

COLORADO OUTDOOR RECREATION AND ECONOMY ACT

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OCTOBER 4, 2019.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. GRIJALVA, from the Committee on Natural Resources,  
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 823]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 823) to provide for the designation of certain wilderness areas, recreation management areas, and conservation areas in the State of Colorado, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

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

(a) **SHORT TITLE.**—This Act may be cited as the “Colorado Outdoor Recreation and Economy Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for 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 adjustment.  
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 Program.
- 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.

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

In this Act, the term “State” means the State of Colorado.

**TITLE I—CONTINENTAL DIVIDE****SEC. 101. DEFINITIONS.**

In this title:

- (1) COVERED AREA.—The term “covered area” means any area designated as wilderness by the amendments to section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) made by section 102(a).
- (2) HISTORIC LANDSCAPE.—The term “Historic Landscape” means the Camp Hale National Historic Landscape designated by section 107(a).
- (3) RECREATION MANAGEMENT AREA.—The term “Recreation Management Area” means the Tenmile Recreation Management Area designated by section 104(a).
- (4) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.
- (5) WILDLIFE CONSERVATION AREA.—The term “Wildlife Conservation Area” means, as applicable—
  - (A) the Porcupine Gulch Wildlife Conservation Area designated by section 105(a); and
  - (B) the Williams Fork Mountains Wildlife Conservation Area designated by section 106(a).

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

(a) DESIGNATION.—Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) is amended—

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

(2) by adding at the end the following:

“(23) HOLY CROSS WILDERNESS ADDITION.—Certain Federal land within the White River National Forest that comprises approximately 3,866 acres, as generally depicted as ‘Proposed Megan Dickie Wilderness Addition’ on the map entitled ‘Holy Cross Wilderness Addition Proposal’ and dated June 24, 2019, which shall be incorporated into, and managed as part of, the Holy Cross Wilderness designated by section 102(a)(5) of Public Law 96–560 (94 Stat. 3266).

“(24) HOOSIER RIDGE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 5,235 acres, as generally depicted as ‘Proposed Hoosier Ridge Wilderness’ on the map entitled ‘Tenmile Proposal’ and dated June 24, 2019, which shall be known as the ‘Hoosier Ridge Wilderness’.

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

“(26) EAGLES NEST WILDERNESS ADDITIONS.—Certain Federal land within the White River National Forest that comprises approximately 9,670 acres, as generally depicted as ‘Proposed Freeman Creek Wilderness Addition’ and ‘Proposed

Spraddle Creek Wilderness Addition’ on the map entitled ‘Eagles Nest Wilderness Additions Proposal’ and dated June 24, 2019, which shall be incorporated into, and managed as part of, the Eagles Nest Wilderness designated by Public Law 94–352 (90 Stat. 870).”

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

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

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

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

(2) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(e) **COORDINATION.**—For purposes of administering the Federal land designated as wilderness by paragraph (26) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by subsection (a)(2)), the Secretary shall, as determined to be appropriate for the protection of watersheds, coordinate the activities of the Secretary in response to fires and flooding events with interested State and local agencies, including operations using aircraft or mechanized equipment.

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

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

(b) **MANAGEMENT.**—Subject to valid existing rights and except as provided in subsection (d), the potential wilderness area designated by subsection (a) shall be managed in accordance with—

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

(2) this section.

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

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

(A) the “Big Hole Allotment”; and

(B) the “Blue Ridge Allotment”.

(2) **MODIFICATION OF ALLOTMENTS.**—In publishing a determination pursuant to paragraph (1), the Secretary may modify or combine the vacant allotments referred to in that paragraph.

(3) **PERMIT OR OTHER AUTHORIZATION.**—Not later than 1 year after the date on which a determination of the Secretary to authorize livestock grazing or other use by livestock is published under paragraph (1), if applicable, the Secretary shall grant a permit or other authorization for that livestock grazing or other use in accordance with applicable laws (including regulations).

(d) **RANGE IMPROVEMENTS.**—

(1) **IN GENERAL.**—If the Secretary permits livestock grazing or other use by livestock on the potential wilderness area under subsection (c), the Secretary, or a third party authorized by the Secretary, may use any motorized or mechanized transport or equipment for purposes of constructing or rehabilitating such range improvements as are necessary to obtain appropriate livestock management objectives (including habitat and watershed restoration).

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

(e) **DESIGNATION AS WILDERNESS.**—

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

- (A) effective not earlier than the date that is 180 days after the date of enactment this Act; and
- (B) on the earliest of—
  - (i) the date on which the Secretary publishes in the Federal Register a notice that the construction or rehabilitation of range improvements under subsection (d) is complete;
  - (ii) the date described in subsection (d)(2); and
  - (iii) the effective date of a determination of the Secretary not to authorize livestock grazing or other use by livestock under subsection (c)(1).
- (2) ADMINISTRATION.—Subject to valid existing rights, the Secretary shall manage the Williams Fork Mountains Wilderness in accordance with—
  - (A) the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77); and
  - (B) this title.

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

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

(b) PURPOSES.—The purposes of the Recreation Management Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the recreational, scenic, watershed, habitat, and ecological resources of the Recreation Management Area.

(c) MANAGEMENT.—

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

- (A) in a manner that conserves, protects, and enhances—
  - (i) the purposes of the Recreation Management Area described in subsection (b); and
  - (ii) recreation opportunities, including mountain biking, hiking, fishing, horseback riding, snowshoeing, climbing, skiing, camping, and hunting; and
- (B) in accordance with—
  - (i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);
  - (ii) any other applicable laws (including regulations); and
  - (iii) this section.

(2) USES.—

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

(B) VEHICLES.—

(i) IN GENERAL.—Except as provided in clause (iii), the use of motorized vehicles in the Recreation Management Area shall be limited to the roads, vehicle classes, and periods authorized for motorized vehicle use on the date of enactment of this Act.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary road shall be constructed in the Recreation Management Area.

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

(I) rerouting or closing an existing road or trail to protect natural resources from degradation, as the Secretary determines to be appropriate;

(II) authorizing the use of motorized vehicles for administrative purposes or roadside camping;

(III) constructing temporary roads or permitting the use of motorized vehicles to carry out pre- or post-fire watershed protection projects;

(IV) authorizing the use of motorized vehicles to carry out any activity described in subsection (d), (e)(1), or (f); or

(V) responding to an emergency.

(C) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Recreation Management Area for the purpose of harvesting commercial timber.

- (ii) **LIMITATION.**—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.
- (d) **FIRE, INSECTS, AND DISEASES.**—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to prevent, control, or mitigate fire, insects, or disease in the Recreation Management Area, subject to such terms and conditions as the Secretary determines to be appropriate.
- (e) **WATER.**—
  - (1) **EFFECT ON WATER MANAGEMENT INFRASTRUCTURE.**—Nothing in this section affects the construction, repair, reconstruction, replacement, operation, maintenance, or renovation within the Recreation Management Area of—
    - (A) water management infrastructure in existence on the date of enactment of this Act; or
    - (B) any future infrastructure necessary for the development or exercise of water rights decreed before the date of enactment of this Act.
  - (2) **APPLICABLE LAW.**—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Recreation Management Area.
- (f) **REGIONAL TRANSPORTATION PROJECTS.**—Nothing in this section precludes the Secretary from authorizing, in accordance with applicable laws (including regulations), the use or leasing of Federal land within the Recreation Management Area for—
  - (1) a regional transportation project, including—
    - (A) highway widening or realignment; and
    - (B) construction of multimodal transportation systems; or
  - (2) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (1).
- (g) **APPLICABLE LAW.**—Nothing in this section affects the designation of the Federal land within the Recreation Management Area for purposes of—
  - (1) section 138 of title 23, United States Code; or
  - (2) section 303 of title 49, United States Code.
- (h) **PERMITS.**—Nothing in this section alters or limits—
  - (1) any permit held by a ski area or other entity; or
  - (2) the acceptance, review, or implementation of associated activities or facilities proposed or authorized by law or permit outside the boundaries of the Recreation Management Area.

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

- (a) **DESIGNATION.**—Subject to valid existing rights, the approximately 8,287 acres of Federal land located in the White River National Forest, as generally depicted as “Proposed Porcupine Gulch Wildlife Conservation Area” on the map entitled “Porcupine Gulch Wildlife Conservation Area Proposal” and dated June 24, 2019, are designated as the “Porcupine Gulch Wildlife Conservation Area” (referred to in this section as the “Wildlife Conservation Area”).
- (b) **PURPOSES.**—The purposes of the Wildlife Conservation Area are—
  - (1) to conserve and protect a wildlife migration corridor over Interstate 70; and
  - (2) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, and ecological resources of the Wildlife Conservation Area.
- (c) **MANAGEMENT.**—
  - (1) **IN GENERAL.**—The Secretary shall manage the Wildlife Conservation Area—
    - (A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and
    - (B) in accordance with—
      - (i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);
      - (ii) any other applicable laws (including regulations); and
      - (iii) this section.
  - (2) **USES.**—
    - (A) **IN GENERAL.**—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).
    - (B) **RECREATION.**—The Secretary may permit such recreational activities in the Wildlife Conservation Area that the Secretary determines are consistent with the purposes described in subsection (b).

(C) **MOTORIZED VEHICLES AND MECHANIZED TRANSPORT; NEW OR TEMPORARY ROADS.**—

(i) **MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.**—Except as provided in clause (iii), the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area shall be prohibited.

(ii) **NEW OR TEMPORARY ROADS.**—Except as provided in clause (iii) and subsection (e), no new or temporary road shall be constructed within the Wildlife Conservation Area.

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

(I) authorizing the use of motorized vehicles or mechanized transport for administrative purposes;

(II) constructing temporary roads or permitting the use of motorized vehicles or mechanized transport to carry out pre- or post-fire watershed protection projects;

(III) authorizing the use of motorized vehicles or mechanized transport to carry out activities described in subsection (d) or (e); or

(IV) responding to an emergency.

(D) **COMMERCIAL TIMBER.**—

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

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

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

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

(1) a regional transportation project, including—

(A) highway widening or realignment; and

(B) construction of multimodal transportation systems; or

(2) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (1).

(f) **APPLICABLE LAW.**—Nothing in this section affects the designation of the Federal land within the Wildlife Conservation Area for purposes of—

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

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

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

**SEC. 106. WILLIAMS FORK MOUNTAINS WILDLIFE CONSERVATION AREA.**

(a) **DESIGNATION.**—Subject to valid existing rights, the approximately 3,528 acres of Federal land in the White River National Forest in the State, as generally depicted as “Proposed Williams Fork Mountains Wildlife Conservation Area” on the map entitled “Williams Fork Mountains Proposal” and dated June 24, 2019, are designated as the “Williams Fork Mountains Wildlife Conservation Area” (referred to in this section as the “Wildlife Conservation Area”).

(b) **PURPOSES.**—The purposes of the Wildlife Conservation Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, recreational, and ecological resources of the Wildlife Conservation Area.

(c) **MANAGEMENT.**—

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

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) **USES.**—

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

(B) **MOTORIZED VEHICLES.**—

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

(ii) **NEW OR TEMPORARY ROADS.**—Except as provided in clause (iii), no new or temporary road shall be constructed in the Wildlife Conservation Area.

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

(I) authorizing the use of motorized vehicles for administrative purposes;

(II) authorizing the use of motorized vehicles to carry out activities described in subsection (d); or

(III) responding to an emergency.

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

(D) **COMMERCIAL TIMBER.**—

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

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

(E) **GRAZING.**—The laws (including regulations) and policies followed by the Secretary in issuing and administering grazing permits or leases on land under the jurisdiction of the Secretary shall continue to apply with regard to the land in the Wildlife Conservation Area, consistent with the purposes described in subsection (b).

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

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

(1) a regional transportation project, including—

(A) highway widening or realignment; and

(B) construction of multimodal transportation systems; or

(2) any infrastructure, activity, or safety measure associated with the implementation or use of a facility constructed under paragraph (1).

