

106TH CONGRESS
2D SESSION

S. 2034

To establish the Canyons of the Ancients National Conservation Area.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3, 2000

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

A BILL

To establish the Canyons of the Ancients National
Conservation Area.

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.**

4 This Act may be cited as the “Canyons of the An-
5 cients National Conservation Area Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds that certain areas lo-
8 cated in Dolores and Montezuma Counties, Colorado—

9 (1) contain unique and valuable historical, cul-
10 tural, scientific, archaeological, natural, and edu-
11 cational resources; and

1 (2) should be protected and enhanced for the
2 benefit and enjoyment of present and future genera-
3 tions.

4 (b) PURPOSE.—The purpose of this Act is to estab-
5 lish the Canyons of the Ancients, Colorado, as a National
6 Conservation Area.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) CONSERVATION AREA.—The term “Con-
10 servation Area” means the Canyons of the Ancients
11 National Conservation Area established by section
12 4(a).

13 (2) COUNCIL.—The term “Council” means the
14 Canyons of the Ancients National Conservation Area
15 Advisory Council established under section 5(a).

16 (3) MANAGEMENT PLAN.—The term “manage-
17 ment plan” means the management plan developed
18 for the Conservation Area under section 4(e).

19 (4) MAP.—The term “Map” means the map en-
20 titled “Canyon of the Ancients National Conserva-
21 tion Area Proposal” and dated January 6, 2000.

22 (5) SECRETARY.—The term “Secretary” means
23 the Secretary of the Interior, acting through the Di-
24 rector of the Bureau of Land Management.

1 **SEC. 4. CANYONS OF THE ANCIENTS NATIONAL CONSERVA-**
2 **TION AREA.**

3 (a) IN GENERAL.—There is established the Canyons
4 of the Ancients National Conservation Area in the State
5 of Colorado.

6 (b) AREAS INCLUDED.—The Conservation Area shall
7 consist of approximately 164,000 acres of public land in
8 Dolores and Montezuma Counties, Colorado, as generally
9 depicted on the Map.

10 (c) MAPS AND LEGAL DESCRIPTION.—

11 (1) IN GENERAL.—Not later than 30 days after
12 the date of enactment of this Act, the Secretary
13 shall submit to Congress a map and legal description
14 of the Conservation Area.

15 (2) FORCE AND EFFECT.—The map and legal
16 description shall have the same force and effect as
17 if included in this Act, except that the Secretary
18 may correct clerical and typographical errors in the
19 map and legal description.

20 (3) PUBLIC AVAILABILITY.—Copies of the map
21 and legal description shall be on file and available
22 for public inspection in—

23 (A) the Office of the Director of the Bu-
24 reau of Land Management;

25 (B) the appropriate office of the Bureau of
26 Land Management in Colorado; and

1 (C) the offices of the county clerks of Mon-
2 tezuma and Dolores Counties, Colorado.

3 (d) MANAGEMENT.—

4 (1) IN GENERAL.—The Secretary shall manage
5 the Conservation Area in a manner that—

6 (A) conserves, protects, and enhances the
7 resources of the Conservation Area specified in
8 section 2(a); and

9 (B) is in accordance with—

10 (i) the Federal Land Policy and Man-
11 agement Act of 1976 (43 U.S.C. 1701 et
12 seq.); and

13 (ii) other applicable law, including this
14 Act.

15 (2) USES.—The Secretary shall allow only such
16 uses of the Conservation Area as the Secretary de-
17 termines will further the purposes for which the
18 Conservation Area is established.

19 (3) VEHICULAR ACTIVITY.—

20 (A) IN GENERAL.—Except as provided in
21 subparagraph (B) and as needed for adminis-
22 trative purposes or to respond to an emergency,
23 use of motorized vehicles or mechanized trans-
24 port in the Conservation Area shall be per-

mitted only on roads and trails designated for vehicular use under the management plan.

(B) ACCESS TO LEASES.—Nothing in this Act prohibits vehicular access to any oil, gas, or carbon dioxide lease by road or pipeline right-of-way.

(4) WITHDRAWALS.—

(A) IN GENERAL.—Subject to valid existing rights (including lease rights) and historic rights of access, and except as provided in subparagraph (B), all Federal land within the Conservation Area and all land and interests in land acquired for the Conservation Area by the United States are withdrawn from—

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

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

(iii) disposal under the mineral leasing, mineral materials, and geothermal leasing laws.

(B) OIL AND GAS LEASING.—Notwithstanding subparagraph (A), nothing in this Act prohibits the leasing of oil, gas, or carbon dioxide (including resulting operations) within the

1 Conservation Area under the mineral leasing
2 laws.

3 (5) HUNTING AND TRAPPING.—

4 (A) IN GENERAL.—Except as provided in
5 subparagraph (B), nothing in this Act affects
6 hunting and trapping within the Conservation
7 Area conducted in accordance with applicable
8 laws (including regulations) of—

9 (i) the United States; and

10 (ii) the State of Colorado.

