

COLORADO WILDERNESS ACT OF 2019

FEBRUARY 4, 2020.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

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. 2546]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2546) to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, 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; DEFINITION.

(a) **SHORT TITLE.**—This Act may be cited as the “Colorado Wilderness Act of 2019”.

(b) **SECRETARY DEFINED.**—As used in this Act, the term “Secretary” means the Secretary of the Interior or the Secretary of Agriculture, as appropriate.

SEC. 2. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM IN THE STATE OF COLORADO.

(a) **ADDITIONS.**—Section 2(a) of the Colorado Wilderness Act of 1993 (Public Law 103-77; 107 Stat. 756; 16 U.S.C. 1132 note) is amended by adding at the end the following paragraphs:

“(23) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 19,839 acres, as generally depicted on a map titled ‘Bull Gulch & Castle Peak Proposed Wilderness’, dated October 9, 2019, which shall be known as the Bull Gulch Wilderness.

“(24) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 15,987 acres, as generally depicted on a map titled ‘Bull Gulch & Castle Peak Proposed Wilder-

ness Areas', dated October 9, 2019, which shall be known as the Castle Peak Wilderness.

"(25) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 316 acres, as generally depicted on a map titled 'Maroon Bells Addition Proposed Wilderness', dated July 20, 2018, which is hereby incorporated in and shall be deemed to be a part of the Maroon Bells-Snowmass Wilderness Area designated by Public Law 88-577.

"(26) Certain lands managed by the Gunnison Field Office of the Bureau of Land Management, which comprise approximately 38,217 acres, as generally depicted on a map titled 'Redcloud & Handies Peak Proposed Wilderness', dated October 9, 2019, which shall be known as the Redcloud Peak Wilderness.

"(27) Certain lands managed by the Gunnison Field Office of the Bureau of Land Management or located in the Grand Mesa, Uncompahgre, and Gunnison National Forests, which comprise approximately 26,734 acres, as generally depicted on a map titled 'Redcloud & Handies Peak Proposed Wilderness', dated October 9, 2019, which shall be known as the Handies Peak Wilderness.

"(28) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management, which comprise approximately 16,481 acres, as generally depicted on a map titled 'Table Mountain & McIntyre Hills Proposed Wilderness', dated November 7, 2019, which shall be known as the McIntyre Hills Wilderness.

"(29) Certain lands managed by the Glenwood Springs Field Office of the Bureau of Land Management, which comprise approximately 10,282 acres, as generally depicted on a map titled 'Grand Hogback Proposed Wilderness', dated October 16, 2019, which shall be known as the Grand Hogback Wilderness.

"(30) Certain lands managed by the Glenwood Springs Field Office of the Bureau of Land Management or located in the White River National Forest, which comprise approximately 16,101 acres, as generally depicted on a map titled 'Flat Tops Proposed Wilderness Addition', dated October 9, 2019, and which are hereby incorporated in and shall be deemed to be a part of the Flat Tops Wilderness designated by Public Law 94-146.

"(31) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 25,624 acres, as generally depicted on a map titled 'Demaree Canyon Proposed Wilderness', dated October 9, 2019, which shall be known as the Demaree Canyon Wilderness.

"(32) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 28,279 acres, as generally depicted on a map titled 'Little Books Cliff Proposed Wilderness', dated October 9, 2019, which shall be known as the Little Bookcliffs Wilderness.

"(33) Certain lands managed by the Glenwood Springs Field Office of the Bureau of Land Management, which comprise approximately 7,376 acres, as generally depicted on a map titled 'Pisgah East & West Proposed Wilderness' and dated October 16, 2019, which shall be known as the Pisgah East Wilderness, upon being designated as wilderness as provided by section 3(h)(2) of the Colorado Wilderness Act of 2019.

"(34) Certain lands managed by the Glenwood Springs Field Office of the Bureau of Land Management, which comprise approximately 6,828 acres, as generally depicted on a map titled 'Pisgah East & West Proposed Wilderness' and dated October 16, 2019, which shall be known as the Pisgah West Wilderness, upon being designated as wilderness as provided by section 3(h)(2) of the Colorado Wilderness Act of 2019."

(b) FURTHER ADDITIONS.—The following lands in the State of Colorado administered by the Bureau of Land Management or the United States Forest Service are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management or located in the White River National Forest, which comprise approximately 19,240 acres, as generally depicted on a map titled "Assigantion Ridge Proposed Wilderness", dated November 12, 2019, which shall be known as the Assigantion Ridge Wilderness.

(2) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management or located in the Pike and San Isabel National Forests, which comprise approximately 23,116 acres, as generally depicted on a map titled "Badger Creek Proposed Wilderness", dated November 7, 2019, which shall be known as the Badger Creek Wilderness.

(3) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management or located in the Pike and San Isabel National Forests, which comprise approximately 35,251 acres, as generally depicted on a map ti-

tled “Beaver Creek Proposed Wilderness”, dated November 7, 2019, which shall be known as the Beaver Creek Wilderness.

(4) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management or the Bureau of Reclamation or located in the Pike and San Isabel National Forest, which comprise approximately 32,884 acres, as generally depicted on a map titled “Grape Creek Proposed Wilderness”, dated November 7, 2019, which shall be known as the Grape Creek Wilderness.