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

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

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

(b) **PURPOSES.**—The purposes of the Historic Landscape are—

(1) to provide for—

(A) the interpretation of historic events, activities, structures, and artifacts of the Historic Landscape, including with respect to the role of the Historic Landscape in local, national, and world history;

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

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

(ii) the other purposes of the Historic Landscape;

(C) recreational opportunities, with an emphasis on the activities related to the historic use of the Historic Landscape, including skiing, snowshoeing, snowmobiling, hiking, horseback riding, climbing, other road- and trail-based activities, and other outdoor activities; and

- (D) the continued environmental remediation and removal of unexploded ordnance at the Camp Hale Formerly Used Defense Site and the Camp Hale historic cantonment area; and
- (2) to conserve, protect, restore, and enhance for the benefit and enjoyment of present and future generations the scenic, watershed, and ecological resources of the Historic Landscape.
- (c) MANAGEMENT.—
- (1) IN GENERAL.—The Secretary shall manage the Historic Landscape in accordance with—
- (A) the purposes of the Historic Landscape described in subsection (b); and
- (B) any other applicable laws (including regulations).
- (2) MANAGEMENT PLAN.—
- (A) IN GENERAL.—Not later than 5 years after the date of enactment of this Act, the Secretary shall prepare a management plan for the Historic Landscape.
- (B) CONTENTS.—The management plan prepared under subparagraph (A) shall include plans for—
- (i) improving the interpretation of historic events, activities, structures, and artifacts of the Historic Landscape, including with respect to the role of the Historic Landscape in local, national, and world history;
- (ii) conducting historic preservation activities;
- (iii) managing recreational opportunities, including the use and stewardship of—
- (I) the road and trail systems; and
- (II) dispersed recreation resources;
- (iv) the conservation, protection, restoration, or enhancement of the scenic, watershed, and ecological resources of the Historic Landscape, including conducting the restoration and enhancement project under subsection (d); and
- (v) environmental remediation and, consistent with subsection (e)(2), the removal of unexploded ordnance.
- (3) EXPLOSIVE HAZARDS.—The Secretary shall provide to the Secretary of the Army a notification of any unexploded ordnance (as defined in section 101(e) of title 10, United States Code) that is discovered in the Historic Landscape.
- (d) CAMP HALE RESTORATION AND ENHANCEMENT PROJECT.—
- (1) IN GENERAL.—The Secretary shall conduct a restoration and enhancement project in the Historic Landscape—
- (A) to improve aquatic, riparian, and wetland conditions in and along the Eagle River and tributaries of the Eagle River;
- (B) to maintain or improve recreation and interpretive opportunities and facilities; and
- (C) to conserve historic values in the Camp Hale area.
- (2) COORDINATION.—In carrying out the project described in paragraph (1), the Secretary shall coordinate with—
- (A) the United States Army Corps of Engineers;
- (B) the Camp Hale-Eagle River Headwaters Collaborative Group;
- (C) the National Forest Foundation;
- (D) the Colorado Department of Public Health and Environment;
- (E) the Colorado State Historic Preservation Office;
- (F) units of local government; and
- (G) other interested organizations and members of the public.
- (e) ENVIRONMENTAL REMEDIATION.—
- (1) IN GENERAL.—The Secretary of the Army shall continue to carry out the projects and activities of the Department of the Army in existence on the date of enactment of this Act relating to cleanup of—
- (A) the Camp Hale Formerly Used Defense Site; or
- (B) the Camp Hale historic cantonment area.
- (2) REMOVAL OF UNEXPLODED ORDNANCE.—
- (A) IN GENERAL.—The Secretary of the Army may remove unexploded ordnance (as defined in section 101(e) of title 10, United States Code) from the Historic Landscape, as the Secretary of the Army determines to be appropriate in accordance with applicable law (including regulations).
- (B) ACTION ON RECEIPT OF NOTICE.—On receipt from the Secretary of a notification of unexploded ordnance under subsection (c)(3), the Secretary of the Army may remove the unexploded ordnance in accordance with—
- (i) the program for environmental restoration of formerly used defense sites under section 2701 of title 10, United States Code;



- (ii) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and
  - (iii) any other applicable provision of law (including regulations).
- (3) EFFECT OF SUBSECTION.—Nothing in this subsection modifies any obligation in existence on the date of enactment of this Act relating to environmental remediation or removal of any unexploded ordnance located in or around the Camp Hale historic cantonment area, the Camp Hale Formerly Used Defense Site, or the Historic Landscape, including such an obligation under—
- (A) the program for environmental restoration of formerly used defense sites under section 2701 of title 10, United States Code;
  - (B) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); or
  - (C) any other applicable provision of law (including regulations).
- (f) INTERAGENCY AGREEMENT.—The Secretary and the Secretary of the Army shall enter into an agreement—
- (1) to specify—
    - (A) the activities of the Secretary relating to the management of the Historic Landscape; and
    - (B) the activities of the Secretary of the Army relating to environmental remediation and the removal of unexploded ordnance in accordance with subsection (e) and other applicable laws (including regulations); and
  - (2) to require the Secretary to provide to the Secretary of the Army, by not later than 1 year after the date of enactment of this Act and periodically thereafter, as appropriate, a management plan for the Historic Landscape for purposes of the removal activities described in subsection (e).
- (g) EFFECT.—Nothing in this section—
- (1) affects the jurisdiction of the State over any water law, water right, or adjudication or administration relating to any water resource;
  - (2) affects any water right in existence on or after the date of enactment of this Act, or the exercise of such a water right, including—
    - (A) a water right under an interstate water compact (including full development of any apportionment made in accordance with such a compact);
    - (B) a water right decreed within, above, below, or through the Historic Landscape;
    - (C) a water right held by the United States;
    - (D) the management or operation of any reservoir, including the storage, management, release, or transportation of water; and
    - (E) the construction or operation of such infrastructure as is determined to be necessary by an individual or entity holding water rights to develop and place to beneficial use those rights, subject to applicable Federal, State, and local law (including regulations);
  - (3) constitutes an express or implied reservation by the United States of any reserved or appropriative water right;
  - (4) alters or limits—
    - (A) a permit held by a ski area;
    - (B) the implementation of activities governed by a ski area permit; or
    - (C) the authority of the Secretary to modify or expand an existing ski area permit;
  - (5) prevents the Secretary from closing portions of the Historic Landscape for public safety, environmental remediation, or other use in accordance with applicable laws; or
  - (6) affects—
    - (A) any special use permit in effect on the date of enactment of this Act;
    - or
    - (B) the renewal of a permit described in subparagraph (A).
- (h) FUNDING.—
- (1) IN GENERAL.—There is established in the general fund of the Treasury a special account, to be known as the “Camp Hale Historic Preservation and Restoration Fund”.
  - (2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Camp Hale Historic Preservation and Restoration Fund \$10,000,000, to be available to the Secretary until expended, for activities relating to historic interpretation, preservation, and restoration carried out in and around the Historic Landscape.

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

- (a) IN GENERAL.—The boundary of the White River National Forest is modified to include the approximately 120 acres comprised of the SW 1/4, the SE 1/4, and

the NE 1/4 of the SE 1/4 of sec. 1, T. 2 S., R. 80 W., 6th Principal Meridian, in Summit County in the State.

(b) **LAND AND WATER CONSERVATION FUND.**—For purposes of section 200306 of title 54, United States Code, the boundaries of the White River National Forest, as modified under subsection (a), shall be considered to be the boundaries of the White River National Forest as in existence on January 1, 1965.

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

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

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

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

**SEC. 110. ADMINISTRATIVE PROVISIONS.**

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

(b) **NO BUFFER ZONES.**—

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

- (A) a covered area;
- (B) a wilderness area or potential wilderness area designated by section 103;
- (C) the Recreation Management Area;
- (D) a Wildlife Conservation Area; or
- (E) the Historic Landscape.

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

(c) **MAPS AND LEGAL DESCRIPTIONS.**—

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

- (A) the Committee on Natural Resources of the House of Representatives; and
- (B) the Committee on Energy and Natural Resources of the Senate.

(2) **FORCE OF LAW.**—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct any typographical errors in the maps and legal descriptions.

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

(d) **ACQUISITION OF LAND.**—

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

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

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

- (1) entry, appropriation, and disposal under the public land laws;
- (2) location, entry, and patent under mining laws; and
- (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

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

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

- (2) flight testing or evaluation over an area described in paragraph (1); or
- (3) the use or establishment of—
  - (A) any new unit of special use airspace over an area described in paragraph (1); or
  - (B) any military flight training or transportation over such an area.

## TITLE II—SAN JUAN MOUNTAINS

### SEC. 201. DEFINITIONS.

In this title:

- (1) COVERED LAND.—The term “covered land” means—
  - (A) land designated as wilderness under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 202); and
  - (B) a Special Management Area.
- (2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.
- (3) SPECIAL MANAGEMENT AREA.—The term “Special Management Area” means each of—
  - (A) the Sheep Mountain Special Management Area designated by section 203(a)(1); and
  - (B) the Liberty Bell East Special Management Area designated by section 203(a)(2).

### SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

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

“(27) LIZARD HEAD WILDERNESS ADDITION.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 3,141 acres, as generally depicted on the map entitled ‘Proposed Wilson, Sunshine, Black Face and San Bernardo Additions to the Lizard Head Wilderness’ and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Lizard Head Wilderness.

“(28) MOUNT SNEFFELS WILDERNESS ADDITIONS.—

“(A) LIBERTY BELL AND LAST DOLLAR ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 7,235 acres, as generally depicted on the map entitled ‘Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area’ and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

“(B) WHITEHOUSE ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 12,465 acres, as generally depicted on the map entitled ‘Proposed Whitehouse Additions to the Mt. Sneffels Wilderness’ and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

“(29) MCKENNA PEAK WILDERNESS.—Certain Federal land in the State of Colorado comprising approximately 8,884 acres of Bureau of Land Management land, as generally depicted on the map entitled ‘Proposed McKenna Peak Wilderness Area’ and dated September 18, 2018, to be known as the ‘McKenna Peak Wilderness’.”

### SEC. 203. SPECIAL MANAGEMENT AREAS.

(a) DESIGNATION.—

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

(2) LIBERTY BELL EAST SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests in the State comprising approximately 792 acres, as generally depicted on the map entitled “Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area” and dated September 6, 2018, is designated as the “Liberty Bell East Special Management Area”.

(b) **PURPOSE.**—The purpose of the Special Management Areas is to conserve and protect for the benefit and enjoyment of present and future generations the geological, cultural, archaeological, paleontological, natural, scientific, recreational, wilderness, wildlife, riparian, historical, educational, and scenic resources of the Special Management Areas.

(c) **MANAGEMENT.**—

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

(A) conserves, protects, and enhances the resources and values of the Special Management Areas described in subsection (b);

(B) subject to paragraph (3), maintains or improves the wilderness character of the Special Management Areas and the suitability of the Special Management Areas for potential inclusion in the National Wilderness Preservation System; and

(C) is in accordance with—

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

(ii) this title; and

(iii) any other applicable laws.

(2) **PROHIBITIONS.**—The following shall be prohibited in the Special Management Areas:

(A) Permanent roads.

(B) Except as necessary to meet the minimum requirements for the administration of the Federal land, to provide access for abandoned mine cleanup, and to protect public health and safety—

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

(ii) the establishment of temporary roads.

(3) **AUTHORIZED ACTIVITIES.**—

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

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

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

(i) the portion of the Sheep Mountain Special Management Area identified as “Ophir Valley Area” on the map entitled “Proposed Sheep Mountain Special Management Area” and dated September 19, 2018; and

(ii) the portion of the Liberty Bell East Special Management Area identified as “Liberty Bell Corridor” on the map entitled “Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area” and dated September 6, 2018.

(d) **APPLICABLE LAW.**—Water and water rights in the Special Management Areas shall be administered in accordance with section 8 of the Colorado Wilderness Act of 1993 (Public Law 103–77; 107 Stat. 762), except that, for purposes of this Act—

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

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

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

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

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

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

**“SEC. 2408. RELEASE.**

“(a) **IN GENERAL.**—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions

of the Dominguez Canyon Wilderness Study Area not designated as wilderness by this subtitle have been adequately studied for wilderness designation.

“(b) RELEASE.—Any public land referred to in subsection (a) that is not designated as wilderness by this subtitle—

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

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

(b) MCKENNA PEAK WILDERNESS STUDY AREA.—

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

(2) RELEASE.—Any public land referred to in paragraph (1) that is not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 202)—

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

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

#### SEC. 205. ADMINISTRATIVE PROVISIONS.

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

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this title establishes a protective perimeter or buffer zone around covered land.

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

(c) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary or the Secretary of the Interior, as appropriate, shall file a map and a legal description of each wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 202) and the Special Management Areas with—

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

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

(2) FORCE OF LAW.—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary or the Secretary of the Interior, as appropriate, may correct any typographical errors in the maps and legal descriptions.

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

(d) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary or the Secretary of the Interior, as appropriate, may acquire any land or interest in land within the boundaries of a Special Management Area or the wilderness designated under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 202) only through exchange, donation, or purchase from a willing seller.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness or Special Management Area in which the land or interest in land is located.

(e) GRAZING.—The grazing of livestock on covered land, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary with jurisdiction over the covered land, in accordance with—

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

(2) the applicable guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405) or H.R. 5487 of the 96th Congress (H. Rept. 96–617).

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

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

- (1) entry, appropriation, and disposal under the public land laws;
- (2) location, entry, and patent under mining laws; and
- (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

### TITLE III—THOMPSON DIVIDE

#### SEC. 301. PURPOSES.

The purposes of this title are—

- (1) subject to valid existing rights, to withdraw certain Federal land in the Thompson Divide area from mineral and other disposal laws; and
- (2) to promote the capture of fugitive methane emissions that would otherwise be emitted into the atmosphere—
  - (A) to reduce methane gas emissions; and
  - (B) to provide—
    - (i) new renewable electricity supplies and other beneficial uses of fugitive methane emissions; and
    - (ii) increased royalties for taxpayers.

