

109TH CONGRESS
1ST SESSION

H. R. 4587

To designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2005

Ms. DEGETTE introduced the following bill; which was referred to the Committee on Resources

A BILL

To designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Colorado Wilderness Act of 2005”.

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

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

3 (a) ADDITIONS.—The following lands in the State of
4 Colorado administered by the Bureau of Land Manage-
5 ment or the United States Forest Service are hereby des-
6 ignated as wilderness and, therefore, as components of the
7 National Wilderness Preservation System:

8 (1) The following areas in the Glenwood
9 Springs Resource Area:

10 (A) Certain lands which comprise approxi-
11 mately 40,494 acres, as generally depicted on a
12 map entitled “Roan Plateau Wilderness Pro-
13 posal” dated March 22, 2002, which shall be
14 known as the Roan Plateau Wilderness.

15 (B) Certain lands which comprise approxi-
16 mately 15,155 acres, as generally depicted on a
17 map entitled “Bull Gulch Wilderness Proposal”
18 dated March 22, 2002, which shall be known as
19 the Bull Gulch Wilderness.

20 (C) Certain lands which comprise approxi-
21 mately 16,263 acres, as generally depicted on a
22 map entitled “Castle Peak Wilderness Pro-
23 posal” dated March 22, 2002, which shall be
24 known as the Castle Peak Wilderness.

25 (D) Certain lands which comprise approxi-
26 mately 316 acres, as generally depicted on a

1 map entitled “Maroon Bells Snowmass Wilder-
2 ness Proposal” dated March 22, 2002, which
3 shall be known as the Maroon Bells Wilderness.

4 (E) Certain lands which comprise approxi-
5 mately 11,701 acres, as generally depicted on a
6 map entitled “Grand Hogback Wilderness Pro-
7 posal” dated March 22, 2002, which shall be
8 known as the Grand Hogback Wilderness.

9 (2) The following areas in the Glenwood
10 Springs Resource Area and the White River Na-
11 tional Forest:

12 (A) Certain lands which comprise approxi-
13 mately 16,467 acres, as generally depicted on a
14 map entitled “Flat Tops Addition Wilderness
15 Proposal”, dated May 12, 2003, and which are
16 hereby incorporated in and shall be deemed to
17 be a part of the Flat Tops Wilderness des-
18 ignated by Public Law 94–146.

19 (B) Certain lands which comprise approxi-
20 mately 25,285 acres, as generally depicted on a
21 map entitled “Thompson Creek Wilderness Pro-
22 posal”, dated March 22, 2002, which shall be
23 known as the Thompson Creek Wilderness.

24 (3) The following lands in the Grand Junction
25 Resource Area:

1 (A) Certain lands which comprise approxi-
2 mately 21,110 acres, as generally depicted on a
3 map entitled “Bangs Canyon Wilderness Pro-
4 posal”, dated March 22, 2002, which shall be
5 known as the Bangs Canyon Wilderness.

6 (B) Certain lands which comprise approxi-
7 mately 25,881 acres, as generally depicted on a
8 map entitled “Demaree Canyon Wilderness Pro-
9 posal”, dated March 22, 2002, which shall be
10 known as the Demaree Canyon Wilderness.

11 (C) Certain lands which comprise approxi-
12 mately 15,721 acres, as generally depicted on a
13 map entitled “Cow Ridge Wilderness Proposal”,
14 dated May 12, 2003, which shall be known as
15 the Cow Ridge Wilderness.

16 (D) Certain lands which comprise approxi-
17 mately 14,090 acres, as generally depicted on a
18 map entitled “Granite Creek Wilderness Pro-
19 posal”, dated March 22, 2002, which shall be
20 known as the Granite Creek Wilderness.

21 (E) Certain lands which comprise approxi-
22 mately 12,429 acres, as generally depicted on a
23 map entitled “Gunnison River Wilderness Pro-
24 posal”, dated March 22, 2002, which shall be
25 known as the Gunnison River Wilderness.