(5) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 13,351 acres, as generally depicted on a map titled “North & South Bangs Canyon Proposed Wilderness”, dated October 9, 2019, which shall be known as the North Bangs Canyon Wilderness.

(6) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 5,144 acres, as generally depicted on a map titled “North & South Bangs Canyon Proposed Wilderness”, dated October 9, 2019, which shall be known as the South Bangs Canyon Wilderness.

(7) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 26,624 acres, as generally depicted on a map titled “Unaweep & Palisade Proposed Wilderness”, dated October 9, 2019, which shall be known as The Palisade Wilderness.

(8) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management or located in the Grand Mesa, Uncompahgre, and Gunnison National Forest, which comprise approximately 19,776 acres, as generally depicted on a map titled “Unaweep & Palisade Proposed Wilderness”, dated October 9, 2019, which shall be known as the Unaweep Wilderness.

(9) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management and San Juan Field Office of the Bureau of Land Management and in the Manti-LaSal National Forest, which comprise approximately 37,637 acres, as generally depicted on a map titled “Sewemup Mesa Proposed Wilderness”, dated November 7, 2019, which shall be known as the Sewemup Mesa Wilderness.

(10) Certain lands managed by the Kremmling Field Office of the Bureau of Land Management, which comprise approximately 31 acres, as generally depicted on a map titled “Platte River Addition Proposed Wilderness”, dated July 20, 2018, and which are hereby incorporated in and shall be deemed to be part of the Platte River Wilderness designated by Public Law 98–550.

(11) Certain lands managed by the Uncompahgre Field Office of the Bureau of Land Management, which comprise approximately 17,587 acres, as generally depicted on a map titled “Roubideau Proposed Wilderness”, dated October 9, 2019, which shall be known as the Roubideau Wilderness.

(12) Certain lands managed by the Uncompahgre Field Office of the Bureau of Land Management or located in the Grand Mesa, Uncompahgre, and Gunnison National Forest, which comprise approximately 12,102 acres, as generally depicted on a map titled “Norwood Canyon Proposed Wilderness”, dated November 7, 2019, which shall be known as the Norwood Canyon Wilderness.

(13) Certain lands managed by the San Juan Field Office of the Bureau of Land Management, which comprise approximately 24,475 acres, as generally depicted on a map titled “Cross Canyon Proposed Wilderness”, dated October 9, 2019, which shall be known as the Cross Canyon Wilderness.

(14) Certain lands managed by the San Juan Field Office of the Bureau of Land Management, which comprise approximately 21,220 acres, as generally depicted on a map titled “McKenna Peak Proposed Wilderness”, dated October 16, 2019, which shall be known as the McKenna Peak Wilderness.

(15) Certain lands managed by the San Juan Field Office of the Bureau of Land Management, which comprise approximately 14,270 acres, as generally depicted on a map titled “Weber-Menefee Mountain Proposed Wilderness”, dated October 9, 2019, which shall be known as the Weber-Menefee Mountain Wilderness.

(16) Certain lands managed by the Uncompahgre and San Juan Field Offices of the Bureau of Land Management or the Bureau of Reclamation, which comprise approximately 33,351 acres, as generally depicted on a map titled “Dolores River Canyon Proposed Wilderness”, dated November 7, 2019, which shall be known as the Dolores River Canyon Wilderness.

(17) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management or located in the Pike and San Isabel National Forests, which comprise approximately 17,922 acres, as generally depicted on a map titled “Browns Canyon Proposed Wilderness”, dated October 9, 2019, which shall be known as the Browns Canyon Wilderness.

(18) Certain lands managed by the San Luis Field Office of the Bureau of Land Management, which comprise approximately 10,527 acres, as generally depicted on a map titled “San Luis Hills Proposed Wilderness”, dated October 9, 2019 which shall be known as the San Luis Hills Wilderness.

(19) Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management, which comprise approximately 23,559 acres, as generally depicted on a map titled “Table Mountain & McIntyre Hills Proposed Wilderness”, dated November 7, 2019, which shall be known as the Table Mountain Wilderness.

(c) WEST ELK ADDITION.—Certain lands in the State of Colorado administered by the Gunnison Field Office of the Bureau of Land Management, the United States National Park Service, and the Bureau of Reclamation, which comprise approximately 6,695 acres, as generally depicted on a map titled “West Elk Addition Proposed Wilderness”, dated October 9, 2019, are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System and are hereby incorporated in and shall be deemed to be a part of the West Elk Wilderness designated by Public Law 88–577. The boundary adjacent to Blue Mesa Reservoir shall be 50 feet landward from the water’s edge, and shall change according to the water level.

(d) BLUE MESA RESERVOIR.—If the Bureau of Reclamation determines that lands within the West Elk Wilderness Addition are necessary for future expansion of the Blue Mesa Reservoir, the Secretary shall by publication of a revised boundary description in the Federal Register revise the boundary of the West Elk Wilderness Addition.

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

(f) STATE AND PRIVATE LANDS.—Lands within the exterior boundaries of any wilderness area designated under this section that are owned by a private entity or by the State of Colorado, including lands administered by the Colorado State Land Board, shall be included within such wilderness area if such lands are acquired by the United States. Such lands may be acquired by the United States only as provided in the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 3. ADMINISTRATIVE PROVISIONS.