#### SEC. 302. DEFINITIONS.

In this title:

- (1) FUGITIVE METHANE EMISSIONS.—The term “fugitive methane emissions” means methane gas from those Federal lands in Garfield, Gunnison, Delta, or Pitkin County in the State generally depicted on the pilot program map as “Fugitive Coal Mine Methane Use Pilot Program Area” that would leak or be vented into the atmosphere from an active, inactive or abandoned underground coal mine.
- (2) PILOT PROGRAM.—The term “pilot program” means the Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program established by section 305(a)(1).
- (3) PILOT PROGRAM MAP.—The term “pilot program map” means the map entitled “Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program Area” and dated June 17, 2019.
- (4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.
- (5) THOMPSON DIVIDE LEASE.—
  - (A) IN GENERAL.—The term “Thompson Divide lease” means any oil or gas lease in effect on the date of enactment of this Act within the Thompson Divide Withdrawal and Protection Area.
  - (B) EXCLUSIONS.—The term “Thompson Divide lease” does not include any oil or gas lease that—
    - (i) is associated with a Wolf Creek Storage Field development right;
    - or
    - (ii) before the date of enactment of this Act, has expired, been cancelled, or otherwise terminated.
- (6) THOMPSON DIVIDE MAP.—The term “Thompson Divide map” means the map entitled “Greater Thompson Divide Area Map” and dated June 13, 2019.
- (7) THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.—The term “Thompson Divide Withdrawal and Protection Area” means the Federal land and minerals generally depicted on the Thompson Divide map as the “Thompson Divide Withdrawal and Protection Area”.
- (8) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHT.—
  - (A) IN GENERAL.—The term “Wolf Creek Storage Field development right” means a development right for any of the Federal mineral leases numbered COC 007496, COC 007497, COC 007498, COC 007499, COC 007500, COC 007538, COC 008128, COC 015373, COC 0128018, COC 051645, and COC 051646, and generally depicted on the Thompson Divide map as “Wolf Creek Storage Agreement”.

(B) EXCLUSIONS.—The term “Wolf Creek Storage Field development right” does not include any storage right or related activity within the area described in subparagraph (A).

**SEC. 303. THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.**

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

- (1) entry, appropriation, and disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

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

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

(a) IN GENERAL.—In exchange for the relinquishment by a leaseholder of all Thompson Divide leases of the leaseholder, the Secretary may issue to the leaseholder credits for any bid, royalty, or rental payment due under any Federal oil or gas lease on Federal land in the State, in accordance with subsection (b).

(b) AMOUNT OF CREDITS.—

(1) IN GENERAL.—Subject to paragraph (2), the amount of the credits issued to a leaseholder of a Thompson Divide lease relinquished under subsection (a) shall—

(A) be equal to the sum of—

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

(ii) the amount of any rental paid for the applicable Thompson Divide leases as of the date on which the leaseholder submits to the Secretary a notice of the decision to relinquish the applicable Thompson Divide leases; and

(iii) the amount of any expenses incurred by the leaseholder of the applicable Thompson Divide leases in the preparation of any drilling permit, sundry notice, or other related submission in support of the development of the applicable Thompson Divide leases as of January 28, 2019, including any expenses relating to the preparation of any analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) require the approval of the Secretary.

(2) EXCLUSION.—The amount of a credit issued under subsection (a) shall not include any expenses paid by the leaseholder of a Thompson Divide lease for legal fees or related expenses for legal work with respect to a Thompson Divide lease.

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

- (1) shall be permanently cancelled; and
- (2) shall not be reissued.

(d) CONDITIONS.—

(1) APPLICABLE LAW.—Except as otherwise provided in this section, each exchange under this section shall be conducted in accordance with—

(A) this Act; and

(B) other applicable laws (including regulations).

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

(3) APPLICABILITY.—The use of a credit issued under subsection (a) shall be subject to the laws (including regulations) applicable to the payments described in that subsection, to the extent that the laws are consistent with this section.

(4) TREATMENT OF CREDITS.—All amounts in the form of credits issued under subsection (a) accepted by the Secretary shall be considered to be amounts received for the purposes of—

(A) section 35 of the Mineral Leasing Act (30 U.S.C. 191); and

(B) section 20 of the Geothermal Steam Act of 1970 (30 U.S.C. 1019).

(e) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHTS.—

(1) CONVEYANCE TO SECRETARY.—As a condition precedent to the relinquishment of a Thompson Divide lease, any leaseholder with a Wolf Creek Storage Field development right shall permanently relinquish, transfer, and otherwise convey to the Secretary, in a form acceptable to the Secretary, all Wolf Creek Storage Field development rights of the leaseholder.

(2) LIMITATION OF TRANSFER.—An interest acquired by the Secretary under paragraph (1)—

- (A) shall be held in perpetuity; and
- (B) shall not be—
  - (i) transferred;
  - (ii) reissued; or
  - (iii) otherwise used for mineral extraction.

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

(a) FUGITIVE COAL MINE METHANE USE PILOT PROGRAM.—

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

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

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

(3) PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop a plan—

- (i) to complete an inventory of fugitive methane emissions in accordance with subsection (b);
- (ii) to provide for the leasing of fugitive methane emissions in accordance with subsection (c); and
- (iii) to provide for the capping or destruction of fugitive methane emissions in accordance with subsection (d).

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

- (i) the State;
- (ii) Garfield, Gunnison, Delta, and Pitkin Counties in the State;
- (iii) lessees of Federal coal within the counties referred to in clause (ii);
- (iv) interested institutions of higher education in the State; and
- (v) interested members of the public.

(b) FUGITIVE METHANE EMISSION INVENTORY.—

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

(2) CONDUCT.—The Secretary may conduct the inventory under paragraph (1) through, or in collaboration with—

- (A) the Bureau of Land Management;
- (B) the United States Geological Survey;
- (C) the Environmental Protection Agency;
- (D) the United States Forest Service;
- (E) State departments or agencies;
- (F) Garfield, Gunnison, Delta, or Pitkin County in the State;
- (G) the Garfield County Federal Mineral Lease District;
- (H) institutions of higher education in the State;
- (I) lessees of Federal coal within a county referred to in subparagraph (F);
- (J) the National Oceanic and Atmospheric Administration;
- (K) the National Center for Atmospheric Research; or
- (L) other interested entities, including members of the public.

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

- (A) the general location and geographic coordinates of each vent, seep, or other source producing significant fugitive methane emissions;
- (B) an estimate of the volume and concentration of fugitive methane emissions from each source of significant fugitive methane emissions including details of measurements taken and the basis for that emissions estimate;
- (C) an estimate of the total volume of fugitive methane emissions each year;
- (D) relevant data and other information available from—
  - (i) the Environmental Protection Agency;
  - (ii) the Mine Safety and Health Administration;
  - (iii) Colorado Department of Natural Resources;
  - (iv) Colorado Public Utility Commission;
  - (v) Colorado Department of Health and Environment; and



- (vi) Office of Surface Mining Reclamation and Enforcement; and
- (E) such other information as may be useful in advancing the purposes of the pilot program.
- (4) PUBLIC PARTICIPATION; DISCLOSURE.—
  - (A) PUBLIC PARTICIPATION.—The Secretary shall provide opportunities for public participation in the inventory under this subsection.
  - (B) AVAILABILITY.—The Secretary shall make the inventory under this subsection publicly available.
  - (C) DISCLOSURE.—Nothing in this subsection requires the Secretary to publicly release information that—
    - (i) poses a threat to public safety;
    - (ii) is confidential business information; or
    - (iii) is otherwise protected from public disclosure.
- (5) USE.—The Secretary shall use the inventory in carrying out—
  - (A) the leasing program under subsection (c); and
  - (B) the capping or destruction of fugitive methane emissions under subsection (d).
- (c) FUGITIVE METHANE EMISSION LEASING PROGRAM.—
  - (1) IN GENERAL.—Subject to valid existing rights and in accordance with this section, not later than 1 year after the date of completion of the inventory required under subsection (b), the Secretary shall carry out a program to encourage the use and destruction of fugitive methane emissions.
  - (2) FUGITIVE METHANE EMISSIONS FROM COAL MINES SUBJECT TO LEASE.—
    - (A) IN GENERAL.—The Secretary shall authorize the holder of a valid existing Federal coal lease for a mine that is producing fugitive methane emissions to capture for use, or destroy by flaring, the fugitive methane emissions.
    - (B) CONDITIONS.—The authority under subparagraph (A) shall be—
      - (i) subject to valid existing rights; and
      - (ii) subject to such terms and conditions as the Secretary may require.
    - (C) LIMITATIONS.—The program carried out under paragraph (1) shall only include fugitive methane emissions that can be captured for use, or destroyed by flaring, in a manner that does not—
      - (i) endanger the safety of any coal mine worker; or
      - (ii) unreasonably interfere with any ongoing operation at a coal mine.
    - (D) COOPERATION.—
      - (i) IN GENERAL.—The Secretary shall work cooperatively with the holders of valid existing Federal coal leases for mines that produce fugitive methane emissions to encourage—
        - (I) the capture of fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, transforming the fugitive methane emissions into a different marketable material; or
        - (II) if the beneficial use of the fugitive methane emissions is not feasible, the destruction of the fugitive methane emissions by flaring.
      - (ii) GUIDANCE.—In furtherance of the purposes of this paragraph, not later than 1 year after the date of enactment of this Act, the Secretary shall issue guidance for the implementation of Federal authorities and programs to encourage the capture for use, or destruction by flaring, of fugitive methane emissions while minimizing impacts on natural resources or other public interest values.
    - (E) ROYALTIES.—The Secretary shall determine whether any fugitive methane emissions used or destroyed pursuant to this paragraph are subject to the payment of a royalty under applicable law.
  - (3) FUGITIVE METHANE EMISSIONS FROM ABANDONED COAL MINES.—
    - (A) IN GENERAL.—Except as otherwise provided in this section, notwithstanding section 303, subject to valid existing rights, and in accordance with section 21 of the Mineral Leasing Act (30 U.S.C. 241) and any other applicable law, the Secretary shall—
      - (i) authorize the capture for use, or destruction by flaring, of fugitive methane emissions from abandoned coal mines on Federal land; and
      - (ii) make available for leasing such fugitive methane emissions from abandoned coal mines on Federal land as the Secretary considers to be in the public interest.
    - (B) SOURCE.—To the maximum extent practicable, the Secretary shall offer for lease each significant vent, seep, or other source of fugitive methane emissions from abandoned coal mines.

(C) **BID QUALIFICATIONS.**—A bid to lease fugitive methane emissions under this paragraph shall specify whether the prospective lessee intends—

(i) to capture the fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, transforming the fugitive methane emissions into a different marketable material;

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

(iii) to employ a specific combination of—

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

(II) destroying the fugitive methane emission by flaring.

(D) **PRIORITY.**—

(i) **IN GENERAL.**—If there is more than 1 qualified bid for a lease under this paragraph, the Secretary shall select the bid that the Secretary determines is likely to most significantly advance the public interest.

(ii) **CONSIDERATIONS.**—In determining the public interest under clause (i), the Secretary shall take into consideration—

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

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

(III) other public interest values, including scenic, economic, recreation, and cultural values.

(E) **LEASE FORM.**—

(i) **IN GENERAL.**—The Secretary shall develop and provide to prospective bidders a lease form for leases issued under this paragraph.

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

(F) **ROYALTY RATE.**—The Secretary shall develop a minimum bid and royalty rate for leases under this paragraph to advance the purposes of this section, to the maximum extent practicable.

(d) **SEQUESTRATION.**—If, by not later than 4 years after the date of enactment of this Act, any significant fugitive methane emissions from abandoned coal mines on Federal land are not leased under subsection (c)(3), the Secretary shall, in accordance with applicable law, take all reasonable measures—

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

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

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

(1) the economic and environmental impacts of the pilot program, including information on increased royalties and estimates of avoided greenhouse gas emissions; and

(2) any recommendations by the Secretary on whether the pilot program could be expanded geographically to include other significant sources of fugitive methane emissions from coal mines.

**SEC. 306. EFFECT.**

Except as expressly provided in this title, nothing in this title—

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

(2) prevents the capture of methane from any active, inactive, or abandoned coal mine covered by this title, in accordance with applicable laws; or

(3) prevents access to, or the development of, any new or existing coal mine or lease in Delta or Gunnison County in the State.