1 (F) Certain lands which comprise approxi-
2 mately 32,126 acres, as generally depicted on a
3 map entitled “Hunter Canyon Wilderness Pro-
4 posal”, dated March 22, 2002, which shall be
5 known as the Hunter Canyon Wilderness.

6 (G) Certain lands which comprise approxi-
7 mately 7,649 acres, as generally depicted on a
8 map entitled “Kings Canyon Wilderness Pro-
9 posal”, dated March 22, 2002, which shall be
10 known as the Kings Canyon Wilderness.

11 (H) Certain lands which comprise approxi-
12 mately 30,551 acres, as generally depicted on a
13 map entitled “Little Bookcliffs Wilderness Pro-
14 posal”, dated March 22, 2002, which shall be
15 known as the Little Bookcliffs Wilderness.

16 (I) Certain lands which comprise approxi-
17 mately 20,585 acres, as generally depicted on a
18 map entitled “Maverick Canyon Wilderness
19 Proposal”, dated March 22, 2002, which shall
20 be known as Maverick Canyon Wilderness.

21 (J) Certain lands which comprise approxi-
22 mately 26,914 acres, as generally depicted on a
23 map entitled “The Palisade Wilderness Pro-
24 posal”, dated March 22, 2002, which shall be
25 known as The Palisade Wilderness.

1 (K) Certain lands which comprise approxi-
2 mately 18,687 acres, as generally depicted on a
3 map entitled “Prairie Canyon Wilderness Pro-
4 posal”, dated March 22, 2002, which shall be
5 known as Prairie Canyon Wilderness.

6 (L) Certain lands which comprise approxi-
7 mately 5,142 acres, as generally depicted on a
8 map entitled “Sagebrush Pillows Wilderness
9 Proposal”, dated March 22, 2002, which shall
10 be known as the Sagebrush Pillows Wilderness.

11 (M) Certain lands which comprise approxi-
12 mately 27,569 acres, as generally depicted on a
13 map entitled “South Shale Ridge Wilderness
14 Proposal”, dated March 22, 2002, which shall
15 be known as the South Shale Ridge Wilderness.

16 (N) Certain lands which comprise approxi-
17 mately 18,687 acres, as generally depicted on a
18 map entitled “Prairie Canyon Wilderness Pro-
19 posal”, dated March 22, 2002, which shall be
20 known as Prairie Canyon Wilderness.

21 (O) Certain lands which comprise approxi-
22 mately 3,025 acres, as generally depicted on a
23 map entitled “Bitter Creek Wilderness Pro-
24 posal”, dated March 22, 2002, which shall be
25 known as Bitter Creek Wilderness.

1 (4) Certain lands in the Grand Junction and
2 Uncompahgre Resource Areas and the Uncompahgre
3 National Forest which comprise approximately
4 84,635 acres, as generally depicted on a map enti-
5 tled “Dominguez Canyons Wilderness Proposal”,
6 dated March 22, 2002, which shall be known as the
7 Dominguez Canyons Wilderness.

8 (5) Certain lands in the Grand Junction Re-
9 source Area and the Uncompahgre National Forest
10 which comprise approximately 39,144 acres, as gen-
11 erally depicted on a map entitled “UnawEEP Wilder-
12 ness Proposal”, dated December 5, 2005, which
13 shall be known as the UnawEEP Wilderness.

14 (6) Certain lands in the Grand Junction Re-
15 source Area, the San Juan Resource Area, and the
16 Manti-LaSal National Forest which comprise ap-
17 proximately 65,448 acres, as generally depicted on a
18 map entitled “Sewemup Mesa Wilderness Proposal”,
19 dated March 22, 2002, which shall be known as the
20 Sewemup Mesa Wilderness.

21 (7) The following lands in the Gunnison Re-
22 source Area:

23 (A) Certain lands in the Gunnison Re-
24 source Area which comprise approximately
25 3,388 acres, as generally depicted on a map en-

1 titled “Powderhorn Additions Wilderness Pro-
2 posal”, dated March 22, 2002, and which are
3 hereby incorporated in and shall be deemed to
4 be a part of the Powderhorn Wilderness des-
5 ignated by Public Law 103–77.