(a) IN GENERAL.—Subject to valid existing rights, lands designated as wilderness by this Act shall be managed by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this Act, except that, with respect to any wilderness areas designated by this Act, any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(b) GRAZING.—Grazing of livestock in wilderness areas designated by this Act shall be administered in accordance with the provisions of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), as further interpreted by section 108 of Public Law 96–560, and the guidelines set forth in appendix A of House Report 101–405 of the 101st Congress.

(c) STATE JURISDICTION.—As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Colorado with respect to wildlife and fish in Colorado.

(d) BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this Act creates a protective perimeter or buffer zone around any area designated as wilderness by section 2.

(2) ACTIVITIES OUTSIDE WILDERNESS.—The fact that an activity or use on land outside the areas designated as wilderness by section 2 can be seen or heard within the wilderness shall not preclude the activity or use outside the boundary of the wilderness.

(e) MILITARY HELICOPTER OVERFLIGHTS AND OPERATIONS.—

(1) IN GENERAL.—Nothing in this Act restricts or precludes—

(A) low-level overflights of military helicopters over the areas designated as wilderness by section 2, including military overflights that can be seen or heard within any wilderness area;

(B) military flight testing and evaluation;

(C) the designation or creation of new units of special use airspace, or the establishment of military flight training routes over any wilderness area; or

(D) helicopter operations at designated landing zones within the following five regions:

(i) Flat Tops Wilderness;

(ii) Bull Gulch Wilderness;

(iii) Castle Peak Wilderness;

(iv) Pisgah East Wilderness; and

(v) Pisgah West Wilderness.

(2) AERIAL NAVIGATION TRAINING EXERCISES.—The Colorado Army National Guard, through the High-Altitude Army National Guard Aviation Training Site, may conduct aerial navigation training maneuver exercises over, and associated operations within, the wilderness areas designated by this Act—

(A) in a manner and degree consistent with the memorandum of understanding dated August 4, 1987, entered into among the Colorado Army National Guard, the Bureau of Land Management, and the Forest Service; or

(B) in a manner consistent with any subsequent memorandum of understanding entered into among the Colorado Army National Guard, the Bureau of Land Management, and the Forest Service.

(f) RUNNING EVENTS.—The Secretary may continue to authorize competitive running events currently permitted in the Redcloud Peak Wilderness Area and Handies Peak Wilderness Area in a manner compatible with the preservation of such areas as wilderness.

(g) LAND TRADES.—If the Secretary trades privately owned land within the perimeter of the Redcloud Peak Wilderness Area or the Handies Peak Wilderness Area in exchange for Federal land, then such Federal land shall be located in Hinsdale County, Colorado.

(h) RECREATIONAL CLIMBING.—Nothing in this Act prohibits recreational rock climbing activities in the wilderness areas, such as the placement, use, and maintenance of fixed anchors, including any fixed anchor established before the date of the enactment of this Act—

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

(2) subject to any terms and conditions determined to be necessary by the Secretary.

(i) POTENTIAL WILDERNESS DESIGNATIONS.—

(1) IN GENERAL.—The following lands are designated as potential wilderness areas:

(A) Certain lands managed by the Glenwood Springs Field Office of the Bureau of Land Management, which comprise approximately 7,376 acres, as generally depicted on a map titled “Pisgah East & West Proposed Wilderness” and dated October 16, 2019, which, upon designation as wilderness under paragraph (2), shall be known as the Pisgah East Wilderness.

(B) Certain lands managed by the Glenwood Springs Field Office of the Bureau of Land Management, which comprise approximately 6,828 acres, as generally depicted on a map titled “Pisgah East & West Proposed Wilderness” and dated October 16, 2019, which, upon designation as wilderness under paragraph (2), shall be known as the Pisgah West Wilderness.

(2) DESIGNATION AS WILDERNESS.—Lands designated as a potential wilderness area by subparagraph (A) or (B) of paragraph (1) shall be designated as wilderness on the date on which the Secretary publishes in the Federal Register a notice that all nonconforming uses of those lands authorized by subsection (e) in the potential wilderness area that would be in violation of the Wilderness Act (16 U.S.C. 1131 et seq.) have ceased. Such publication in the Federal Register and designation as wilderness shall occur for the potential wilderness area as the nonconforming uses cease in that potential wilderness area and designation as wilderness is not dependent on cessation of nonconforming uses in the other potential wilderness area.

(3) MANAGEMENT.—Except for activities provided for under subsection (e), lands designated as a potential wilderness area by paragraph (1) shall be managed by the Secretary in accordance with the Wilderness Act as wilderness pending the designation of such lands as wilderness under this subsection.

SEC. 4. WATER.

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

- (1) affects the use or allocation, in existence on the date of enactment of this Act, of any water, water right, or interest in water;
- (2) 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;
- (3) affects any interstate water compact in existence on the date of enactment of this Act;
- (4) authorizes or imposes any new reserved Federal water rights; and
- (5) shall be considered to be a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of Colorado on or before the date of the enactment of this Act.