## TITLE IV—CURECANTI NATIONAL RECREATION AREA

### SEC. 401. DEFINITIONS.

In this title:

- (1) MAP.—The term “map” means the map entitled “Curecanti National Recreation Area, Proposed Boundary”, numbered 616/100,485C, and dated August 11, 2016.
- (2) NATIONAL RECREATION AREA.—The term “National Recreation Area” means the Curecanti National Recreation Area established by section 402(a).
- (3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

### SEC. 402. CURECANTI NATIONAL RECREATION AREA.

(a) ESTABLISHMENT.—Effective beginning on the earlier of the date on which the Secretary approves a request under subsection (c)(2)(B)(i)(I) and the date that is 1 year after the date of enactment of this Act, there shall be established as a unit of the National Park System the Curecanti National Recreation Area, in accordance with this Act, consisting of approximately 50,667 acres of land in the State, as generally depicted on the map as “Curecanti National Recreation Area Proposed Boundary”.

(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the National Recreation Area in accordance with—

- (A) this title; and
- (B) the laws (including regulations) generally applicable to units of the National Park System, including section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code.

(2) DAM, POWERPLANT, AND RESERVOIR MANAGEMENT AND OPERATIONS.—

(A) IN GENERAL.—Nothing in this title affects or interferes with the authority of the Secretary—

- (i) to operate the Uncompahgre Valley Reclamation Project under the reclamation laws;
- (ii) to operate the Wayne N. Aspinall Unit of the Colorado River Storage Project under the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620 et seq.); or
- (iii) under the Federal Water Project Recreation Act (16 U.S.C. 4601–12 et seq.).

(B) RECLAMATION LAND.—

(i) SUBMISSION OF REQUEST TO RETAIN ADMINISTRATIVE JURISDICTION.—If, before the date that is 1 year after the date of enactment of this Act, the Commissioner of Reclamation submits to the Secretary a request for the Commissioner of Reclamation to retain administrative jurisdiction over the minimum quantity of land within the land identified on the map as “Lands withdrawn or acquired for Bureau of Reclamation projects” that the Commissioner of Reclamation identifies as necessary for the effective operation of Bureau of Reclamation water facilities, the Secretary may—

(I) approve, approve with modifications, or disapprove the request; and

(II) if the request is approved under subclause (I), make any modifications to the map that are necessary to reflect that the Commissioner of Reclamation retains management authority over the minimum quantity of land required to fulfill the reclamation mission.

(ii) TRANSFER OF LAND.—

(I) IN GENERAL.—Administrative jurisdiction over the land identified on the map as “Lands withdrawn or acquired for Bureau of Reclamation projects”, as modified pursuant to clause (i)(II), if applicable, shall be transferred from the Commissioner of Reclamation to the Director of the National Park Service by not later than the date that is 1 year after the date of enactment of this Act.

(II) ACCESS TO TRANSFERRED LAND.—

(aa) IN GENERAL.—Subject to item (bb), the Commissioner of Reclamation shall retain access to the land transferred to the Director of the National Park Service under subclause (I) for

reclamation purposes, including for the operation, maintenance, and expansion or replacement of facilities.

(bb) MEMORANDUM OF UNDERSTANDING.—The terms of the access authorized under item (aa) shall be determined by a memorandum of understanding entered into between the Commissioner of Reclamation and the Director of the National Park Service not later than 1 year after the date of enactment of this Act.

(3) MANAGEMENT AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into management agreements, or modify management agreements in existence on the date of enactment of this Act, relating to the authority of the Director of the National Park Service, the Commissioner of Reclamation, the Director of the Bureau of Land Management, or the Chief of the Forest Service to manage Federal land within or adjacent to the boundary of the National Recreation Area.

(B) STATE LAND.—The Secretary may enter into cooperative management agreements for any land administered by the State that is within or adjacent to the National Recreation Area, in accordance with the cooperative management authority under section 101703 of title 54, United States Code.

(4) RECREATIONAL ACTIVITIES.—

(A) AUTHORIZATION.—Except as provided in subparagraph (B), the Secretary shall allow boating, boating-related activities, hunting, and fishing in the National Recreation Area in accordance with applicable Federal and State laws.

(B) CLOSURES; DESIGNATED ZONES.—

(i) IN GENERAL.—The Secretary, acting through the Superintendent of the National Recreation Area, may designate zones in which, and establish periods during which, no boating, hunting, or fishing shall be permitted in the National Recreation Area under subparagraph (A) for reasons of public safety, administration, or compliance with applicable laws.

(ii) CONSULTATION REQUIRED.—Except in the case of an emergency, any closure proposed by the Secretary under clause (i) shall not take effect until after the date on which the Superintendent of the National Recreation Area consults with—

(I) the appropriate State agency responsible for hunting and fishing activities; and

(II) the Board of County Commissioners in each county in which the zone is proposed to be designated.

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

(A) by acquiring all or a portion of the private land or interests in private land located not more than 3 miles from the boundary of the National Recreation Area by purchase, exchange, or donation, in accordance with section 403;

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

(C) through available grant programs; and

(D) by supporting conservation easement opportunities.

(6) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the National Recreation Area is withdrawn from—

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

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

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(7) GRAZING.—

(A) STATE LAND SUBJECT TO A STATE GRAZING LEASE.—

(i) IN GENERAL.—If State land acquired under this title is subject to a State grazing lease in effect on the date of acquisition, the Secretary shall allow the grazing to continue for the remainder of the term of the lease, subject to the related terms and conditions of user agreements, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements.

(ii) ACCESS.—A lessee of State land may continue its use of established routes within the National Recreation Area to access State land

for purposes of administering the lease if the use was permitted before the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.

(B) STATE AND PRIVATE LAND.—The Secretary may, in accordance with applicable laws, authorize grazing on land acquired from the State or private landowners under section 403, if grazing was established before the date of acquisition.

(C) PRIVATE LAND.—On private land acquired under section 403 for the National Recreation Area on which authorized grazing is occurring before the date of enactment of this Act, the Secretary, in consultation with the lessee, may allow the continuation and renewal of grazing on the land based on the terms of acquisition or by agreement between the Secretary and the lessee, subject to applicable law (including regulations).

(D) FEDERAL LAND.—The Secretary shall—

- (i) allow, consistent with the grazing leases, uses, and practices in effect as of the date of enactment of this Act, the continuation and renewal of grazing on Federal land located within the boundary of the National Recreation Area on which grazing is allowed before the date of enactment of this Act, unless the Secretary determines that grazing on the Federal land would present unacceptable impacts (as defined in section 1.4.7.1 of the National Park Service document entitled “Management Policies 2006: The Guide to Managing the National Park System”) to the natural, cultural, recreational, and scenic resource values and the character of the land within the National Recreation Area; and
- (ii) retain all authorities to manage grazing in the National Recreation Area.

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

- (i) accept the voluntary termination of a lease or permit for grazing;
  - or
  - (ii) in the case of a lease or permit vacated for a period of 3 or more years, terminate the lease or permit.
- (8) WATER RIGHTS.—Nothing in this title—
- (A) affects any use or allocation in existence on the date of enactment of this Act of any water, water right, or interest in water;
  - (B) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;
  - (C) affects any interstate water compact in existence on the date of enactment of this Act;
  - (D) authorizes or imposes any new reserved Federal water right; or
  - (E) shall be considered to be a relinquishment or reduction of any water right reserved or appropriated by the United States in the State on or before the date of enactment of this Act.

(9) FISHING EASEMENTS.—

(A) IN GENERAL.—Nothing in this title diminishes or alters the fish and wildlife program for the Aspinall Unit developed under section 8 of the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (70 Stat. 110, chapter 203; 43 U.S.C. 620g), by the United States Fish and Wildlife Service, the Bureau of Reclamation, and the Colorado Division of Wildlife (including any successor in interest to that division) that provides for the acquisition of public access fishing easements as mitigation for the Aspinall Unit (referred to in this paragraph as the “program”).

(B) ACQUISITION OF FISHING EASEMENTS.—The Secretary shall continue to fulfill the obligation of the Secretary under the program to acquire 26 miles of class 1 public fishing easements to provide to sportsmen access for fishing within the Upper Gunnison Basin upstream of the Aspinall Unit, subject to the condition that no existing fishing access downstream of the Aspinall Unit shall be counted toward the minimum mileage requirement under the program.

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

- (i) develop a plan for fulfilling the obligation of the Secretary described in subparagraph (B); and
- (ii) submit to Congress a report that—
  - (I) includes the plan developed under clause (i); and
  - (II) describes any progress made in the acquisition of public access fishing easements as mitigation for the Aspinall Unit under the program.

**SEC. 403. ACQUISITION OF LAND; BOUNDARY MANAGEMENT.****(a) ACQUISITION.—**

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

**(2) MANNER OF ACQUISITION.—**

(A) **IN GENERAL.**—Subject to subparagraph (B), land described in paragraph (1) may be acquired under this subsection by—

- (i) donation;
- (ii) purchase from willing sellers with donated or appropriated funds;
- (iii) transfer from another Federal agency; or
- (iv) exchange.

(B) **STATE LAND.**—Land or interests in land owned by the State or a political subdivision of the State may only be acquired by purchase, donation, or exchange.

**(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—****(1) FOREST SERVICE LAND.—**

(A) **IN GENERAL.**—Administrative jurisdiction over the approximately 2,560 acres of land identified on the map as “U.S. Forest Service proposed transfer to the National Park Service” is transferred to the Secretary, to be administered by the Director of the National Park Service as part of the National Recreation Area.

(B) **BOUNDARY ADJUSTMENT.**—The boundary of the Gunnison National Forest shall be adjusted to exclude the land transferred to the Secretary under subparagraph (A).

(2) **BUREAU OF LAND MANAGEMENT LAND.**—Administrative jurisdiction over the approximately 5,040 acres of land identified on the map as “Bureau of Land Management proposed transfer to National Park Service” is transferred from the Director of the Bureau of Land Management to the Director of the National Park Service, to be administered as part of the National Recreation Area.

(3) **WITHDRAWAL.**—Administrative jurisdiction over the land identified on the map as “Proposed for transfer to the Bureau of Land Management, subject to the revocation of Bureau of Reclamation withdrawal” shall be transferred to the Director of the Bureau of Land Management on relinquishment of the land by the Bureau of Reclamation and revocation by the Bureau of Land Management of any withdrawal as may be necessary.

**(c) POTENTIAL LAND EXCHANGE.—**

(1) **IN GENERAL.**—The withdrawal for reclamation purposes of the land identified on the map as “Potential exchange lands” shall be relinquished by the Commissioner of Reclamation and revoked by the Director of the Bureau of Land Management and the land shall be transferred to the National Park Service.

(2) **EXCHANGE; INCLUSION IN NATIONAL RECREATION AREA.**—On transfer of the land described in paragraph (1), the transferred land—

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

- (i) subject to a conservation easement remaining on the transferred land, to protect the scenic resources of the transferred land; and
- (ii) in accordance with the laws (including regulations) and policies governing National Park Service land exchanges; and

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

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

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

Not later than 3 years after the date on which funds are made available to carry out this title, the Director of the National Park Service, in consultation with the Commissioner of Reclamation, shall prepare a general management plan for the National Recreation Area in accordance with section 100502 of title 54, United States Code.

**SEC. 405. BOUNDARY SURVEY.**

The Secretary (acting through the Director of the National Park Service) shall prepare a boundary survey and legal description of the National Recreation Area.

## PURPOSE OF THE BILL

The purpose of H.R. 823 is to provide for the designation of certain wilderness areas, recreation management areas, and conservation areas in the State of Colorado, and for other purposes.

## BACKGROUND AND NEED FOR LEGISLATION

Coloradans value public land as an essential part of the Colorado way of life. Public lands make the state a desirable place to live, work, and visit by providing a clean water supply; access to recreational opportunities, including hiking, backpacking, camping, mountain biking, skiing, climbing, snowmobiling, off-highway vehicle travel, and rafting; high-quality wildlife habitat and migration corridors that support at-risk species and big game animals important to hunters and anglers; and grazing land that supports Colorado's agricultural economy.

In Colorado, outdoor recreation generates \$28 billion in annual consumer spending, 229,000 direct jobs, \$9.7 billion in wages and salaries, and \$2 billion in state and local tax revenue.<sup>1</sup> H.R. 823 would support Colorado's growing recreation economy by protecting approximately 400,000 acres of public land in Colorado, safeguarding existing and future outdoor recreation opportunities.

H.R. 823 is the result of years of locally driven, collaborative efforts among a diverse set of stakeholders with a shared interest in providing long-term protections for key public lands in Colorado. The bill unites and improves upon earlier proposals to protect roughly 400,000 acres in perpetuity for the benefit of the people of the United States and for future generations. Of the roughly 400,000 acres protected, over half of the acreage is federal mineral withdrawals, about 73,000 acres are new wilderness areas, and nearly 80,000 acres are designated as recreation, conservation, and special management areas. The legislation would also establish approximately 28,676 acres of public land as a first-of-its-kind National Historic Landscape to honor the legacy of the 10th Mountain Division, members of which trained at Camp Hale and helped win World War II and many of whom went on to create the modern outdoor industry in Colorado and across the country. Lastly, the bill congressionally establishes the Curecanti National Recreation Area (NRA). Although the National Park Service has managed the area as an NRA since it was created in 1965, it has never been designated by Congress.

The CORE Act enjoys wide support from stakeholders across Colorado, making it one of the most broadly supported pieces of public lands legislation in recent history. Support for provisions of the CORE Act includes: Eagle, Garfield, Gunnison, Ouray, Pitkin, San Juan, San Miguel, and Summit Counties; the local municipalities of Basalt, Breckenridge, Carbondale, Crested Butte, Dillon, Frisco, Glenwood Springs, Minturn, Mt. Crested Butte, Ophir, Paonia, Ridgway, and Telluride; over 200 businesses across the state, including Arapahoe Basin Ski Area, Blue Grouse Bread, Crystal River Meats, Icelantic Skis, Justin's, The North Face, Osprey Packs, and Vail Resorts; dozens of outdoor recreation and conserva-

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<sup>1</sup>Outdoor Indus. Ass'n, *Outdoor Recreation Economy State Report: Colorado (2017)*, retrieved from <https://outdoorindustry.org/state/colorado/>.

tion organizations, including Backcountry Hunters & Anglers, Theodore Roosevelt Conservation Partnership, Conservation Colorado, International Mountain Bicycling Association, National Parks Conservation Association, North Thompson Cattle and Coal Basin Cattle Associations, Outdoor Industry Association, Trout Unlimited, Vet Voice Foundation, Wilderness Workshop, and The Wilderness Society; and many other organizations and individuals.

Title I of H.R. 823 establishes protections for nearly 100,000 acres of wilderness, recreation, and conservation areas in Colorado's central mountains in the White River National Forest—the most visited national forest in the country.<sup>2</sup> The bill designates three new wilderness areas totaling approximately 20,895 acres in the Hoosier Ridge, Williams Fork Mountains, and Tenmile Range. The bill sponsors have worked extensively with the Office of the Secretary of Defense to confirm that current and future military overflight in the region, including the Colorado Army National Guard High-Altitude Aviation Training Site (HAATS) mission, is preserved. The National Guard Bureau has indicated to the House Armed Services Committee that it has no concerns with H.R. 823. Adjacent to the Tenmile Wilderness, the bill designates the approximately 17,122-acre Tenmile Recreation Management Area to safeguard access to world-class outdoor recreation, such as mountain biking, hunting, and hiking, including access to Quandary Peak, commonly known as a “fourteener” because it reaches an elevation of at least 14,000 feet. The bill adds to three existing wilderness areas by expanding the Eagles Nest, Ptarmigan Peak, and Holy Cross wilderness areas, roughly totaling an additional 20,432 acres of wilderness. Provisions are included for the appropriate management of forest fire, insects, and diseases in the areas.

The bill also designates two new wildlife conservation areas, totaling approximately 11,815 acres, to protect wildlife, scenic, roadless, watershed, and ecological resources. The Porcupine Gulch Wildlife Conservation Area would protect the most important high-elevation migration corridor over Interstate 70 for elk, bear, mule deer, lynx, and other wildlife. The Williams Fork Wildlife Conservation Area would enhance wildlife habitat for the greater sage-grouse and other species. The bill designates roughly 28,676 acres surrounding Camp Hale as the first-ever National Historic Landscape. The 10th Mountain Division that trained at Camp Hale helped lead our nation to victory in World War II, and many of its veterans went on to create the outdoor recreation industry as we know it today. The National Historic Landscape designation would ensure Camp Hale's historic preservation, secure existing recreational opportunities, and protect natural resources. The bill also modifies the boundary of the White River National Forest to include roughly 120 acres and adjusts the boundary of a potential wilderness area around the Trail River Ranch in Rocky Mountain National Park.

Title II of H.R. 823 provides permanent protections for nearly 61,000 acres of land located in the heart of the San Juan Mountains in Southwest Colorado. The bill expands two existing wilderness areas, the Lizard Head Wilderness and Mt. Sneffels Wilder-

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<sup>2</sup>USDA Forest Serv., White River National Forest, <https://www.fs.usda.gov/whiteriver> (last visited Sept. 26, 2019).



ness, in the Grand Mesa, Uncompahgre, and Gunnison National Forests. The bill also designates the new McKenna Peak Wilderness on public land managed by the Bureau of Land Management. Of the roughly 31,725 acres designated as wilderness, approximately 23,000 acres are wilderness additions, including two of the state's most iconic "fourteener" peaks: Mount Sneffels and Wilson Peak. The bill designates approximately 21,663 acres as the Sheep Mountain Special Management Area between the towns of Ophir and Silverton, which includes the popular hiking and skiing destination of Ice Lakes Basin. The inclusion of Paradise Basin in the Special Management Area will not only help protect the scenic, natural, cultural, and popular recreational values of the area, but it will also protect public safety from the potential of avalanches inadvertently triggered by motorized vehicles. The bill also creates the approximately 792-acre Liberty Bell East Special Management Area near Telluride. The Special Management Areas will conserve, protect and enhance the existing resources, uses, and values, including the wilderness characteristics of these areas, while permitting bicycle use in the Ophir Valley Area and Liberty Bell Corridor. The bill also includes the roughly 6,590-acre Naturita Canyon Mineral Withdrawal and releases certain portions of Wilderness Study Areas not designated by this title.

Title III of H.R. 823 resolves oil and gas conflicts in the Thompson Divide by withdrawing approximately 200,000 acres near Carbondale and Glenwood Springs to protect the ranching and agricultural heritage, wildlife, scenery, and other public land values of the Thompson Divide, while preserving existing private property rights for leaseholders and landowners. The bill creates a voluntary process for existing leaseholders who would like to relinquish leases within the Thompson Divide Withdrawal and Protection Area in exchange for credits that may be used for any bid, royalty, or rental payments due under any federal oil or gas lease on federal land in Colorado. The bill includes provisions to support the continuation of natural gas storage at the Wolf Creek Storage Field. The bill also addresses climate change and supports the local economy by creating a pilot program to facilitate the capture, beneficial use, mitigation, and sequestration of fugitive methane emissions from coal mines in Garfield, Gunnison, Delta, and Pitkin Counties.

Title IV of H.R. 823 congressionally establishes the approximately 50,667-acre Curecanti National Recreation Area to be managed as a unit of the National Park System. Although the National Park Service (NPS) has managed resources in the area since 1965, it has never been designated by Congress, which has limited the ability of the National Park Service to effectively manage the area. To further facilitate management, the bill would enable the transfer of administrative jurisdiction of certain public lands in the area, while ensuring that the Bureau of Reclamation maintains jurisdiction over the three dams in the area and uphold its commitment to expand public fishing access. Lastly, the bill allows nearby landowners to voluntarily receive assistance from the NPS to conserve natural resources on their property.

The proposed protections made by H.R. 823 would safeguard and bolster Colorado's recreation economy and have significant support, including from Colorado state and local elected officials, businesses,

local ranchers, sportsmen, veterans, recreational users, and conservationists. The thoughtful participation by a diverse group of stakeholders and careful vetting of the protections and designations included in H.R. 823 would ensure permanent protections for approximately 400,000 acres of public land in Colorado providing recreational and economic opportunities for current and future generations.

#### COMMITTEE ACTION

H.R. 823 was introduced on January 28, 2019, by Representative Joe Neguse (D-CO). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests, and Public Lands and the Subcommittee on Energy and Mineral Resources. On April 2, 2019, the Subcommittee on National Parks, Forests, and Public Lands held a hearing on the bill. On June 26, 2019, the Natural Resources Committee met to consider the bill. The Subcommittees were discharged by unanimous consent. Representative Neguse offered an amendment in the nature of a substitute. Representative John Curtis (R-UT) offered an amendment designated Curtis #1 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 14 yeas and 21 nays, as follows:

Date:

**COMMITTEE ON NATURAL RESOURCES**  
**116<sup>th</sup> Congress - Roll Call**

**Bill / Motion:** H.R. 823

**Amendment:** Mr. Curtis #1 amendment to the Neguse amendment in the nature of a substitute

**Disposition:** Not agreed to by a roll call vote of 14 yeas and 21 nays.

	DE. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD			
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA		X	
6	Mr. Cox, CA			
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO		X	
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ ( <i>Chair</i> )		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA		X	
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU			
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY		X	
	REP. MEMBERS (19)	Y	N	P
1	Mr. Bishop, UT ( <i>Ranking</i> )	X		
2	Ms. Cheney, WY	X		
3	Mr. Cook, CA	X		
4	Mr. Curtis, UT			
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Ms. González-Colón, PR	X		
8	Mr. Gosar, AZ	X		
9	Mr. Graves, LA	X		
10	Mr. Hern, OK	X		
11	Mr. Hice, GA			
12	Mr. Johnson, LA			
13	Mr. Lamborn, CO	X		
14	Mr. McClintock, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Webster, FL			
17	Mr. Westerman, AR	X		
18	Mr. Wittman, VA			
19	Mr. Young, AK	X		
	<b>TOTALS</b>	14	21	
	Total: 44 / Quorum: 15 / Report: 23	<b>YEAS</b>	<b>NAYS</b>	<b>PRESENT</b>

Representative Paul Gosar (R-AZ) offered an amendment designated Gosar #2 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 15 yeas and 21 nays, as follows:

Date:

**COMMITTEE ON NATURAL RESOURCES**  
**116<sup>th</sup> Congress - Roll Call**

**Bill / Motion:** H.R. 823

**Amendment:** Mr. Gosar #2 amendment to the Neguse amendment in the nature of a substitute

**Disposition:** Not agreed to by a roll call vote of 15 yeas and 21 nays.

	DE. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD			
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA		X	
6	Mr. Cox, CA			
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO		X	
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ ( <i>Chair</i> )		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA		X	
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU			
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY		X	
	REP. MEMBERS (19)	Y	N	P
1	Mr. Bishop, UT ( <i>Ranking</i> )	X		
2	Ms. Cheney, WY	X		
3	Mr. Cook, CA	X		
4	Mr. Curtis, UT			
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Ms. González-Colón, PR	X		
8	Mr. Gosar, AZ	X		
9	Mr. Graves, LA	X		
10	Mr. Hern, OK	X		
11	Mr. Hice, GA			
12	Mr. Johnson, LA			
13	Mr. Lamborn, CO	X		
14	Mr. McClintock, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Webster, FL	X		
17	Mr. Westerman, AR	X		
18	Mr. Wittman, VA			
19	Mr. Young, AK	X		
	<b>TOTALS</b>	15	21	
	Total: 44 / Quorum: 15 / Report: 23	<b>YEAS</b>	<b>NAYS</b>	<b>PRESENT</b>

Representative Tom McClintock (R-CA) offered an amendment designated McClintock #5 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 15 yeas and 23 nays, as follows:

Date:

**COMMITTEE ON NATURAL RESOURCES**  
**116<sup>th</sup> Congress - Roll Call**

**Bill / Motion:** H.R. 823**Amendment:** Mr. McClintock #5 amendment to the Neguse amendment in the nature of a substitute**Disposition:** Not agreed to by a roll call vote of 15 yeas and 23 nays.

	DE. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA		X	
6	Mr. Cox, CA		X	
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO		X	
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ ( <i>Chair</i> )		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA		X	
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU			
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY		X	
	<b>REP. MEMBERS (19)</b>	<b>Y</b>	<b>N</b>	<b>P</b>
1	Mr. Bishop, UT ( <i>Ranking</i> )	X		
2	Ms. Cheney, WY	X		
3	Mr. Cook, CA	X		
4	Mr. Curtis, UT			
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Ms. González-Colón, PR	X		
8	Mr. Gosar, AZ	X		
9	Mr. Graves, LA	X		
10	Mr. Hern, OK	X		
11	Mr. Hice, GA			
12	Mr. Johnson, LA			
13	Mr. Lamborn, CO	X		
14	Mr. McClintock, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Webster, FL	X		
17	Mr. Westerman, AR	X		
18	Mr. Wittman, VA			
19	Mr. Young, AK	X		
	<b>TOTALS</b>	15	23	
	Total: 44 / Quorum: 15 / Report: 23	<b>YEAS</b>	<b>NAYS</b>	<b>PRESENT</b>

Representative Doug Lamborn (R-CO) offered an amendment designated Lamborn #4 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 17 yeas and 21 nays, as follows:



Date:

**COMMITTEE ON NATURAL RESOURCES**  
**116<sup>th</sup> Congress - Roll Call**

**Bill / Motion:** H.R. 823**Amendment:** Mr. Lamborn #4 amendment to the Neguse amendment in the nature of a substitute**Disposition:** Not agreed to by a roll call vote of 17 yeas and 21 nays.