6 (B) Certain lands in the Gunnison Re-
7 source Area which comprise approximately
8 38,594 acres, as generally depicted on a map
9 entitled “Redcloud Peak Wilderness Proposal”,
10 dated March 22, 2002, which shall be known as
11 the Redcloud Peak Wilderness.

12 (C) Certain lands which comprise approxi-
13 mately 6,878 acres, as generally depicted on a
14 map entitled “West Elk Addition Wilderness
15 Proposal”, dated March 22, 2002, and which
16 are hereby incorporated in and shall be deemed
17 to be a part of the West Elk Wilderness des-
18 ignated by Public Law 88–577.

19 (8) Certain lands in the Gunnison Resource
20 Area and the Gunnison National Forest and Rio
21 Grande National Forest which comprise approxi-
22 mately 72,397 acres, as generally depicted on a map
23 entitled “Handies Peak Wilderness Proposal”, dated
24 March 22, 2002, which shall be known as the
25 Handies Peak Wilderness.

1 (9) Certain lands in the Kremmling Resource
2 Area which comprise approximately 33 acres, as
3 generally depicted on a map entitled “Platte River
4 Addition Wilderness Proposal”, dated March 22,
5 2002, and which are hereby incorporated in and
6 shall be deemed to be part of the Platte River Wil-
7 derness designated by Public Law 98–550.

8 (10) Certain lands in the Kremmling Resource
9 Area, the Arapaho National Forest, and the Routt
10 National Forest which comprise approximately
11 119,688 acres, as generally depicted on a map enti-
12 tled “Troublesome Wilderness Proposal”, dated
13 March 22, 2002, which shall be known as the Trou-
14 blesome Wilderness.

15 (11) Certain lands in the Royal Gorge Resource
16 Area and the Pike National Forest which comprise
17 approximately 34,873 acres, as generally depicted on
18 a map entitled “Browns Canyon Wilderness Pro-
19 posal”, dated May 12, 2003, which shall be known
20 as the Browns Canyon Wilderness.

21 (12) Certain lands in the Uncompahgre Re-
22 source Area and the Grand Mesa National Forest
23 which comprise approximately 10,742 acres as gen-
24 erally depicted on a map entitled “Adobe Badlands
25 Wilderness Area Proposal”, dated March 22, 2002,

1 which shall be known as the Adobe Badlands Wil-
2 derness.

3 (13) Certain lands in the Uncompahgre Re-
4 source Area and the Uncompahgre National Forest
5 which comprise approximately 14,503 acres, as gen-
6 erally depicted on a map entitled “Roubideau Addi-
7 tion Wilderness Proposal”, dated March 22, 2002,
8 which shall be known as the Roubideau Wilderness.

9 (14) The following areas in the San Juan Re-
10 source Area:

11 (A) Certain lands which comprise approxi-
12 mately 25,947 acres, as generally depicted on a
13 map entitled “Cross Canyon Wilderness Pro-
14 posal” dated March 22, 2002, which shall be
15 known as the Cross Canyon Wilderness.

16 (B) Certain lands which comprise approxi-
17 mately 41,133 acres, as generally depicted on a
18 map entitled “Dolores River Canyon Wilderness
19 Proposal”, dated March 22, 2002, which shall
20 be known as the Dolores River Canyon Wilder-
21 ness.

22 (C) Certain lands which comprise approxi-
23 mately 4,809 acres, as generally depicted on a
24 map entitled “Mares Tail Canyon Wilderness

1 Proposal” dated March 22, 2002, which shall
2 be known as the Mares Tail Wilderness.

3 (D) Certain lands which comprise approxi-
4 mately 33,467 acres, as generally depicted on a
5 map entitled “McKenna Peak Wilderness Pro-
6 posal” dated March 22, 2002, which shall be
7 known as the McKenna Peak Wilderness.