(b) MIDSTREAM AREAS.—

(1) PURPOSE.—The purpose of this subsection is to protect for the benefit and enjoyment of present and future generations—

(A) the unique and nationally important values of areas designated as wilderness by section 2(b) (including the geological, cultural, archaeological, paleontological, natural, scientific, recreational, environmental, biological, wilderness, wildlife, riparian, historical, educational, and scenic resources of the public land); and

(B) the water resources of area streams, based on seasonally available flows, that are necessary to support aquatic, riparian, and terrestrial species and communities.

(2) WILDERNESS WATER RIGHTS.—

(A) IN GENERAL.—The Secretary shall ensure that any water rights within the wilderness designated by section 2(b) required to fulfill the purposes of such wilderness are secured in accordance with subparagraphs (B) through (G).

(B) STATE LAW.—

(i) PROCEDURAL REQUIREMENTS.—Any water rights for which the Secretary pursues adjudication shall be appropriated, adjudicated, changed, and administered in accordance with the procedural requirements and priority system of State law.

(ii) ESTABLISHMENT OF WATER RIGHTS.—

(I) IN GENERAL.—Except as provided in subclause (II), the purposes and other substantive characteristics of the water rights pursued under this paragraph shall be established in accordance with State law.

(II) EXCEPTION.—Notwithstanding subclause (I) and in accordance with this Act, the Secretary may appropriate and seek adjudication of water rights to maintain surface water levels and stream flows on and across the wilderness designated by section 2(b) to fulfill the purposes of such wilderness.

(C) DEADLINE.—The Secretary shall promptly, but not earlier than January 1, 2021, appropriate the water rights required to fulfill the purposes of the wilderness designated by section 2(b).

(D) REQUIRED DETERMINATION.—The Secretary shall not pursue adjudication for any instream flow water rights unless the Secretary makes a determination pursuant to subparagraph (E)(ii) or (F).

(E) COOPERATIVE ENFORCEMENT.—

(i) IN GENERAL.—The Secretary shall not pursue adjudication of any Federal instream flow water rights established under this paragraph if—

(I) the Secretary determines, upon adjudication of the water rights by the Colorado Water Conservation Board, that the Board holds water rights sufficient in priority, amount, and timing to fulfill the purposes of this subsection; and

(II) the Secretary has entered into a perpetual agreement with the Colorado Water Conservation Board to ensure full exercise, protection, and enforcement of the State water rights within the wilderness to reliably fulfill the purposes of this subsection.

(ii) ADJUDICATION.—If the Secretary determines that the provisions of clause (i) have not been met, the Secretary shall adjudicate and exercise any Federal water rights required to fulfill the purposes of the wilderness in accordance with this paragraph.

(F) INSUFFICIENT WATER RIGHTS.—If the Colorado Water Conservation Board modifies the instream flow water rights obtained under subparagraph (E) to such a degree that the Secretary determines that water rights held by the State are insufficient to fulfill the purposes of this Act, the Sec-

retary shall adjudicate and exercise Federal water rights required to fulfill the purposes of this Act in accordance with subparagraph (B).

(G) FAILURE TO COMPLY.—The Secretary shall promptly act to exercise and enforce the water rights described in subparagraph (E) if the Secretary determines that—

(i) the State is not exercising its water rights consistent with subparagraph (E)(i)(I); or

(ii) the agreement described in subparagraph (E)(i)(II) is not fulfilled or complied with sufficiently to fulfill the purposes of this Act.

(3) WATER RESOURCE FACILITY.—Notwithstanding any other provision of law, beginning on the date of enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for development of any new irrigation and pumping facility, reservoir, water conservation work, aqueduct, canal, ditch, pipeline, well, hydropower project, transmission, other ancillary facility, or other water, diversion, storage, or carriage structure in the wilderness designated by section 2(b).

(c) ACCESS AND OPERATION.—

(1) DEFINITION.—As used in this subsection, the term “water resource facility” means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

(2) ACCESS TO WATER RESOURCE FACILITIES.—Subject to the provisions of this subsection, the Secretary shall allow reasonable access to water resource facilities in existence on the date of enactment of this Act within the areas described in sections 2(b) and 2(c), including motorized access where necessary and customarily employed on routes existing as of the date of enactment of this Act.

(3) ACCESS ROUTES.—Existing access routes within such areas customarily employed as of the date of enactment of this Act may be used, maintained, repaired, and replaced to the extent necessary to maintain their present function, design, and serviceable operation, so long as such activities have no increased adverse impacts on the resources and values of the areas described in sections 2(b) and 2(c) than existed as of the date of enactment of this Act.

(4) USE OF WATER RESOURCE FACILITIES.—Subject to the provisions of this subsection and subsection (a)(4), the Secretary shall allow water resource facilities existing on the date of enactment of this Act within areas described in sections 2(b) and 2(c) to be used, operated, maintained, repaired, and replaced to the extent necessary for the continued exercise, in accordance with Colorado State law, of vested water rights adjudicated for use in connection with such facilities by a court of competent jurisdiction prior to the date of enactment of this Act. The impact of an existing facility on the water resources and values of the area shall not be increased as a result of changes in the adjudicated type of use of such facility as of the date of enactment of this Act.

