

(A) the Chilhowee Reservoir ceases to exist; or  
(B) the Commission issues a final order decommissioning the Project from which no further appeal may be taken.

(2) **APPLICABLE LAW.**—A reversion under this subsection shall not eliminate APGI's responsibility to comply with all applicable provisions of the Federal Power Act (16 U.S.C. 791a et seq.), including regulations.

(g) **BOUNDARY ADJUSTMENT.**—

(1) **IN GENERAL.**—On completion of the land exchange authorized under this section, the Secretary shall—

(A) adjust the boundary of the Park to include the land described in subsection (a)(2); and

(B) administer any acquired land as part of the Park in accordance with applicable law (including regulations).

(2) **NATIONAL PARK SERVICE LAND.**—Notwithstanding the exchange of land under this section, the land described in subsection (a)(3) shall remain in the boundary of the Park.

(3) **PUBLIC NOTICE.**—The Secretary shall publish in the Federal Register notice of any boundary revised under paragraph (1).

#### SEC. 4. PROJECT LICENSING.

Notwithstanding the continued inclusion of the land described in section 3(a)(3) in the boundary of the Park (including any modification made pursuant to section 3(b)) on completion of the land exchange, the Commission shall have jurisdiction to license the Project.

#### SEC. 5. LAND ACQUISITION.

(a) **IN GENERAL.**—The Secretary or the Secretary of Agriculture may acquire, by purchase, donation, or exchange, any land or interest in land that—

(1) may be transferred by APGI to any non-governmental organization; and

(2) is identified as "Permanent Easement" or "Term Easement" on the map entitled "Tapoco Hydroelectric Project, P-2169, Settlement Agreement, Appendix B, Proposed Land Conveyances in Tennessee", numbered TP616, Issue No. 15, and dated March 11, 2004.

(b) **LAND ACQUIRED BY THE SECRETARY OF THE INTERIOR.**—The Secretary shall—

(1) adjust the boundary of the Park to include any land or interest in land acquired by the Secretary under subsection (a);

(2) administer any acquired land or interest in land as part of the Park in accordance with applicable law (including regulations); and

(3) publish notice of the adjustment in the Federal Register.

(c) **LAND ACQUIRED BY THE SECRETARY OF AGRICULTURE.**—

(1) **BOUNDARY ADJUSTMENT.**—The Secretary of Agriculture shall—

(A) adjust the boundary of the Cherokee National Forest to include any land acquired under subsection (a);

(B) administer any acquired land or interest in land as part of the Cherokee National Forest in accordance with applicable law (including regulations); and

(C) publish notice of the adjustment in the Federal Register.

(2) **MANAGEMENT.**—The Secretary of Agriculture shall evaluate the feasibility of managing any land acquired by the Secretary of Agriculture under subsection (a) in a manner that retains the primitive, back-country character of the land.

#### SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 2319), as amended, was read the third time and passed.

#### FRANNIE, WYOMING LAND CONVEYANCE

The Senate proceeded to consider the bill (S. 155) to convey to the town of

Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation, which had been reported from the Committee on Energy and Natural Resources, with an amendment, as follows:

[Insert the part shown in *italic*.]

S. 155

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CONVEYANCE OF LAND TO THE TOWN OF FRANNIE, WYOMING.

(a) **CONVEYANCE.**—Subject to valid existing rights, the Secretary of the Interior shall convey by *quitclaim deed*, without consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (b) to the town of Frannie, Wyoming.

(b) **DESCRIPTION OF LAND.**—The parcel of land referred to in subsection (a) is the parcel of land withdrawn by the Commissioner of Reclamation—

(1) consisting of approximately 37,500 square feet;

(2) located in the town of Frannie, Wyoming; and

(3) more particularly described in the approved Plat of Survey of Frannie Townsite, Wyoming, as the North ½ of Block 26, T. 58 N. R. 97 W.

(c) **RESERVATION OF MINERAL RIGHTS.**—The conveyance under subsection (a) shall be subject to the reservation by the United States of any oil and gas rights.

(d) **REVOCATIONS.**—

(1) **SPECIAL USE PERMIT.**—The special use permit issued by the Commissioner of Reclamation, numbered O-LM-60-L1413, and dated April 20, 1990, is revoked with respect to the land described in subsection (b).

(2) **SECRETARIAL ORDERS.**—The following Secretarial Orders issued by the Commissioner of Reclamation are revoked with respect to the land described in subsection (b):

(A) The Secretarial Order for the withdrawal of land for the Shoshone Reclamation Project dated October 21, 1913, as amended.

(B) The Secretarial Order for the withdrawal of land for the Frannie Townsite Reservation dated April 19, 1920.