8 (E) Certain lands which comprise approxi-
9 mately 23,536 acres, as generally depicted on a
10 map entitled “San Luis Hills Wilderness Pro-
11 posal” dated March 22, 2002, which shall be
12 known as the San Luis Hills Wilderness.

13 (F) Certain lands which comprise approxi-
14 mately 14,598 acres, as generally depicted on a
15 map entitled “Weber-Menefee Mountain Wilder-
16 ness Proposal” dated March 22, 2002, which
17 shall be known as the Weber-Menefee Mountain
18 Wilderness.

19 (15) The following areas in the Little Snake
20 Resource Area:

21 (A) Certain lands which comprise approxi-
22 mately 50,543 acres, as generally depicted on a
23 map entitled “Cold Spring Mountain Wilder-
24 ness Proposal”, dated March 22, 2002, which

1 shall be known as the Cold Spring Mountain
2 Wilderness.

3 (B) Certain lands which comprise approxi-
4 mately 18,071 acres, as generally depicted on a
5 map entitled “Cross Mountain Wilderness Pro-
6 posal” dated December 5, 2005, which shall be
7 known as the Cross Mountain Wilderness.

8 (C) Certain lands which comprise approxi-
9 mately 34,010 acres, as generally depicted on a
10 map entitled “Diamond Breaks Wilderness Pro-
11 posal”, dated March 22, 2002, which shall be
12 known as the Diamond Breaks Wilderness.

13 (D) Certain lands which comprise approxi-
14 mately 6,753 acres, as generally depicted on a
15 map entitled “Dragon Canyon Wilderness Pro-
16 posal”, dated March 22, 2002, which shall be
17 known as the Dragon Canyon Wilderness.

18 (E) Certain lands which comprise approxi-
19 mately 56,249 acres, as generally depicted on a
20 map entitled “Dinosaur Adjacent Wilderness
21 Proposal” dated March 22, 2002, which shall
22 be known as the Dinosaur Wilderness.

23 (F) Certain lands which comprise approxi-
24 mately 86,569 acres, as generally depicted on a
25 map entitled “Vermillion Basin Wilderness Pro-

1 posar”, dated March 22, 2002, which shall be
2 known as the Vermillion Basin Wilderness.

3 (G) Certain lands which comprise approxi-
4 mately 12,436 acres, as generally depicted on a
5 map entitled “Yampa River Wilderness Pro-
6 posar” dated March 22, 2002, which shall be
7 known as the Yampa River Wilderness.

8 (16) Certain lands in the Royal Gorge Resource
9 Area which comprise approximately 17,318 acres, as
10 generally depicted on a map entitled “McIntyre Hills
11 Wilderness Proposal”, dated March 22, 2002, which
12 shall be known as the McIntyre Wilderness.

13 (17) Certain lands in the Royal Gorge Resource
14 Area and the Pike National Forest which comprise
15 approximately 38,174 acres, as generally depicted on
16 a map entitled “Beaver Creek Wilderness Proposal”,
17 dated March 22, 2002, which shall be known as the
18 Beaver Creek Wilderness.

19 (18) Certain lands in the San Juan Resource
20 Area and the San Juan National which comprise ap-
21 proximately 32,050 acres, as generally depicted on a
22 map entitled “Snaggletooth Wilderness Proposal”,
23 dated March 22, 2002, which shall be known as the
24 Snaggletooth Wilderness.

1 (19) Certain lands in the San Luis Resource
2 Area which comprise approximately 10,864 acres, as
3 generally depicted on a map entitled “Rio Grande
4 Wilderness Proposal”, dated March 22, 2002, which
5 shall be known as the Rio Grande Wilderness.

6 (20) The following areas in the White River Re-
7 source Area:

8 (A) Certain lands which comprise approxi-
9 mately 22,439 acres, as generally depicted on a
10 map entitled “Black Mountain-Windy Gulch
11 Wilderness Proposal”, dated March 22, 2002,
12 which shall be known as the Black Mountain-
13 Windy Gulch Wilderness.

14 (B) Certain lands which comprise approxi-
15 mately 24,854 acres, as generally depicted on a
16 map entitled “Big Ridge Wilderness Proposal”,
17 dated December 5, 2005, which shall be known
18 as the Big Ridge Wilderness.

19 (C) Certain lands which comprise approxi-
20 mately 16,781 acres, as generally depicted on a
21 map entitled “Bull Canyon Wilderness Pro-
22 posal” dated March 22, 2002, which shall be
23 known as the Bull Canyon Wilderness.

24 (D) Certain lands which comprise approxi-
25 mately 25,005 acres, as generally depicted on a

1 map entitled “Oil Spring Mountain Wilderness
2 Proposal”, dated March 22, 2002, which shall
3 be known as the Oil Spring Mountain Wilder-
4 ness.

5 (E) Certain lands which comprise approxi-
6 mately 20,903 acres, as generally depicted on a
7 map entitled “Pinyon Ridge Wilderness Pro-
8 posal”, dated March 22, 2002, which shall be
9 known as the Pinyon Ridge Wilderness.

10 (F) Certain lands which comprise approxi-
11 mately 30,735 acres, as generally depicted on a
12 map entitled “Skull Creek Wilderness Pro-
13 posal”, dated March 22, 2002, which shall be
14 known as the Skull Creek Wilderness.

15 (21) Certain lands in the Royal Gorge Resource
16 Area and the San Isabel National Forest which com-
17 prise approximately 44,372 acres, as generally de-
18 picted on a map entitled “Grape Creek Wilderness
19 Proposal”, dated March 22, 2002, which shall be
20 known as the Grape Creek Wilderness.

21 (b) MAPS AND DESCRIPTIONS.—As soon as prac-
22 ticable after the date of enactment of this Act, the appro-
23 priate Secretary shall file a map and a boundary descrip-
24 tion of each area designated as wilderness by this Act with
25 the Committee on Resources of the United States House

1 of Representatives and the Committee on Energy and
2 Natural Resources of the United States Senate. Each map
3 and description shall have the same force and effect as
4 if included in this Act, except that the appropriate Sec-
5 retary is authorized to correct clerical and typographical
6 errors in such boundary descriptions and maps. Such
7 maps and boundary descriptions shall be on file and avail-
8 able for public inspection in the Office of the Director of
9 the Bureau of Land Management, Department of the In-
10 terior, and in the Office of the Chief of the Forest Service,
11 Department of Agriculture, as appropriate.

12 (c) STATE AND PRIVATE LANDS.—Lands within the
13 exterior boundaries of any wilderness area designated
14 under this section that are owned by the State or by a
15 private entity shall be included within such wilderness area
16 if such lands are acquired by the United States. Such
17 lands may be acquired by the United States only as pro-
18 vided in the Wilderness Act (16 U.S.C. 1131 and fol-
19 lowing).

20 **SEC. 3. ADMINISTRATIVE PROVISIONS.**

21 (a) IN GENERAL.—Subject to valid existing rights,
22 lands designated as wilderness by this Act shall be man-
23 aged by the Secretary of Agriculture or the Secretary of
24 the Interior, as appropriate, in accordance with the Wil-
25 derness Act (16 U.S.C. 1131 et seq.) and this Act, except

1 that, with respect to any wilderness areas designated by
2 this Act, any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a
3 reference to the date of enactment of this Act.

5 (b) GRAZING.—Grazing of livestock in wilderness
6 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
7
8
9
10 guidelines set forth in Appendix A of House Report 101–
11 405 of the 101st Congress.

12 (c) STATE JURISDICTION.—As provided in section
13 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)),
14 nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Colorado with
15
16 respect to wildlife and fish in Colorado.

17 (d) WATER.—(1) With respect to each wilderness
18 area designated by this Act, Congress hereby reserves a
19 quantity of water sufficient to fulfill the purposes of this
20 Act. The priority date of such reserved rights shall be the
21 date of enactment of this Act.