(5) REPAIR AND MAINTENANCE.—Water resource facilities, and access routes serving such facilities, existing within the areas described in sections 2(b) and 2(c) on the date of enactment of this Act shall be maintained and repaired when and to the extent necessary to prevent increased adverse impacts on the resources and values of the areas described in sections 2(b) and 2(c).

SEC. 5. SENSE OF CONGRESS.

It is the sense of Congress that military aviation training on Federal public lands in Colorado, including the training conducted at the High-Altitude Army National Guard Aviation Training Site, is critical to the national security of the United States and the readiness of the Armed Forces.

PURPOSE OF THE BILL

The purpose of H.R. 2546 is to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

Colorado is home to some of the most cherished and visited public lands in the nation. Federal public lands represent approximately one-third of Colorado’s land base, and Coloradans especially value protecting these public lands and the numerous benefits they

provide, including clean water, abundant recreational opportunities, pristine wildlife habitats, and economic opportunity. Approximately 73 percent of Coloradans say “the ability to live near, recreate on, and enjoy public lands” is a “significant reason” they live in the West, and 65 percent would prefer that Congress place more emphasis on protecting sources of clean water, air quality, and wildlife habitat.¹ Undoubtedly, these treasured landscapes have made Colorado one of the fastest growing states in the country² and attract millions of visitors each year.³

Colorado’s public lands are the backbone of the state’s booming outdoor recreation economy, which 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 every year.⁴ H.R. 2546 would support this growing economic sector by protecting approximately 606,000 acres of federally owned land in Colorado as wilderness or potential wilderness, thereby safeguarding recreational opportunities, including hiking, skiing, camping, climbing, hunting and fishing, for the benefit of current and future generations.

Colorado has a strong history of protecting public lands as wilderness. In 1964, the Wilderness Act established the National Wilderness Preservation System (NWPS) with an initial designation of more than 9 million acres of public lands managed by the U.S. Forest Service, including five areas in Colorado. In 1976, the Federal Land Policy Management Act directed the Bureau of Land Management (BLM) to include wilderness management in its mission by requiring the inventory of areas with wilderness characteristics and the subsequent submission of recommendations to Congress regarding their designation.

In 1991, the BLM submitted its list of wilderness recommendations, identified as wilderness study areas (WSAs). Although WSAs are generally managed for wilderness qualities, Congress alone has the authority to determine whether public lands should be designated as wilderness or better managed for other uses. In 1993, Congress acted on several agency recommendations with the enactment of the Colorado Wilderness Act of 1993,⁵ which designated more than 600,000 acres of wilderness throughout Colorado, largely made up of the higher-elevation and alpine areas.

Today, approximately 3.5 million acres of public land in Colorado are designated as wilderness, but past conservation efforts have not included protections for several well-known peaks and have neglected to provide permanent protections for lower-lying canyon areas, foothills, and lower-elevation terrain. Recognizing the need

¹ COLORADO COLLEGE, 2019 STATE OF THE ROCKIES CONSERVATION IN THE WEST POLL, COLORADO (2019), https://www.coloradocollege.edu/other/stateoftherockies/documents/SotR%20Fact%20Sheets_CO.pdf.

² Press Release, U.S. Census Bureau, Nevada and Idaho Are the Nation’s Fastest-Growing States (Dec. 19, 2018), <https://www.census.gov/newsroom/press-releases/2018/estimates-national-state.html>.

³ See, e.g., PATRICIA HERNANDEZ GUDE, HEADWATER ECON., NATIONAL PARKS ECONOMIC IMPACTS (updated Aug. 2019), <https://headwaterseconomics.org/dataviz/national-park-service-units/>. See generally U.S. FOREST SERVICE, NATIONAL VISITOR USE MONITORING SURVEY RESULTS NATIONAL SUMMARY REPORT: DATA COLLECTED FY 2012 THROUGH FY 2016 (2016), <https://www.fs.fed.us/recreation/programs/nvum/pdf/5082016NationalSummaryReport062217.pdf>.

⁴ OUTDOOR INDUS. ASS’N, OUTDOOR RECREATION ECONOMY STATE REPORT: COLORADO (2017), <https://outdoorindustry.org/state/colorado/>.

⁵ Pub. L. No. 103–77, 107 Stat. 756 (1993), <https://uscode.house.gov/statviewer.htm?volume=107&page=756>.

to protect the clean water, wildlife and wilderness values of these areas, a group of dedicated citizens embarked on an effort to review and inventory BLM WSAs in Colorado and identify nearby public lands with similar wilderness quality characteristics. These grassroots efforts informed the introduction of the Colorado Wilderness Act of 1999 in the 106th Congress by Representative Diana DeGette (D-CO).

Representative DeGette has reintroduced the Colorado Wilderness Act in every subsequent Congress while continuing to work with members of the public, Colorado communities, elected officials, and countless other stakeholders to revise and update the proposal to focus on those areas most deserving of protection. In the 116th Congress, the Colorado Wilderness Act of 2019 was introduced as H.R. 2546. During the National Parks, Forests, and Public Lands Subcommittee hearing on the bill, the majority witness for the bill testified on behalf of two organizations, Conservatives for Responsible Stewardship and the Colorado Mountain Club, and stated, “Colorado needs to take action now in order to preserve the wide open spaces that are such a draw to people wanting to move to Colorado, establish businesses here, and recreate here.”⁶

H.R. 2546, as reported, reflects ongoing stakeholder engagement with the inclusion of changes agreed to in consultation with federal land management agencies, representatives of the outdoor recreation community, and the National Guard Bureau. The wilderness designations in the reported bill, as compared to the introduced version, have been reduced by approximately 140,000 acres in order to remove oil and gas priority leasing areas, avoid existing mineral and hard rock leases, and accommodate road and water infrastructure, including existing motorized and mechanized routes.

The bill sponsor has worked extensively with the Outdoor Alliance to address specific recreational concerns, including avoiding heavily used mountain bike trails and rock-climbing areas. Furthermore, H.R. 2546 now reflects language intended to safeguard recreational climbing in wilderness areas designated by this bill. As a result, the Outdoor Alliance, the Conservation Alliance, and the Outdoor Industry Association, representing a multi-disciplinary coalition of outdoor recreation interests, have provided their endorsement of H.R. 2546.⁷

Importantly, language in the bill to protect military overflight and high-altitude aviation training has been strengthened at the request of the National Guard Bureau. Those efforts were memorialized in a November 20, 2019, letter from the Director of the Army National Guard addressed to the Subcommittee Chair and Ranking Member, which “acknowledges the provisions made for HAATS and Military Helicopter Overflight and Operation in section 3(e) included within the recent amendment to H.R. 2546.” The letter goes on to say, “The provisions included in section 3(e) would help maintain our current mode of operations, negating additional costs which would otherwise be incurred due to longer travel times to the training areas, and avoiding a resultant reduction of the total

⁶Hearing on H.R. 252, H.R. 1475, H.R. 2199, H.R. 2215, H.R. 2250, H.R. 2546, and H.R. 2642 Before the Subcomm. on Nat'l Parks, Forests & Pub. Lands of the H. Comm. on Nat. Res., 116th Cong. (2019) (statement of Steve Bonowski, Colo. Bd. Member, Conservatives for Responsible Stewardship & Bd. Member, Colo. Mountain Club Found.), <https://docs.house.gov/meetings/II/II10/20190710/109754/HMTG-116-II10-Wstate-BonowskiS-20190710.pdf>.

⁷November 19, 2019, letter to Representative DeGette submitted for the record at markup.

number of aviators being able to complete the training in a given year.”⁸

As the product of more than twenty years of collaborative efforts, H.R. 2546 now designates approximately 569,479 acres of new wilderness areas, 23,043 acres of expanded wilderness, and 14,204 acres of potential wilderness in Colorado, putting this effort on par with the conservation gains achieved in the Colorado Wilderness Act of 1993. In total, H.R. 2546 would designate thirty-three areas mostly drawn from existing wilderness study areas, Colorado Roadless Areas, or other lands identified as having wilderness characteristics. Although each of these areas is unique in its own way,⁹ there are a few areas that are particularly illustrative of the values that will be permanently protected by a wilderness designation.

The Handies Peak Wilderness is comprised of one of the largest unprotected roadless areas remaining in Colorado. It contains 15 miles of the Continental Divide of the scenic San Juan Mountains and sits at the headwaters of both the Rio Grande and Lake Fork of the Gunnison River. The area forms a critical missing link in the larger protected landscape of the San Juan Mountains and serves as an ecological corridor connecting the northern and southern San Juans. Rising 14,048 feet in elevation, Handies Peak is one of Colorado’s crowning gems and the highest peak under BLM jurisdiction outside of Alaska. The trademark “fourteener,” as well as glacial ponds, canyons, and waterfalls make this area’s ecological individuality indisputable. The area is also home to a diverse array of wildlife, including elk, black bears, deer, and bighorn sheep.

The Dolores River Canyon Wilderness Study Area is a pristine desert area containing some of the most outstanding canyon scenery in Colorado. The area includes twelve geological formations spanning 160 million years of geologic history, exposed by the river in the gorge. At points, the canyon rim rises more than 1,000 feet above the river. Important species, including the endangered peregrine falcon, golden and bald eagles, and river otters live in this area. In early summer, several thousand rafters also pass through the rim walls of the Dolores Canyon.

The proposed Little Bookcliffs Wilderness encompasses the Little Book Cliffs Wilderness Study Area at the east end of the Bookcliffs, near Grand Junction, Colorado. Thousand-foot canyon walls rise from the entrance to Main Canyon at its confluence with the Colorado River, and portions of the 2,000-foot vertical face of the Bookcliffs, visible from throughout the Grand Valley, are included in the wilderness area. The sheer enormity of these unscalable walls, combined with the views from the mesas above them, provide incomparable wilderness values. The Little Book Cliffs Wild Horse Range is also well known as the only Wild Horse Range in Colorado Plateau province. Animals such as deer, bobcats, mountain lions, elk, and bears also inhabit these scenic and ecologically diverse lands.

H.R. 2546 enjoys wide support from stakeholders across Colorado, including endorsements from over 350 businesses and organi-

⁸November 20, 2019, letter from the National Guard Bureau to Chair Deb Haaland (D-NM) and Ranking Member Don Young (R-AK).

⁹*Protecting Colorado’s Wilderness*, CONGRESSWOMAN DIANA DEGETTE, <https://degette.house.gov/legislative-issues/protecting-colorado-s-wilderness> (last visited Jan. 14, 2020).

zations across the state as well as fourteen Colorado counties and municipalities. In addition, a 2019 poll of voters in Western and Southern Colorado, where most of the proposed designations are located, found that nearly 70 percent of respondents support additional wilderness designations.¹⁰

COMMITTEE ACTION

H.R. 2546 was introduced on May 7, 2019, by Representative Diana DeGette (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. On July 10, 2019, the Subcommittee held a hearing on the bill. On November 20, 2019, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Representative DeGette offered an amendment in the nature of a substitute. Representative John R. 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 13 yeas and 20 nays, as follows:

¹⁰NEW BRIDGE STRATEGY, KEY FINDINGS FROM A SURVEY OF VOTERS THROUGHOUT WESTERN AND SOUTHERN COLORADO (2019), <https://www.sanjuancitizens.org/wp-content/uploads/2019/10/Wilderness-survey-briefing-10.25.2019.pdf>.

Date: November 20, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 2546

Amendment: Rep. Curtis #1 amendment

Disposition: Not agreed to by a roll call vote of 13 yeas and 20 nays.

	DEM. 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 (Chair)		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV			
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			
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU			
22	Mr. Soto, FL		X	
23	Mr. Tonko, NY			
24	Mr. Van Drew, NJ		X	
25	Ms. Velázquez, NY		X	
	REP. MEMBERS (19)	Y	N	P
1	Mr. Bishop, UT (Ranking)	X		
2	Ms. Cheney, WY	X		
3	Mr. Cook, CA	X		
4	Mr. Curtis, UT	X		
5	Mr. Fulcher, ID	X		
6	Mr. Gohmert, TX			
7	Ms. González-Colón, PR	X		
8	Mr. Gosar, AZ	X		
9	Mr. Graves, LA			
10	Mr. Herr, OK	X		
11	Mr. Hice, GA	X		
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			
	TOTALS	13	20	
	Total: 44 / Quorum: 15 / Report: 23	YEAS	NAYS	PRESENT

Representative DeGette offered an amendment designated DeGette #051 to the amendment in the nature of a substitute. The amendment was agreed to by unanimous consent. The amendment in the nature of a substitute offered by Representative DeGette, 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 21 yeas and 13 nays, as follows:

Date: November 20, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 2546

Amendment:

Disposition: Final Passage: H.R. 2546, as amended, was ordered favorably reported to the House of Representatives by a roll call vote of 21 yeas and 13 nays.

	DEM. 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 (Chair)	X		
12	Ms. Haaland, NM	X		
13	Mr. Horsford, NV			
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			
25	Ms. Velázquez, NY	X		
	REP. MEMBERS (19)	Y	N	P
1	Mr. Bishop, UT (Ranking)		X	
2	Ms. Cheney, WY		X	
3	Mr. Cook, CA		X	
4	Mr. Curtis, UT		X	
5	Mr. Fulcher, ID		X	
6	Mr. Gohmert, TX			
7	Ms. González-Colón, PR		X	
8	Mr. Gosar, AZ		X	
9	Mr. Graves, LA			
10	Mr. Hern, OK		X	
11	Mr. Hice, GA		X	
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			
	TOTALS	21	13	
	Total: 44 / Quorum: 15 / Report: 23	YEAS	NAYS	PRESENT

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. 2546: legislative hearing by the Subcommittee on National Parks, Forests, and Public Lands held on July 10, 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, January 29, 2020.

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. 2546, the Colorado Wilderness Act of 2019.

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.

H.R. 2546, Colorado Wilderness Act of 2019			
As ordered reported by the House Committee on Natural Resources on November 20, 2019			
By Fiscal Year, Millions of Dollars	2020	2020-2025	2020-2030
Direct Spending (Outlays)	*	*	*
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	*	*	*
Spending Subject to Appropriation (Outlays)	*	1	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 2031?	< \$5 billion	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

H.R. 2546 would designate roughly 600,000 acres of federal land in Colorado as wilderness and would withdraw that land 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.

For this estimate, CBO assumes that H.R. 2546 will be enacted in 2020. Using information from the Forest Service and the Bureau of Land Management, CBO estimates that the agencies would incur costs of about \$1 million over the 2020–2025 period to implement the wilderness designations; any spending would be subject to the availability of appropriated funds. That amount includes costs for new maps and signage, wilderness surveys, and a few additional rangers.

Income from mineral leasing is classified in the budget as offsetting receipts, or reductions in direct spending. Under H.R. 2546, the federal government would forgo receipts because land would be withdrawn from mineral leasing. However, CBO estimates that any increases in direct spending would be insignificant over the 2020–2030 period.

The CBO staff contact for this estimate is Janani Shankaran. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of 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 are to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System.

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.