11 (B) HUNTING AND TRAPPING ZONES.—

12 The Secretary, after consultation with the Colo-
13 rado Division of Wildlife, may promulgate regu-
14 lations designating zones where and estab-
15 lishing periods when no hunting or trapping
16 shall be permitted in the Conservation Area for
17 reasons of—

18 (i) public safety;

19 (ii) administration; or

20 (iii) public use and enjoyment.

21 (6) GRAZING.—The Secretary shall issue and
22 administer any grazing leases or permits in the Con-
23 servation Area in accordance with the same laws (in-
24 cluding regulations) and executive orders followed by
25 the Secretary in issuing and administering grazing

1 leases and permits on other land under the jurisdic-
2 tion of the Bureau of Land Management.

3 (e) MANAGEMENT PLAN.—

4 (1) IN GENERAL.—Not later than 4 years after
5 the date of enactment of this Act, the Secretary
6 shall develop a comprehensive plan for the long-
7 range protection and management of the Conserva-
8 tion Area.

9 (2) PURPOSES.—The management plan shall—

10 (A) describe the appropriate uses and
11 management of the Conservation Area in ac-
12 cordance with—

13 (i) the Federal Land Policy and Man-
14 agement Act of 1976 (43 U.S.C. 1701 et
15 seq.); and

16 (ii) other applicable law, including this
17 Act;

18 (B) incorporate, as appropriate, decisions
19 contained in any other management or activity
20 plan for the land within or adjacent to the Con-
21 servation Area;

22 (C) take into consideration any informa-
23 tion developed in studies of the land within or
24 adjacent to the Conservation Area; and

1 (D) give appropriate consideration to the
 2 historical involvement of the local community in
 3 the interpretation and protection of the re-
 4 sources of the Conservation Area.

5 (f) NO BUFFER ZONES.—

6 (1) IN GENERAL.—There shall be no protective
 7 perimeter or buffer zone around the Conservation
 8 Area.

9 (2) ACTIVITIES OUTSIDE CONSERVATION
 10 AREA.—The fact that an activity on land or a use
 11 of land in the Conservation Area is not permitted in-
 12 side the Conservation Area shall not preclude the ac-
 13 tivity on land or use of land outside the boundary
 14 of the Conservation Area (or, in the Conservation
 15 Area, on land that is privately held), consistent with
 16 other applicable law.

17 (g) ACQUISITION OF LAND.—

18 (1) IN GENERAL.—The Secretary may acquire
 19 non-federally owned land in the Conservation Area
 20 only—

21 (A) from a willing seller; and

22 (B) through purchase, exchange, or dona-
 23 tion.

24 (2) MODIFICATION OF BOUNDARY.—On acquisi-
 25 tion of land under paragraph (1), the Secretary shall

1 modify the boundary of the Conservation Area to in-
2 clude the acquired land.

3 (3) MANAGEMENT.—Land acquired under para-
4 graph (1) shall be managed as part of the Conserva-
5 tion Area in accordance with this Act.

6 (h) INTERPRETIVE SITES.—The Secretary may es-
7 tablish sites in the Conservation Area to interpret the his-
8 torical, cultural, scientific, archaeological, natural, and
9 educational resources of the Conservation Area.

10 (i) WATER RIGHTS.—Nothing in this Act constitutes
11 an express or implied reservation of any water right.

12 (j) WILDERNESS ACTS.—Nothing in this Act alters
13 any provision of the Wilderness Act (16 U.S.C. 1131 et
14 seq.) or the Federal Land Policy and Management Act
15 of 1976 (43 U.S.C. 1701 et seq.) that applies to wilder-
16 ness resources within the Conservation Area.

17 (k) NATIONAL PARK SERVICE LANDS.—Nothing in
18 this Act affects the management of land that is within
19 the Conservation Area and under the jurisdiction of the
20 National Park Service.

21 **SEC. 5. ADVISORY COUNCIL.**

22 (a) ESTABLISHMENT.—The Secretary shall establish
23 an advisory council to be known as the “Canyons of the
24 Ancients National Conservation Area Advisory Council”.

1 (b) DUTY.—The Council shall advise the Secretary
2 with respect to preparation and implementation of the
3 management plan.

4 (c) APPLICABLE LAW.—The Council shall be subject
5 to—

6 (1) the Federal Advisory Committee Act (5
7 U.S.C. App.); and

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

10 (d) MEMBERS.—The Council shall consist of 15
11 members, to be appointed by the Secretary, as follows:

12 (1) A member of or nominated by the Dolores
13 County Commission.

14 (2) A member of or nominated by the Monte-
15 zuma County Commission.

16 (3) 13 members residing in, or within reason-
17 able proximity to, southwestern Colorado with recog-
18 nized backgrounds reflecting—

19 (A) the purposes for which the Conserva-
20 tion Area was established; and

21 (B) the interests of the stakeholders that
22 are affected by the planning and management
23 of the Conservation Area.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated such sums
3 as are necessary to carry out this Act.

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