permit for grazing; or*

22 *(ii) in the case of a lease or permit va-*
23 *cated for a period of 3 or more years, termi-*
24 *nate the lease or permit.*

25 *(8) WATER RIGHTS.—Nothing in this title—*

1 (A) affects any use or allocation in existence
2 on the date of enactment of this Act of any
3 water, water right, or interest in water;

4 (B) affects any vested absolute or decreed
5 conditional water right in existence on the date
6 of enactment of this Act, including any water
7 right held by the United States;

8 (C) affects any interstate water compact in
9 existence on the date of enactment of this Act;

10 (D) authorizes or imposes any new reserved
11 Federal water right; or

12 (E) shall be considered to be a relinquish-
13 ment or reduction of any water right reserved or
14 appropriated by the United States in the State
15 on or before the date of enactment of this Act.

16 (9) *FISHING EASEMENTS.*—

17 (A) *IN GENERAL.*—Nothing in this title di-
18 minishes or alters the fish and wildlife program
19 for the Aspinall Unit developed under section 8
20 of the Act of April 11, 1956 (commonly known
21 as the “Colorado River Storage Project Act”) (70
22 Stat. 110, chapter 203; 43 U.S.C. 620g), by the
23 United States Fish and Wildlife Service, the Bu-
24 reau of Reclamation, and the Colorado Division
25 of Wildlife (including any successor in interest to

1 that division) that provides for the acquisition of
2 public access fishing easements as mitigation for
3 the Aspinall Unit (referred to in this paragraph
4 as the “program”).

5 (B) ACQUISITION OF FISHING EASE-
6 MENTS.—The Secretary shall continue to fulfill
7 the obligation of the Secretary under the pro-
8 gram to acquire 26 miles of class 1 public fish-
9 ing easements to provide to sportsmen access for
10 fishing within the Upper Gunnison Basin up-
11 stream of the Aspinall Unit, subject to the condi-
12 tion that no existing fishing access downstream
13 of the Aspinall Unit shall be counted toward the
14 minimum mileage requirement under the pro-
15 gram.

16 (C) PLAN.—Not later than 1 year after the
17 date of enactment of this Act, the Secretary
18 shall—

19 (i) develop a plan for fulfilling the ob-
20 ligation of the Secretary described in sub-
21 paragraph (B); and

22 (ii) submit to Congress a report that—

23 (I) includes the plan developed
24 under clause (i); and

1 (ii) describes any progress made
2 in the acquisition of public access fish-
3 ing easements as mitigation for the
4 Aspinall Unit under the program.

5 **SEC. 403. ACQUISITION OF LAND; BOUNDARY MANAGE-**
6 **MENT.**

7 (a) *ACQUISITION.*—

8 (1) *IN GENERAL.*—The Secretary may acquire
9 any land or interest in land within the boundary of
10 the National Recreation Area.

11 (2) *MANNER OF ACQUISITION.*—

12 (A) *IN GENERAL.*—Subject to subparagraph
13 (B), land described in paragraph (1) may be ac-
14 quired under this subsection by—

15 (i) donation;

16 (ii) purchase from willing sellers with
17 donated or appropriated funds;

18 (iii) transfer from another Federal
19 agency; or

20 (iv) exchange.

21 (B) *STATE LAND.*—Land or interests in
22 land owned by the State or a political subdivi-
23 sion of the State may only be acquired by pur-
24 chase, donation, or exchange.

25 (b) *TRANSFER OF ADMINISTRATIVE JURISDICTION.*—

1 (1) *FOREST SERVICE LAND.*—

2 (A) *IN GENERAL.*—*Administrative jurisdic-*
3 *tion over the approximately 2,560 acres of land*
4 *identified on the map as “U.S. Forest Service*
5 *proposed transfer to the National Park Service”*
6 *is transferred to the Secretary, to be adminis-*
7 *tered by the Director of the National Park Serv-*
8 *ice as part of the National Recreation Area.*

9 (B) *BOUNDARY ADJUSTMENT.*—*The bound-*
10 *ary of the Gunnison National Forest shall be ad-*
11 *justed to exclude the land transferred to the Sec-*
12 *retary under subparagraph (A).*

13 (2) *BUREAU OF LAND MANAGEMENT LAND.*—*Ad-*
14 *ministrative jurisdiction over the approximately*
15 *5,040 acres of land identified on the map as “Bureau*
16 *of Land Management proposed transfer to National*
17 *Park Service” is transferred from the Director of the*
18 *Bureau of Land Management to the Director of the*
19 *National Park Service, to be administered as part of*
20 *the National Recreation Area.*

21 (3) *WITHDRAWAL.*—*Administrative jurisdiction*
22 *over the land identified on the map as “Proposed for*
23 *transfer to the Bureau of Land Management, subject*
24 *to the revocation of Bureau of Reclamation with-*
25 *drawal” shall be transferred to the Director of the Bu-*

1 *reau of Land Management on relinquishment of the*
2 *land by the Bureau of Reclamation and revocation by*
3 *the Bureau of Land Management of any withdrawal*
4 *as may be necessary.*

5 *(c) POTENTIAL LAND EXCHANGE.—*

6 *(1) IN GENERAL.—The withdrawal for reclama-*
7 *tion purposes of the land identified on the map as*
8 *“Potential exchange lands” shall be relinquished by*
9 *the Commissioner of Reclamation and revoked by the*
10 *Director of the Bureau of Land Management and the*
11 *land shall be transferred to the National Park Serv-*
12 *ice.*

13 *(2) EXCHANGE; INCLUSION IN NATIONAL RECRE-*
14 *ATION AREA.—On transfer of the land described in*
15 *paragraph (1), the transferred land—*

16 *(A) may be exchanged by the Secretary for*
17 *private land described in section 402(c)(5)—*

18 *(i) subject to a conservation easement*
19 *remaining on the transferred land, to pro-*
20 *tect the scenic resources of the transferred*
21 *land; and*

22 *(ii) in accordance with the laws (in-*
23 *cluding regulations) and policies governing*
24 *National Park Service land exchanges; and*

1 (B) if not exchanged under subparagraph
2 (A), shall be added to, and managed as a part
3 of, the National Recreation Area.

4 (d) ADDITION TO NATIONAL RECREATION AREA.—Any
5 land within the boundary of the National Recreation Area
6 that is acquired by the United States shall be added to, and
7 managed as a part of, the National Recreation Area.

8 **SEC. 404. GENERAL MANAGEMENT PLAN.**

9 Not later than 3 years after the date on which funds
10 are made available to carry out this title, the Director of
11 the National Park Service, in consultation with the Com-
12 missioner of Reclamation, shall prepare a general manage-
13 ment plan for the National Recreation Area in accordance
14 with section 100502 of title 54, United States Code.

15 **SEC. 405. BOUNDARY SURVEY.**

16 The Secretary (acting through the Director of the Na-
17 tional Park Service) shall prepare a boundary survey and
18 legal description of the National Recreation Area.

Union Calendar No. 179

116TH CONGRESS
1ST Session

H. R. 823

[Report No. 116-226]

A BILL

To provide for the designation of certain wilderness areas, recreation management areas, and conservation areas in the State of Colorado, and for other purposes.

OCTOBER 4, 2019

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed