

106TH CONGRESS
1ST SESSION

H. R. 2178

To designate as wilderness certain lands within the Rocky Mountain National Park in the State of Colorado.

IN THE HOUSE OF REPRESENTATIVES

JUNE 10, 1999

Mr. UDALL of Colorado introduced the following bill; which was referred to the Committee on Resources

A BILL

To designate as wilderness certain lands within the Rocky Mountain National Park in the State of Colorado.

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

3 **SECTION 1. SHORT TITLE AND PURPOSE.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Rocky Mountain National Park Wilderness Act of 1999”.

6 (b) PURPOSE.—The purpose of this Act is to include
7 in the National Wilderness Preservation System certain
8 lands within the Rocky Mountain National Park, Colo-
9 rado, in order to protect the enduring scenic and historic
10 wilderness character and unique wildlife values of the

1 lands as well as the scientific, educational, inspirational,
2 and recreational resources, values, and opportunities of
3 the lands.

4 **SEC. 2. DESIGNATION OF ROCKY MOUNTAIN NATIONAL**
5 **PARK WILDERNESS.**

6 (a) DESIGNATION.—In furtherance of the purposes of
7 the Wilderness Act (16 U.S.C. 1131 et seq.), certain lands
8 within the Rocky Mountain National Park, Colorado,
9 which comprise approximately 249,562 acres, as generally
10 depicted on the map entitled “Rocky Mountain National
11 Park, Colorado Recommended Wilderness Boundaries”,
12 numbered as Map #121–60,403 and dated September
13 1998, are hereby designated as wilderness and, therefore,
14 as components of the National Wilderness Preservation
15 System. The designated lands shall be known as the Rocky
16 Mountain National Park Wilderness.

17 (b) MAP AND DESCRIPTION.—As soon as practicable
18 after the date of enactment of this Act, the Secretary of
19 the Interior shall file a map and a boundary description
20 of the lands designated as wilderness by subsection (a)
21 with the Committee on Resources of the House of Rep-
22 resentatives and the Committee on Energy and Natural
23 Resources of the Senate. The map and description shall
24 have the same force and effect as if included in this Act,
25 except that the Secretary may correct clerical and typo-

1 graphical errors in the map and description. The map and
2 description shall be on file and available for public inspec-
3 tion in the office of the Director of the National Park
4 Service, Department of the Interior.

5 **SEC. 3. ADMINISTRATIVE PROVISIONS.**

6 (a) MANAGEMENT GENERALLY.—Subject to valid ex-
7 isting rights, lands designated as wilderness by section
8 2(a) shall be managed by the Secretary of the Interior
9 in accordance with the Wilderness Act (16 U.S.C. 1131
10 et seq.) and this Act, except that, with respect to the lands
11 designated as wilderness by section 2(a), any reference in
12 the Wilderness Act to the effective date of the Wilderness
13 Act shall be deemed to be a reference to the date of enact-
14 ment of this Act.

15 (b) POTENTIAL WILDERNESS LANDS.—

16 (1) DEFINITION.—In this section, the term
17 “potential wilderness lands” means—

18 (A) lands that are identified as potential
19 wilderness on the map referred to in section
20 2(a); and

21 (B) lands and interests therein acquired by
22 the United States on or after the date of enact-
23 ment of this Act that are located within the
24 boundaries of the Rocky Mountain National

1 Park and are contiguous with lands designated
2 as wilderness by this Act.

3 (2) MANAGEMENT.—Potential wilderness lands
4 shall be managed as components of the National
5 Wilderness Preservation System upon publication in
6 the Federal Register of a notice by the Secretary of
7 the Interior that all uses of the lands inconsistent
8 with the Wilderness Act have ceased.

9 (c) WATER RIGHTS.—

10 (1) FINDINGS.—The Congress finds that—

11 (A) according to decisions of the courts of
12 the State of Colorado, the United States has ex-
13 isting rights to water within the Rocky Moun-
14 tain National Park;

15 (B) those rights are sufficient for the pur-
16 poses of the Rocky Mountain National Park
17 Wilderness as designated by section 2(a); and

18 (C) in light of the findings in subpara-
19 graphs (A) and (B), there is no need for this
20 Act to effect a reservation by the United States
21 of any additional water rights to fulfill the pur-
22 poses for which the wilderness designation
23 made by section 2(a) are made.

24 (2) NO RESERVATION.—Nothing in this Act or
25 any action taken pursuant to this Act shall con-

stitute either an express or implied reservation of water or water rights for any purpose.

(d) COLORADO-BIG THOMPSON PROJECT.—

(1) CURRENT ACTIVITIES.—Activities on, under, or affecting the lands designated as wilderness by section 2(a) relating to the monitoring, operation, maintenance, repair, replacement, and use of the Colorado-Big Thompson Project and its facilities which were allowed as of June 1, 1998, shall be allowed to continue and shall not be affected by the designation of the lands as wilderness.

(2) NEW ACTIVITIES.—In addition to the activities described in paragraph (1), any other activities on, under, or affecting the lands designated as wilderness by section 2(a) that because of emergencies or catastrophic events become necessary for the operation, maintenance, repair, replacement, and continue use of the Colorado-Big Thompson Project and its facilities shall be allowed, subject only to reasonable restrictions which are established by the Secretary of the Interior to protect the wilderness values of the lands. In implementing this paragraph, the Secretary shall not establish any restrictions on the activities that would prevent the occurrence of such necessary activities or that would reduce the

1 water supply provided by the Colorado-Big Thomp-
2 son Project or the Windy Gap Project.

3 (3) RELATION TO AUTHORITY IN ACT ESTAB-
4 LISHING PARK.—Nothing in the first section of the
5 Act of January 26, 1915 (16 U.S.C. 191; 38 Stat.
6 798), shall be construed to permit development with-
7 in the lands designated as wilderness by section 2(a)
8 of any reclamation project not in existence as of the
9 date of enactment of this Act.

10 (e) EXCLUSIONS.—

11 (1) EXCLUSION OF CERTAIN LANDS.—Bound-
12 aries for the Rocky Mountain National Park Wilder-
13 ness and the potential wilderness lands specifically
14 exclude the following:

15 (A) The Grand Ditch (including both the
16 main canal of the Grand Ditch and a branch
17 thereof known as the specimen Ditch) and its
18 right-of-way as well as associated appur-
19 tenances, structures, buildings, camps, and
20 work sites in existence as of June 1, 1998.

21 (B) Lands owned by the St. Vrain & Left
22 Hand Water Conservancy District, including
23 Copeland Reservoir and the inlet ditch to such
24 reservoir from the North St. Vrain Creek,
25 amounting to approximately 35.38 acres.

1 (2) RELATION TO LANDS OUTSIDE WILDER-
2 NESS.—Nothing in this Act shall affect the manage-
3 ment or use of any lands not included within the
4 boundaries of the Rocky Mountain National Park
5 Wilderness or the potential wilderness lands.

6 (f) NO BUFFER ZONES.—Congress does not intend
7 that the designation by this Act of the Rocky Mountain
8 National Park Wilderness creates or implies the creation
9 of protective perimeters or buffer zones around the wilder-
10 ness area. The fact that nonwilderness activities or uses
11 can be seen or heard from within the wilderness area shall
12 not, of itself, preclude such activities or uses up to the
13 boundary of the wilderness area.

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