	DE. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA	X		
6	Mr. Cox, CA	X		
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO		X	
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ ( <i>Chair</i> )		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA		X	
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU			
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY		X	
	REP. MEMBERS (19)	Y	N	P
1	Mr. Bishop, UT ( <i>Ranking</i> )	X		
2	Ms. Cheney, WY	X		
3	Mr. Cook, CA	X		
4	Mr. Curtis, UT			
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Ms. González-Colón, PR	X		
8	Mr. Gosar, AZ	X		
9	Mr. Graves, LA	X		
10	Mr. Hern, OK	X		
11	Mr. Hice, GA			
12	Mr. Johnson, LA			
13	Mr. Lamborn, CO	X		
14	Mr. McClintock, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Webster, FL	X		
17	Mr. Westerman, AR	X		
18	Mr. Wittman, VA			
19	Mr. Young, AK	X		
	<b>TOTALS</b>	17	21	
	Total: 44 / Quorum: 15 / Report: 23	<b>YEAS</b>	<b>NAYS</b>	<b>PRESENT</b>

Representative Deb Haaland (D–NM) offered an amendment designated Haaland #1 to the amendment in the nature of a substitute. The amendment was agreed to by voice vote. Representative Bruce Westerman (R–AR) offered an amendment designated Westerman #3 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 16 yeas and 22 nays, as follows:

Date:

**COMMITTEE ON NATURAL RESOURCES**  
**116<sup>th</sup> Congress - Roll Call**

**Bill / Motion:** H.R. 823

**Amendment:** Mr. Westerman #3 amendment to the Neguse amendment in the nature of a substitute

**Disposition:** Not agreed to by a roll call vote of 16 yeas and 22 nays.

	DE. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA	X		
6	Mr. Cox, CA		X	
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO		X	
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ ( <i>Chair</i> )		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA		X	
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU			
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY		X	
	REP. MEMBERS (19)	Y	N	P
1	Mr. Bishop, UT ( <i>Ranking</i> )	X		
2	Ms. Cheney, WY	X		
3	Mr. Cook, CA	X		
4	Mr. Curtis, UT			
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX	X		
7	Ms. González-Colón, PR	X		
8	Mr. Gosar, AZ	X		
9	Mr. Graves, LA	X		
10	Mr. Hern, OK	X		
11	Mr. Hice, GA			
12	Mr. Johnson, LA			
13	Mr. Lamborn, CO	X		
14	Mr. McClintock, CA	X		
15	Mrs. Radewagen, AS	X		
16	Mr. Webster, FL	X		
17	Mr. Westerman, AR	X		
18	Mr. Wittman, VA			
19	Mr. Young, AK	X		
	<b>TOTALS</b>	16	22	
	Total: 44 / Quorum: 15 / Report: 23	<b>YEAS</b>	<b>NAYS</b>	<b>PRESENT</b>

Representative Neguse's amendment in the nature of a substitute, as amended, was adopted by voice vote. The bill, as amended, was ordered favorably reported to the House of Representatives by a roll call vote of 23 yeas and 15 nays, as follows:

Date:

**COMMITTEE ON NATURAL RESOURCES**  
116<sup>th</sup> Congress - Roll Call

Bill / Motion: H.R. 823

Amendment: Final Passage

Disposition: H.R. 823, as amended, was adopted and ordered favorably reported to the House of Representatives by a roll call vote of 23 yeas and 15 nays.

	DE. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD	X		
2	Mr. Cartwright, PA	X		
3	Mr. Case, HI	X		
4	Mr. Clay, MO	X		
5	Mr. Costa, CA	X		
6	Mr. Cox, CA	X		
7	Mr. Cunningham, SC	X		
8	Ms. DeGette, CO	X		
9	Mrs. Dingell, MI	X		
10	Mr. Gallego, AZ	X		
11	Mr. Grijalva, AZ ( <i>Chair</i> )	X		
12	Ms. Haaland, NM	X		
13	Mr. Horsford, NV	X		
14	Mr. Huffman, CA	X		
15	Mr. Levin, CA	X		
16	Mr. Lowenthal, CA	X		
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA	X		
19	Mr. Neguse, CO	X		
20	Mr. Sabian, CNMI	X		
21	Mr. San Nicolas, GU			
22	Mr. Soto, FL	X		
23	Mr. Van Drew, NJ	X		
24	Mr. Tonko, NY	X		
25	Ms. Velázquez, NY	X		
	<b>REP. MEMBERS (19)</b>	<b>Y</b>	<b>N</b>	<b>P</b>
1	Mr. Bishop, UT ( <i>Ranking</i> )		X	
2	Ms. Cheney, WY		X	
3	Mr. Cook, CA		X	
4	Mr. Curtis, UT			
5	Mr. Fulcher, ID		X	
6	Mr. Gohmert, TX		X	
7	Ms. González-Colón, PR		X	
8	Mr. Gosar, AZ		X	
9	Mr. Graves, LA		X	
10	Mr. Hern, OK		X	
11	Mr. Hice, GA			
12	Mr. Johnson, LA			
13	Mr. Lamborn, CO		X	
14	Mr. McClintock, CA		X	
15	Mrs. Radewagen, AS		X	
16	Mr. Webster, FL		X	
17	Mr. Westerman, AR		X	
18	Mr. Wittman, VA			
19	Mr. Young, AK		X	
	<b>TOTALS</b>	23	15	
	Total: 44 / Quorum: 15 / Report: 23	<b>YEAS</b>	<b>NAYS</b>	<b>PRESENT</b>

## HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—the following hearing was used to develop or consider H.R. 823: hearing by the Subcommittee on National Parks, Forests, and Public Lands—on H.R. 306, H.R. 434, H.R. 823, and H.R. 1708, held on April 2, 2019.

## COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

## COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, September 27, 2019.*

Hon. RAÚL M. GRIJALVA,  
*Chairman, Committee on Natural Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 823, the Colorado Outdoor Recreation and Economy Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Janani Shankaran.

Sincerely,

PHILLIP L. SWAGEL,  
*Director.*

Enclosure.

At a Glance			
H.R. 823, Colorado Outdoor Recreation and Economy Act			
As ordered reported by the House Committee on Natural Resources on June 26, 2019			
By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	*	*
Spending Subject to Appropriation (Outlays)	0	19	not estimated
Statutory pay-as-you-go procedures apply?	Yes	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	< \$5 billion	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			
<p><b>The bill would</b></p> <ul style="list-style-type: none"> <li>Designate roughly 200,000 acres of federal land in Colorado for wilderness, recreation, historic preservation, or conservation purposes and generally withdraw that land from timber production and entry under hardrock mining laws and mineral and geothermal leasing</li> <li>Authorize the appropriation of \$10 million for the proposed Camp Hale National Historic Landscape</li> <li>Direct the Bureau of Land Management to establish a pilot program in the Greater Thompson Divide region to capture and lease methane emissions</li> </ul> <p><b>Estimated budgetary effects would primarily stem from</b></p> <ul style="list-style-type: none"> <li>Spending of appropriations authorized for the Forest Service</li> <li>Implementing the wilderness designations and the methane capture pilot program</li> </ul> <p>Detailed estimate begins on the next page.</p>			

**Bill summary:** H.R. 823 would designate roughly 200,000 acres of federal land in Colorado for wilderness, recreation, historic preservation, or conservation purposes. The bill would withdraw those areas, along with lands in the Naturita Canyon and Thompson Divide in Colorado, from entry under hardrock mining laws and mineral and geothermal leasing, subject to valid existing rights. That is, the bill would not allow new hardrock mining claims or mineral and geothermal leases on that land. Some of the land designated under H.R. 823 also would be withdrawn from availability for timber production.

The bill also would authorize the appropriation of \$10 million for the Forest Service to conduct historic interpretation, preservation, and restoration activities at the proposed Camp Hale National Historic Landscape. In addition, H.R. 823 would direct the Bureau of Land Management (BLM) to establish a pilot program to capture and lease out or destroy methane emissions in the Greater Thompson Divide region.

**Estimated Federal cost:** The estimated budgetary effect of H.R. 823 is shown in Table 1. The costs of the legislation fall within budget function 300 (natural resources and environment).

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER H.R. 823 <sup>a</sup>

	By fiscal year, millions of dollars—						
	2019	2020	2021	2022	2023	2024	2019–2024
<b>Camp Hale National Historic Landscape:</b>							
Authorization .....	0	10	0	0	0	0	10
Estimated Outlays .....	0	1	1	2	3	3	10
<b>Methane Capture Pilot Program:</b>							
Estimated Authorization .....	0	1	1	1	1	*	4
Estimated Outlays .....	0	1	1	1	1	*	4
<b>Wilderness Designations:</b>							
Estimated Authorization .....	0	2	*	*	*	*	3
Estimated Outlays .....	0	2	*	*	*	*	3
<b>Other Costs:</b>							
Estimated Authorization .....	0	1	*	*	*	*	2
Estimated Outlays .....	0	1	*	*	*	*	2
<b>Total Changes:</b>							
Estimated Authorization .....	0	14	2	1	1	1	19
Estimated Outlays .....	0	5	3	3	4	4	19

Components may not sum to totals because of rounding; \* = between zero and \$500,000.

<sup>a</sup> CBO also estimates that enacting H.R. 823 would increase direct spending by an insignificant amount.

**Basis of estimate:** For this estimate, CBO assumes that the legislation will be enacted near the start of 2020 and that the authorized and necessary amounts will be provided. Estimated outlays are based on historical spending patterns for similar activities.

CBO estimates that implementing H.R. 823 would cost \$19 million over the 2020–2024 period.

#### *Camp Hale National Historic Landscape*

Section 107 would establish the Camp Hale National Historic Landscape and would authorize the appropriation of \$10 million for the Forest Service to carry out related management, historic interpretation, preservation, and restoration activities. For this estimate, CBO assumes the entire amount will be appropriated in 2020 and spent over the next five years and thus would cost \$10 million over the 2020–2024 period.

#### *Methane capture pilot program*

Section 305 would direct BLM to establish a pilot program to capture and either lease or destroy methane emissions in the Greater Thompson Divide region. Under the bill, BLM would develop an inventory of the emissions and a leasing plan. If the emissions are not leased within four years, H.R. 823 would direct BLM to cap or destroy those emissions. Using information from BLM, CBO estimates that implementing the program would cost \$1 million in 2020 for planning activities. In addition, we estimate that BLM would need five additional employees at an average annual cost of \$120,000 each over the initial years of the program. In total, CBO estimates that implementing section 305 would cost \$4 million over the 2020–2024 period.

#### *Wilderness designations*

Sections 102, 103, and 202 would designate new wilderness areas in Colorado and expand existing ones. Using information from the Forest Service and BLM, CBO estimates that the agencies would incur costs of roughly \$2 million in 2020 to amend management plans, complete boundary surveys, and install new signage. There-



after, we estimate that the costs for additional rangers to patrol those areas would total less than \$500,000 annually. In total, CBO estimates that implementing those sections would cost \$3 million over the 2020–2024 period.

*Other costs*

CBO estimates that implementing other sections of H.R. 823 would cost \$2 million over the 2020–2024 period.

Title IV would confirm the boundary of the Curecanti National Recreation Area and would direct the National Park Service (NPS) to complete a boundary survey and a management plan for the unit. Using information from the NPS, CBO estimates that completing those activities would cost \$1 million.

H.R. 823 also would:

- Designate other conservation, recreation, and management areas;
- Adjust the boundary of the White River National Forest and Rocky Mountain National Park;
- Release some parcels of land from their status as wilderness study areas; and
- Authorize BLM to issue credits to leaseholders who choose to relinquish leases within the Thompson Divide.

Based on the costs of similar tasks, CBO estimates that implementing those activities would cost \$1 million over the 2020–2024 period.

Pay-As-You-Go considerations: Income from mineral leasing and timber production is classified as offsetting receipts and recorded in the budget as a reduction in direct spending. Under H.R. 823, the federal government would forgo receipts because land would be withdrawn from mineral and geothermal leasing and the commercial timber base. However, CBO estimates that any increases in direct spending would be insignificant over the 2020–2029 period.

Increase in long-term deficits: CBO estimates that enacting H.R. 823 would not increase on-budget deficits by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2030.

Mandates: None.

Estimate prepared by: Federal costs: Janani Shankaran; Mandates: Lilia Ledezma.

Estimate reviewed by: Kim P. Cawley, Chief, Natural and Physical Resources Cost Estimates Unit; H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill is to provide for the designation of certain wilderness areas, recreation management areas, and conservation areas in the State of Colorado.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

## UNFUNDED MANDATES REFORM ACT STATEMENT

This bill contains no unfunded mandates.

## EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to 31 U.S.C. § 6104 as relating to other programs.

## APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

## PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

## CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, and existing law in which no change is proposed is shown in roman):

**COLORADO WILDERNESS ACT OF 1993**

\* \* \* \* \*

**SEC. 2. ADDITIONS TO THE WILDERNESS PRESERVATION SYSTEM.**

(a) ADDITION.—The following lands in the State of Colorado are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) Certain lands in the Gunnison Resource Area administered by the Bureau of Land Management which comprise approximately 3,390 acres, as generally depicted on a map entitled "American Flats Additions to the Big Blue Wilderness Proposal (American Flats)", dated January, 1993, and which are hereby incorporated in and shall be deemed to be a part of the wilderness area designated by section 102(a)(1) of Public Law 96-560 and renamed Uncompahgre Wilderness by section 3(f) of this Act.

(2) Certain lands in the Gunnison Resource Area administered by the Bureau of Land Management which comprise approximately 815 acres, as generally depicted on a map entitled "Bill Hare Gulch and Larson Creek Additions to the Big Blue Wilderness", dated January, 1993, and which are hereby incorporated in and shall be deemed to be a part of the

wilderness area designated by section 102(a)(1) of Public Law 96-560 and renamed Uncompahgre Wilderness by section 3(f) of this Act.

(3) Certain lands in the Pike and San Isabel National Forests which comprise approximately 43,410 acres, as generally depicted on a map entitled "Buffalo Peaks Wilderness Proposal", dated January, 1993, and which shall be known as the Buffalo Peaks Wilderness.

(4) Certain lands in the Gunnison National Forest and in the Powderhorn Primitive Area administered by the Bureau of Land Management which comprise approximately 60,100 acres, as generally depicted on a map entitled "Powderhorn Wilderness Proposal", dated January, 1993, and which shall be known as the Powderhorn Wilderness.

(5) Certain lands in the Routt National Forest which comprise approximately 20,750 acres, as generally depicted on a map entitled "Davis Peak Additions to Mount Zirkel Wilderness Proposal", dated January, 1993, and which are hereby incorporated in and shall be deemed to be a part of the Mount Zirkel Wilderness designated by Public Law 88-555, as amended by Public Law 96-560.

(6) Certain lands in the Gunnison National Forests which comprise approximately 33,060 acres, as generally depicted on a map entitled "Fossil Ridge Wilderness Proposal", dated January, 1993, and which shall be known as the Fossil Ridge Wilderness.

(7) Certain lands in the San Isabel National Forest which comprise approximately 22,040 acres, as generally depicted on a map entitled "Greenhorn Mountain Wilderness Proposal", dated January, 1993, and which shall be known as the Greenhorn Mountain Wilderness.

(8) Certain lands within the Pike National Forest which comprise approximately 14,700 acres, as generally depicted on a map entitled "Lost Creek Wilderness Addition Proposal", dated January, 1993, which are hereby incorporated in and shall be deemed to be a part of the Lost Creek Wilderness designated Public Law 96-560: *Provided*, That the Secretary is authorized to acquire, only by donation or exchange, various mineral reservations held by the State of Colorado within the boundaries of the Lost Creek Wilderness additions designated by this Act.

(9) Certain lands in the Gunnison National Forests which comprise approximately 5,500 acres, as generally depicted on a map entitled "O-Be-Joyful Addition to the Raggeds Wilderness Proposal", dated January, 1993, and which are hereby incorporated in and shall be deemed to be a part of the Raggeds Wilderness designated by Public Law 96-560.

(10) Certain lands in the Rio Grande and San Isabel National Forests and lands in the San Luis Resource Area administered by the Bureau of Land Management which comprise approximately 226,455 acres, as generally depicted on four maps entitled "Sangre de Cristo Wilderness Proposal (North Section)", "Sangre de Cristo Wilderness Proposal (North Middle Section)", "Sangre de Cristo Wilderness Proposal (South Middle Section)", and "Sangre de Cristo Wilderness Proposal

(South Section)”, all dated January, 1993, and which shall be known as the Sangre de Cristo Wilderness.

(11) Certain lands in the Routt National Forest which comprise approximately 47,140 acres, as generally depicted on a map entitled “Service Creek Wilderness Proposal (Sarvis Creek Wilderness)”, dated January, 1993, and which shall be known as the Sarvis Creek Wilderness.

(12) Certain lands in the San Juan National Forest which comprise approximately 31,100 acres, as generally depicted on two maps, one entitled “South San Juan Wilderness Expansion Proposal, Montezuma Peak” and the other entitled “South San Juan Wilderness Expansion Proposal, V-Rock Trail”, both dated January, 1993, and which are hereby incorporated in and shall be deemed to be a part of the South San Juan Wilderness designated by Public law 96-560.

(13) Certain lands in the White River National Forest which comprise approximately 8,330 acres, as generally depicted on a map entitled “Spruce Creek Addition to the Hunter-Fryingpan Wilderness Proposal”, dated January, 1993, and which are hereby incorporated in and shall be deemed to be part of the Hunter Frying pan Wilderness designated by Public Law 95-327: *Provided*, That no right, or claim of right, to the diversion and use of waters by the Fryinpan-Arkansas Project shall be prejudiced, expanded, diminished, altered, or affected by this Act, nor shall anything in this Act be construed to expand, abate, impair, impede limit, interfere with, or prevent the construction, operation, use, maintenance, or repair of the project facilities and diversion systems to their full extent.

(14) Certain lands in the Arapaho National Forest which comprise approximately 8,095 acres, as generally depicted on a map entitled “Byers Peak Wilderness Proposal”, dated January, 1993, and which shall be known as the Byers Peak Wilderness.

(15) Certain lands in the Arapaho National Forest which comprise approximately 12,300 acres, as generally depicted on a map entitled “Vasquez Peak Wilderness Proposal”, dated January, 1993, and which shall be known as the Vasquez Peak Wilderness.

(16) Certain lands in the San Juan National Forest which comprise approximately 28,740 acres, as generally depicted on a map entitled “West Needle Wilderness Proposal and Weminuche Additions”, dated January, 1993, and which are hereby incorporated in and shall be deemed to be a part of the Weminuche Wilderness designated by Public Law 93-632, as amended by Public Law 96-560.

(17) Certain lands in the Rio Grande National Forest which comprise approximately 25,640 acres, as generally depicted on a map entitled “Wheeler Addition to the La Garita Wilderness Proposal”, dated January, 1993, and which shall be incorporated in and shall be deemed to be a part of the La Garita Wilderness designated by Public Law 96-560.

(18) Certain lands in the Arapaho National Forest which comprise approximately 13,175 acres, as generally depicted on a map entitled “Farr Wilderness Proposal”, dated January, [1993,] 1993, and certain Federal land within the White River

*National Forest that comprises approximately 6,896 acres, as generally depicted as “Proposed Ptarmigan Peak Wilderness Additions” on the map entitled “Proposed Ptarmigan Peak Wilderness Additions” and dated June 24, 2019, and which shall be known as the Ptarmigan Peak Wilderness.*

(19) Certain lands in the Arapaho National Forest which comprise approximately 6,990 acres, as generally depicted on a map entitled “Bowen Gulch Additions to Never Summer Wilderness Proposal”, dated January, 1993, and which are hereby incorporated in and shall be deemed to be a part of the Never Summer Wilderness designated by Public Law 96-560.

(20) SPANISH PEAKS WILDERNESS.—Certain land in the San Isabel National Forest that—

(A) comprises approximately 18,000 acres, as generally depicted on a map entitled “Proposed Spanish Peaks Wilderness”, dated February 10, 1999; and

(B) shall be known as the “Spanish Peaks Wilderness”.

(21) Certain lands in the Arapaho/Roosevelt National Forest which comprise approximately 14,000 acres, as generally depicted on a map entitled “Proposed James Peak Wilderness”, dated September 2001, and which shall be known as the James Peak Wilderness.

(22) Certain land within the San Juan National Forest that comprises approximately 37,236 acres, as generally depicted on the map entitled “Proposed Hermosa Creek Special Management Area and Proposed Hermosa Creek Wilderness Area” and dated November 12, 2014, which shall be known as the “Hermosa Creek Wilderness”.

(23) HOLY CROSS WILDERNESS ADDITION.—*Certain Federal land within the White River National Forest that comprises approximately 3,866 acres, as generally depicted as “Proposed Megan Dickie Wilderness Addition” on the map entitled “Holy Cross Wilderness Addition Proposal” and dated June 24, 2019, which shall be incorporated into, and managed as part of, the Holy Cross Wilderness designated by section 102(a)(5) of Public Law 96-560 (94 Stat. 3266).*

(24) HOOSIER RIDGE WILDERNESS.—*Certain Federal land within the White River National Forest that comprises approximately 5,235 acres, as generally depicted as “Proposed Hoosier Ridge Wilderness” on the map entitled “Tenmile Proposal” and dated June 24, 2019, which shall be known as the “Hoosier Ridge Wilderness”.*

(25) TENMILE WILDERNESS.—*Certain Federal land within the White River National Forest that comprises approximately 7,624 acres, as generally depicted as “Proposed Tenmile Wilderness” on the map entitled “Tenmile Proposal” and dated June 24, 2019, which shall be known as the “Tenmile Wilderness”.*

(26) EAGLES NEST WILDERNESS ADDITIONS.—*Certain Federal land within the White River National Forest that comprises approximately 9,670 acres, as generally depicted as “Proposed Freeman Creek Wilderness Addition” and “Proposed Spraddle Creek Wilderness Addition” on the map entitled “Eagles Nest Wilderness Additions Proposal” and dated June 24, 2019, which shall be incorporated into, and managed as part of, the*

*Eagles Nest Wilderness designated by Public Law 94-352 (90 Stat. 870).*

(27) *LIZARD HEAD WILDERNESS ADDITION.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 3,141 acres, as generally depicted on the map entitled “Proposed Wilson, Sunshine, Black Face and San Bernardo Additions to the Lizard Head Wilderness” and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Lizard Head Wilderness.*

(28) *MOUNT SNEFFELS WILDERNESS ADDITIONS.—*

(A) *LIBERTY BELL AND LAST DOLLAR ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 7,235 acres, as generally depicted on the map entitled “Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area” and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.*

(B) *WHITEHOUSE ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 12,465 acres, as generally depicted on the map entitled “Proposed Whitehouse Additions to the Mt. Sneffels Wilderness” and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.*

(29) *MCKENNA PEAK WILDERNESS.—Certain Federal land in the State of Colorado comprising approximately 8,884 acres of Bureau of Land Management land, as generally depicted on the map entitled “Proposed McKenna Peak Wilderness Area” and dated September 18, 2018, to be known as the “McKenna Peak Wilderness”.*

(b) *MAPS AND DESCRIPTIONS.—As soon as practicable after the date of enactment of this Act, the appropriate Secretary shall file a map and a boundary description of each area designated as wilderness by this Act with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives. Each map and description shall have the same force and effect as if included in this Act, except that the appropriate Secretary is authorized to correct clerical and typographical errors in such boundary descriptions and maps. Such maps and boundary descriptions shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture, and the Office of the Director of the Bureau of Land Management, Department of the Interior, as appropriate.*

\* \* \* \* \*

**OMNIBUS PUBLIC LAND MANAGEMENT ACT OF 2009**

(Public Law 111-11)

AN ACT To designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes.

\* \* \* \* \*

**TITLE I—ADDITIONS TO THE NATIONAL  
WILDERNESS PRESERVATION SYSTEM**

\* \* \* \* \*

**Subtitle N—Rocky Mountain National Park  
Wilderness, Colorado**

\* \* \* \* \*

**SEC. 1952. ROCKY MOUNTAIN NATIONAL PARK WILDERNESS, COLORADO**

(a) **DESIGNATION.**—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), there is designated as wilderness and as a component of the National Wilderness Preservation System approximately 249,339 acres of land in the Park, as generally depicted on the map.

(b) **MAP AND BOUNDARY DESCRIPTION.**—

(1) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall—

(A) prepare a map and boundary description of the Wilderness; and

(B) submit the map and boundary description prepared under subparagraph (A) to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

(2) **AVAILABILITY; FORCE OF LAW.**—The map and boundary description submitted under paragraph (1)(B) shall—

(A) be on file and available for public inspection in appropriate offices of the National Park Service; and

(B) have the same force and effect as if included in this subtitle.

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

(c) **INCLUSION OF POTENTIAL WILDERNESS.**—

(1) **IN GENERAL.**—On publication in the Federal Register of a notice by the Secretary that all uses inconsistent with the Wilderness Act (16 U.S.C. 1131 et seq.) have ceased on the land identified on the map as a “Potential Wilderness Area”, the land shall be—

(A) included in the Wilderness; and

(B) administered in accordance with subsection (e).

(2) BOUNDARY DESCRIPTION.—On inclusion in the Wilderness of the land referred to in paragraph (1), the Secretary shall modify the map and boundary description submitted under subsection (b) to reflect the inclusion of the land.