The committee amendment was agreed to.

The bill (S. 155), as amended, was read the third time and passed.

#### RIO GRANDE NATURAL AREA ACT

The Senate proceeded to consider the bill (S. 1467) to establish the Rio Grande Outstanding Natural Area in the State of Colorado, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in *italic*.)

S. 1467

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

[This Act may be cited as the "Rio Grande Outstanding Natural Area Act".]

#### SEC. 2. FINDINGS AND PURPOSES.

[(a) **FINDINGS.**—Congress finds as follows:

[(1) Preservation and restoration of the land in the Area are required to preserve the Area's unique scientific, scenic beauty, educational, and environmental values, includ-

ing unique land forms, scenic beauty, cultural sites, and habitats used by various species of raptors and other birds, mammals, reptiles, and amphibians.

[(2) There are archaeological and historic sites in the Area resulting from at least 10,000 years of use for subsistence and commerce.

[(3) The archaeological sites represent regional ancestry, including Paleo-Indian and nomadic bands of Ute and Apache.

[(4) The Area contains exceptional scenic values and opportunities for wildlife viewing.

[(5) Approximately 2,771 acres of land within the Area are owned by the United States and administered by the Secretary, acting through the Director of the Bureau of Land Management, and approximately 7,885 acres of land within the Area are owned by private landowners.

[(6) The Area is located downstream from areas in Colorado of significant and long-standing water development and use.

[(7) The availability of water for use in Colorado is governed, in significant part, by the Compact, which obligates the State of Colorado to deliver certain quantities of water to the Colorado-New Mexico State line for the benefit of the States of New Mexico and Texas in accordance with the terms of the Compact.

[(8) Because of the allocations of water made by the Compact to downstream States, the levels of use and development of water in Colorado, and the unpredictable and seasonal nature of the water supply, the Secretary shall manage the land within the Area to accomplish the purposes of this Act without asserting reserved water rights for instream flows or appropriating or acquiring water rights for that purpose.

[(b) **PURPOSES.**—The purposes of this Act are to conserve, restore, and protect for future generations the natural, ecological, historic, scenic, recreational, wildlife, and environmental resources of the Area.

#### SEC. 3. DEFINITIONS.

[In this Act:

[(1) **AREA.**—The term "Area" means the Rio Grande Outstanding Natural Area established under section 4.

[(2) **AREA MANAGEMENT PLAN.**—The term "Area Management Plan" means the plan developed by the Commission in cooperation with Federal, State, and local agencies and approved by the Secretary.

[(3) **COMMISSION.**—The term "Commission" means the Rio Grande Outstanding Natural Area Commission as established in this Act.

[(4) **COMPACT.**—The term "Compact" means the Rio Grande Compact, consented to by Congress in the Act of May 31, 1939 (53 Stat. 785, chapter 155).

[(5) **MAP.**—The term "Map" means the map entitled "", dated , and numbered .

[(6) **PUBLIC LANDS.**—The term "public lands" has the meaning given that term in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

[(7) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

[(8) **STATE.**—The term "State" means the State of Colorado.

#### SEC. 4. ESTABLISHMENT OF AREA.

[(a) **IN GENERAL.**—There is established the Rio Grande Outstanding Natural Area.

[(b) **BOUNDARIES.**—The Area shall consist of approximately 10,656 acres extending for a distance of 33.3 miles along the Rio Grande River in southern Colorado from the southern boundary of the Alamosa National Wildlife Refuge to the Colorado-New Mexico State line, encompassing the Rio Grande River and its adjacent riparian areas extending not more than 1,320 feet on either side of the river.

**[(c) MAP AND LEGAL DESCRIPTION.—**

**[(1) LEGAL DESCRIPTION.—**As soon as practicable after the date of enactment of this Act, the Secretary shall file a legal description of the Area in the office of the Director of the Bureau of Land Management, Department of the Interior, in Washington, District of Columbia, and the Office of the Colorado State Director of the Bureau of Land Management.

**[(2) FORCE AND EFFECT.—**The Map and legal description of the Area shall have the same force and effect as if they were included in this Act, except that the Secretary may correct clerical and typographical errors in such legal description as they may appear from time to time.

**[(3) PUBLIC AVAILABILITY.—**The Map and legal description of the Area shall be available for public inspection in the office of the Colorado State Director of the Bureau of Land Management, Department of the Interior in Denver, Colorado.

**[SEC. 5. COMMISSION.]**

**[(a) ESTABLISHMENT.—**There is hereby established the Rio Grande Outstanding Natural Area Commission.

**[(b) PURPOSE.—**The Commission shall assist appropriate Federal, State, and local authorities in the development and implementation of an integrated resource management plan for the Area called the Area Management Plan.