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 (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 Pro-

posal”, 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 by 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 Fryingpan 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 man 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 ap 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, 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) *Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 19,839 acres, as generally depicted on a map titled “Bull Gulch & Castle Peak Proposed Wilderness”, dated October 9, 2019, which shall be known as the Bull Gulch Wilderness.*

(24) *Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 15,987 acres, as generally depicted on a map titled “Bull Gulch & Castle Peak Proposed Wilderness Areas”, dated October 9, 2019, which shall be known as the Castle Peak Wilderness.*

(25) *Certain lands managed by the Colorado River Valley Field Office of the Bureau of Land Management, which comprise approximately 316 acres, as generally depicted on a map titled “Maroon Bells Addition Proposed Wilderness”, dated July 20, 2018, which is hereby incorporated in and shall be deemed to be a part of the Maroon Bells-Snowmass Wilderness Area designated by Public Law 88-577.*

(26) *Certain lands managed by the Gunnison Field Office of the Bureau of Land Management, which comprise approximately 38,217 acres, as generally depicted on a map titled “Redcloud & Handies Peak Proposed Wilderness”, dated October 9, 2019, which shall be known as the Redcloud Peak Wilderness.*

(27) *Certain lands managed by the Gunnison Field Office of the Bureau of Land Management or located in the Grand Mesa, Uncompahgre, and Gunnison National Forests, which comprise approximately 26,734 acres, as generally depicted on a map titled “Redcloud & Handies Peak Proposed Wilderness”, dated October 9, 2019, which shall be known as the Handies Peak Wilderness.*

(28) *Certain lands managed by the Royal Gorge Field Office of the Bureau of Land Management, which comprise approximately 16,481 acres, as generally depicted on a map titled “Table Mountain & McIntyre Hills Proposed Wilderness”, dated*

November 7, 2019, which shall be known as the McIntyre Hills Wilderness.

(29) Certain lands managed by the Glenwood Springs Field Office of the Bureau of Land Management, which comprise approximately 10,282 acres, as generally depicted on a map titled “Grand Hogback Proposed Wilderness”, dated October 16, 2019, which shall be known as the Grand Hogback Wilderness.

(30) Certain lands managed by the Glenwood Springs Field Office of the Bureau of Land Management or located in the White River National Forest, which comprise approximately 16,101 acres, as generally depicted on a map titled “Flat Tops Proposed Wilderness Addition”, dated October 9, 2019, and which are hereby incorporated in and shall be deemed to be a part of the Flat Tops Wilderness designated by Public Law 94–146.

(31) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 25,624 acres, as generally depicted on a map titled “Demaree Canyon Proposed Wilderness”, dated October 9, 2019, which shall be known as the Demaree Canyon Wilderness.

(32) Certain lands managed by the Grand Junction Field Office of the Bureau of Land Management, which comprise approximately 28,279 acres, as generally depicted on a map titled “Little Books Cliff Proposed Wilderness”, dated October 9, 2019, which shall be known as the Little Bookcliffs Wilderness.

(33) Certain lands managed by the Glenwood Springs Field Office of the Bureau of Land Management, which comprise approximately 7,376 acres, as generally depicted on a map titled “Pisgah East & West Proposed Wilderness” and dated October 16, 2019, which shall be known as the Pisgah East Wilderness, upon being designated as wilderness as provided by section 3(h)(2) of the Colorado Wilderness Act of 2019.

(34) Certain lands managed by the Glenwood Springs Field Office of the Bureau of Land Management, which comprise approximately 6,828 acres, as generally depicted on a map titled “Pisgah East & West Proposed Wilderness” and dated October 16, 2019, which shall be known as the Pisgah West Wilderness, upon being designated as wilderness as provided by section 3(h)(2) of the Colorado Wilderness Act of 2019.

(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.

* * * * *

DISSENTING VIEWS

H.R. 2546 would create 741,000 acres of new wilderness, located in 33 areas throughout Colorado. It is clear that this proposal lacks the type of local consensus and balance required for a bill of this scale.

This bill is also a regrettable continuation of this committee's troubling trend of moving bills that are not supported by the Members who represent the impacted lands. All of the wilderness designated in this bill is located outside the bill sponsor's district.

There is also significant local opposition to this bill from impacted counties and stakeholder groups. At the July 10, 2019, Subcommittee hearing on this bill, the Committee heard testimony from Montezuma County Commissioner Keenan Ertel who shared the County's concerns that this bill will negatively impact "individual landowners, agricultural entities, water providers, first responders, and especially the recreation tourism industry."

In addition to local grievances, the impacted land management agencies have noted that this bill presents many challenges and is inconsistent with previous designations and existing land uses.

Finally, the National Guard Bureau has raised concerns about this bill's impact on the High-Altitude Aviation Training Site (HAATS) located in Eagle, Colorado. This bill designates 40% of the current HAATS training area as wilderness—the most restrictive land management classification. According to the National Guard Bureau, this will "limit the ability for aviators to utilize current landing zones." Further this bill would "cause aviators to travel greater distances to access landing zones for training, therefore reducing the overall efficiency of each flight and reducing the total throughput of aviators trained in a given year."

There are many reasons for opposition to this legislation, including the clear lack of balance and local consensus; however, those pale in comparison to the clear threats to the vitally important training that takes place at the HAATS site. Jeopardizing that training is completely unacceptable.

ROB BISHOP (UT).
LOUIE GOHMERT.
JODY B. HICE.
RUSS FULCHER.

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