(d) EXCLUSION OF CERTAIN LAND.—The following areas are specifically excluded from the Wilderness:

(1) The Grand River Ditch (including the main canal of the Grand River Ditch and a branch of the main canal known as the Specimen Ditch), the right-of-way for the Grand River Ditch, land 200 feet on each side of the center line of the Grand River Ditch, and any associated appurtenances, structures, buildings, camps, and work sites in existence as of June 1, 1998.

(2) Land owned by the St. Vrain & Left Hand Water Conservancy District, including Copeland Reservoir and the Inlet Ditch to the Reservoir from North St. Vrain Creek, comprising approximately 35.38 acres.

(3) Land owned by the Wincenstsen-Harms Trust, comprising approximately 2.75 acres.

(4) Land within the area depicted on the map as the “East Shore Trail Area”.

(e) ADMINISTRATION.—Subject to valid existing rights, any land designated as wilderness under this section or added to the Wilderness after the date of enactment of this Act under subsection (c) shall be administered by the Secretary in accordance with this subtitle and the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act, or the date on which the additional land is added to the Wilderness, respectively; and

(2) any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(f) WATER RIGHTS.—

(1) FINDINGS.—Congress finds that—

(A) the United States has existing rights to water within the Park;

(B) the existing water rights are sufficient for the purposes of the Wilderness; and

(C) based on the findings described in subparagraphs (A) and (B), there is no need for the United States to reserve or appropriate any additional water rights to fulfill the purposes of the Wilderness.

(2) EFFECT.—Nothing in this subtitle—

(A) constitutes an express or implied reservation by the United States of water or water rights for any purpose; or

(B) modifies or otherwise affects any existing water rights held by the United States for the Park.

(g) FIRE, INSECT, AND DISEASE CONTROL.—The Secretary may take such measures in the Wilderness as are necessary to control fire, insects, and diseases, as are provided for in accordance with—

(1) the laws applicable to the Park; and



(2) the Wilderness Act (16 U.S.C. 1131 et seq.).

\* \* \* \* \*

**TITLE II—BUREAU OF LAND  
MANAGEMENT AUTHORIZATIONS**

\* \* \* \* \*

**Subtitle E—Dominguez-Escalante National  
Conservation Area**

\* \* \* \* \*

**SEC. 2408. RELEASE.**

*(a) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the Dominguez Canyon Wilderness Study Area not designated as wilderness by this subtitle have been adequately studied for wilderness designation.*

*(b) RELEASE.—Any public land referred to in subsection (a) that is not designated as wilderness by this subtitle—*

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

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

**SEC. [2408.] 2409. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as are necessary to carry out this subtitle.

\* \* \* \* \*

## DISSENTING VIEWS

H.R. 823 creates land restrictions for approximately 400,000 acres of land in Colorado in the form of new wilderness, recreation and conservation areas. While the stated goals of this legislation to protect and enhance outdoor recreation in Colorado are certainly admirable, it is regrettably clear that the proposed language does not reflect the local consensus we believe is critical for lands bills of this magnitude.

Among the primary criticisms of this legislation is the drastic reduction of areas open for motorized recreation use. The bill offers only 28,000 acres for motorized access versus the roughly 400,000 acres of new wilderness and closures.<sup>1</sup> Rural county commissioners have also raised economic concerns about the areas this bill will remove from multiple-use designation.<sup>2</sup> Instead of a legislative mineral lease exchange, which is supported by the impacted county and would enable energy companies to develop federal minerals in other areas, this bill offers a blanket mineral withdrawal in the Thompson Divide area with zero compromise.<sup>3</sup> Finally, in a State with significant wildfire risk, this bill would further reduce acres that have been identified as suitable for forest management by approximately 8,000 acres.<sup>4</sup>

Of most concern to us, is that, contrary to the claims of State-wide consensus made by the sponsors of this legislation, there is significant opposition to this bill from many Colorado stakeholders.<sup>5</sup> Further, this bill does not have the support of any of the Republican members of the Colorado delegation. Congressman Scott Tipton (CO-03) in particular has expressed significant concerns with this legislation, which contains several provisions that deal directly with federal lands in his Congressional district. In fact, roughly 65 percent of the lands affected by H.R. 823 are in Congressman Tipton's district. It is further troubling that Congressman Tipton was not even consulted on this legislation, and in fact did not even hear about this bill until the day it was publicly announced. To add insult to injury, regrettably, at the April 2, 2019, hearing on this bill, Congressman Tipton was prevented from engaging the bill sponsor, who not only chaired the hearing for a time but also was listed as a witness and testified regarding H.R. 823. This was not only an egregious violation of House rules and

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<sup>1</sup>"Action Alert: The Core Wilderness Proposal Needs Your Opposition!" *All Volunteer 501c3 Organization, Focused on Preserving Motorized, Single-Track Trail Riding*, [www.coloradotpa.org/2019/02/07/action-alert-the-core-wilderness-proposal-needs-your-opposition/](http://www.coloradotpa.org/2019/02/07/action-alert-the-core-wilderness-proposal-needs-your-opposition/).

<sup>2</sup>"Garfield County Balks at Permanent Lease Withdrawal in Thompson Divide." *PostIndependent.com*, 11 Feb. 2019, [www.postindependent.com/news/garfield-county-balks-at-permanent-lease-withdrawal-in-thompson-divide/](http://www.postindependent.com/news/garfield-county-balks-at-permanent-lease-withdrawal-in-thompson-divide/).

<sup>3</sup>Ibid.

<sup>4</sup>Letter of opposition from the Intermountain Forest Association provided to HNR staff.

<sup>5</sup>Letters of opposition provided to HNR staff: Garfield County, Intermountain Forest Association, Colorado Off-Highway Vehicle Coalition (COHVCO), Colorado Snowmobile Association, Trails Preservation Alliance.

comity among Members, but a very discouraging example of continued disregard for Member engagement shown by the Democrats concerning legislation impacting other Members' districts. Congressman Tipton's specific concerns with the impact that this bill will have on his constituents is appended to these views.

This lack of engagement continued during the markup of H.R. 823 where several amendments offered by Republicans seeking to address major flaws in the bill were rejected on largely party line votes. Among these was an amendment offered by Congressman Doug Lamborn that would have ensured that the important military readiness training conducted at the High Altitude Aviation Training Site in Colorado would not be adversely impacted by this legislation. Also offered at the markup were amendments requiring engagement with an impacted county, the removal of impacted lands in Congressman Tipton's district, and the removal of wilderness designations for lands that do not meet Wilderness Act criteria. All of these amendments were rejected by Committee Democrats, and the legislation advanced without a single Republican vote which bodes ill for its progress in the Senate. If the bill sponsor wants this legislation to serve as anything more than a partisan messaging bill, some long-overdue outreach and genuine efforts at a bi-partisan consensus by the sponsors need to take place.

ROB BISHOP.  
DON YOUNG.  
PAUL A. GOSAR.  
JODY B. HICE.  
BRUCE WESTERMAN.  
LOUIE GOHMERT.  
AUMUA AMATA C. RADEWAGEN.  
MIKE JOHNSON.

SCOTT R. TIPTON  
3RD DISTRICT, COLORADO  
218 CANNON HOUSE OFFICE BUILDING  
(202) 225-4761

Attachment

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-0603

FINANCIAL SERVICES  
FINANCIAL INSTITUTIONS AND  
CONSUMER CREDIT  
OVERSIGHT AND INVESTIGATIONS  
TERRORISM AND ILLICIT FINANCE  
NATURAL RESOURCES  
ENERGY AND MINERAL RESOURCES  
FEDERAL LANDS

Chairman Raúl Grijalva  
Natural Resources Committee  
1324 Longworth House Office Building  
Washington, DC 20515

Ranking Republican Rob Bishop  
Natural Resources Committee  
1324 Longworth House Office Building  
Washington, DC 20515

June 26, 2019

Dear Chairman Grijalva and Ranking Republican Bishop,

I am writing to share my views on H.R. 823, the Colorado Outdoor Recreation and Economy Act, which received a mark-up in the Natural Resources Committee today. I am disappointed that following the April 2, 2019, hearing on this bill, there were no substantial changes made to the text to address the concerns that many of my constituents have raised about the portions of the bill that impact the Third Congressional District of Colorado.

Title I of H.R. 823 designates new wilderness near the Colorado Army National Guard's High-altitude ARNG Aviation Training Site (HAATS) in Gypsum, Colorado. HAATS is the only training site that can prepare rotary-wing aviators to safely navigate the mountainous regions they may encounter in combat zones. Current law requires Department of Defense (DoD) aircraft to fly at a minimum altitude of 2,000 feet above designated wilderness areas, however, in Colorado, the terrain conditions can make maintaining the 2,000 ft. minimum altitude requirement challenging and dangerous. The DoD guidance for Colorado indicates that if oxygen requirements, icing levels, engine power limitations, Cloud Clearance, or Turbulence prevent the DoD aircrews from meeting the 2,000 ft. minimum altitude requirement, the aircraft are authorized to deviate from the requirement to safely transit the wilderness area. While I appreciate the DoD's guidance, I know all too well that regulatory changes do not provide permanent certainty. We cannot risk this guidance being overturned in the future. Therefore, I believe it is critical to codify the guidance within H.R. 823.

During the mark-up on H.R. 823, the sponsor of the bill indicated he had heard from the "DoD community" that they had concerns about language that was included as a proposed amendment to the bill that would codify the Colorado guidance. This amendment included language from my bill, H.R. 3247, to provide for a safe transit exception to service level requirements for Department of Defense aircraft flying over Colorado wilderness areas. On June 4, 2019, the DoD

communicated with my office about its views on H.R. 3247. In that communication, the DoD said, "The Department of Defense supports the subject bill as drafted. The bill would codify existing DoD flight guidance published in DoD Flight Information Publication Area Planning: Military Training Routes: North and South America (DoD FLIP AP/1B). OUSD(P&R) coordinated with the Military Services to modify the DoD FLIP AP/1B to ensure that designation of Colorado wilderness areas would not interfere with or limit DoD's ability to safely conduct training operations in the mountainous regions of Colorado."

Title II of H.R. 823 adds acres in the San Juan National Forest to the National Wilderness System and establishes areas of special management. I do not support this title of the bill as it is currently written, but I believe there are adjustments that could be made to the text to address the concerns raised by some recreation groups. I am hopeful that the sponsor of the bill will work with me in the future to achieve shared conservation goals in the San Juan National Forest.

Title III of H.R. 823 permanently withdraws 200,000 acres in the Thompson Divide from future oil, gas and mineral development. Three Colorado counties would be impacted by the permanent withdrawal: Gunnison, Pitkin, and Garfield. The Garfield County Board of County Commissioners does not support the permanent withdrawal of acreage in Garfield County from future oil, gas, and mineral development at this time. I believe it is critically important that the unique needs of impacted communities be considered during public land management decisions. I have encouraged the sponsors and supporters of H.R. 823 to consult and coordinate with Garfield County on the issue of the permanent oil, gas, and mineral withdrawal, and until there is consensus among the counties on this issue, I cannot support this portion of the bill.

Title IV of H.R. 823 creates a formal boundary for the Curecanti National Recreation Area (NRA) and transfers management of the area to the National Park Service. I do not oppose the ultimate goal of this section of the bill, however, I believe there are adjustments that must be made to preserve historic recreation activities and grazing in the area, protect water rights, and enable the Forest Service to continue its timber sales and fuel treatment projects on acreage that has been proposed for addition to the NRA.

Additionally, I continue to be concerned about the impact wilderness designations have on our ability to conduct management activities that support healthy forests. While the Wilderness Act includes language meant to give the Secretary of Agriculture flexibility to perform management and remediation projects, the law has been weaponized by some groups to prevent important projects from moving forward. For example, on May 9, 2019, the Forest Service announced it had approved the use of mechanized equipment to clear bark beetle-killed trees that had obstructed access to recreation trails in order to enhance visitor safety and reduce damage that can occur when visitors deviate from trails to avoid downed trees. After the announcement, a coalition of activist groups filed a lawsuit against the Forest Service, citing provisions of the Wilderness Act that ban the use of mechanized and motorized equipment in Wilderness Areas. The Forest Service then rescinded its approval of the project.

The sponsor and supporters of H.R. 823 have argued that the Wilderness Act provides flexibility for active forest management, however, the example above shows that the threat of lawsuits is a disincentive for the Forest Service to utilize this flexibility in order to be proactive.

I value Colorado's open spaces and am committed to ensuring public lands are preserved for future generations of Coloradans and all Americans to enjoy. I also firmly believe that discussions on major land management decisions should include all of the parties that the proposed designations would impact. I am confident there is common-ground to be found in some portions of this bill, and I am committed to working to advance shared conservation and recreation goals. I appreciate your consideration of my views on H.R. 823. Please do not hesitate to reach out to my office in the future should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Tipton". The signature is written in a cursive style with a large, sweeping initial "S".

Scott Tipton  
Member of Congress