22 (2) The appropriate Secretary and all other officers
23 of the United States shall take steps necessary to protect
24 the rights reserved by paragraph (1), including the filing
25 by the Secretary of a claim for the quantification of such

1 rights in any present or future appropriate stream adju-
2 dication in the courts of the State of Colorado in which
3 the United States is or may be joined and which is con-
4 ducted in accordance with the McCarran Amendment (43
5 U.S.C. 666).

6 (3) Nothing in this Act shall be construed as a relin-
7 quishment or reduction of any water rights reserved or
8 appropriated by the United States in the State of Colorado
9 on or before the date of enactment of this Act.

10 (4) The Federal water rights reserved by this Act are
11 specific to the wilderness areas located in the State of Col-
12 orado designated by this title. Nothing in this title related
13 to reserved Federal water rights shall be construed as es-
14 tablishing a precedent with regard to any future designa-
15 tions, nor shall it constitute an interpretation of any other
16 Act or any designation made pursuant thereto.

17 (e) AERIAL NAVIGATION TRAINING EXERCISES.—

18 (1) IN GENERAL.—The Colorado Army Na-
19 tional Guard, through the High Altitude ARNG
20 Aviation Training Site, shall continue to be allowed
21 to conduct aerial navigation training maneuver exer-
22 cises over and upon the lands designated as wilder-
23 ness and as potential wilderness by this Act in a
24 manner consistent with the memorandum of under-
25 standing dated August 4, 1987, among the Colorado

1 Army National Guard, the Bureau of Land Manage-
2 ment, and the United States Forest Service as inter-
3 preted and implemented prior to the date of the en-
4 actment of this Act.

5 (2) REVIEW AND MODIFICATION OF MEMO-
6 RANDUM OF UNDERSTANDING.—The memorandum
7 of understanding referred to in paragraph (1) may
8 be modified subject to the agreement of all parties
9 thereto. The parties to the memorandum of under-
10 standing shall review the memorandum and associ-
11 ated annual operating plan not later than 180 days
12 after the date of the enactment of this Act, and an-
13 nually thereafter while the memorandum of under-
14 standing is in effect. The review shall include consid-
15 eration of alternative locations over National Forest
16 System lands and lands administered by the Bureau
17 of Land Management outside of the lands des-
18 ignated as wilderness by this Act for the conduct of
19 activities identified in the memorandum. If the Colo-
20 rado Army National Guard identifies such an alter-
21 nate location outside of the lands designated as wil-
22 derness by this Act that meets its aerial training
23 needs, the memorandum of understanding shall be
24 modified accordingly, subject to the agreement of all
25 parties thereto.

1 (f) POTENTIAL WILDERNESS DESIGNATIONS.—

2 (1) IN GENERAL.—The following lands are des-
3 ignated as potential wilderness areas:

4 (A) Certain lands which comprise approxi-
5 mately 20,843 acres, as generally depicted on a
6 map entitled “Deep Creek Wilderness Pro-
7 posal”, dated March 22, 2002, which shall be
8 known as the Deep Creek Wilderness.

9 (B) Certain lands which comprise approxi-
10 mately 15,679 acres, as generally depicted on a
11 map entitled “Pisgah Mountain Wilderness Pro-
12 posal”, dated March 22, 2002, which shall be
13 known as the Pisgah Mountain Wilderness.

14 (2) DESIGNATION AS WILDERNESS.—Lands de-
15 scribed in paragraph (1) shall be designated as wil-
16 derness upon publication in the Federal Register by
17 the Secretary of a notice that all nonconforming
18 uses of those lands provided for under subsection (e)
19 that would be prohibited in wilderness by the Wil-
20 derness Act have ceased. Such publication in the
21 Federal Register by the Secretary and subsequent
22 designation as wilderness shall occur as the noncon-
23 forming use ceases in any of the individual areas
24 identified and shall not be dependent on cessation of

1 the nonconforming uses in all the potential wilder-
2 ness areas identified.

3 (3) MANAGEMENT.—Except for activities pro-
4 vided for under subsection (e), lands described in
5 paragraph (1) shall be managed by the Secretary in
6 accordance with the Wilderness Act as wilderness
7 until those lands are designated as wilderness under
8 this subsection.

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