**[(c) MEMBERSHIP.—**The Commission shall be composed of 9 members, designated or appointed not later than 6 months after the date of the enactment of this Act as follows:

**[(1)** 2 officials of Department of the Interior designated by the Secretary, 1 of whom shall represent the Federal agency responsible for the management of the Area and 1 of whom shall be the manager of the Alamosa National Wildlife Refuge.

**[(2)** 2 individuals appointed by the Secretary, 1 of whom shall be based on the recommendation of the State Governor, representing the Colorado Division of Wildlife, and 1 representing the Colorado Division of Water Resources responsible for the Rio Grande drainage.

**[(3)** 1 representative of the Rio Grande Water Conservation District appointed by the Secretary based on the recommendation of the State Governor, representing the local region in which the Area is established.

**[(4)** 4 individuals appointed by the Secretary based on recommendations of the State Governor, representing the general public who are citizens of the State and of the local region in which the Area is established, who have knowledge and experience in the appropriate fields of interest relating to the preservation and restoration and use of the Area. 2 appointees from the local area shall represent nongovernmental agricultural interests and 2 appointees from the local area shall represent nonprofit nongovernmental environmental interests.

**[(d) TERMS.—**Members shall be appointed for terms of 5 years and may be reappointed.

**[(e) COMPENSATION.—**Members of the Commission shall receive no pay on account of their service on the Commission.

**[(f) CHAIRPERSON.—**The chairperson of the Commission shall be elected by the members of the Commission.

**[(g) MEETINGS.—**The Commission shall hold its first meeting not later than 90 days after the date on which the last of its initial members is appointed, and shall meet at least quarterly at the call of the chairperson.

**[SEC. 6. POWERS OF THE COMMISSION.]**

**[(a) HEARINGS.—**The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission considers appropriate.

**[(b) POWERS OF MEMBERS AND AGENTS.—**

Any member or agent of the Commission, if so authorized by the Commission, may take any action which the Commission is authorized to take by this Act.

**[(c) ACQUISITION OF REAL PROPERTY.—**Except as provided in section 12, the Commission may not acquire any real property or interest in real property.

**[(d) COOPERATIVE AGREEMENTS.—**For purposes of carrying out the Area Management Plan, the Commission may enter into cooperative agreements with the State, with any political subdivision of the State, or with any person. Any such cooperative agreement shall, at a minimum, establish procedures for providing notice to the Commission of any action proposed by the State, a political subdivision, or a person which may affect the implementation of the Area Management Plan.

**[SEC. 7. DUTIES OF THE COMMISSION.]**

**[(a) PREPARATION OF PLAN.—**Not later than 2 years after the Commission conducts its first meeting, it shall submit to the Secretary an Area Management Plan. The Area Management Plan shall be—

**[(1)** based on existing Federal, State, and local plans, but shall coordinate those plans and present a unified preservation, restoration, and conservation plan for the Area;

**[(2)** developed in accordance with the provisions of section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and

**[(3)** consistent, to the extent possible, with the management plans adopted by the Director of the Bureau of Land Management for adjacent properties in Colorado and New Mexico.

**[(b) CONTENTS.—**The Area Management Plan shall include the following:

**[(1)** An inventory which includes any property in the Area which should be preserved, restored, managed, developed, maintained, or acquired because of its natural, scientific, scenic, or environmental significance.

**[(2)** Recommended policies for resource management which consider and detail the application of appropriate land and water management techniques, including the development of intergovernmental cooperative agreements, that will protect the Area's natural, scenic, and wildlife resources and environment.

**[(3)** Recommended policies for resource management to provide for protection of the Area for solitude, quiet use, and pristine natural values.

**[(c) IMPLEMENTATION OF THE PLAN.—**Upon approval of the Area Management Plan by the Secretary, as provided in section 9, the Commission shall assist the Secretary in implementing the Area Management Plan by taking appropriate steps to preserve and interpret the natural resources of the Area and its surrounding area. These steps may include the following:

**[(1)** Assisting the State in preserving the Area.

**[(2)** Assisting the State and local governments, and political subdivisions of the State in increasing public awareness of and appreciation for the natural, historical, and wildlife resources in the Area.

**[(3)** Encouraging local governments and political subdivisions of the State to adopt land use policies consistent with the management of the Area and the goals of the Area Management Plan, and to take actions to implement those policies.

**[(4)** Encouraging and assisting private landowners within the Area in understanding and accepting the provisions of the Area Management Plan and cooperating in its implementation.

**[SEC. 8. TERMINATION OF THE COMMISSION.]**

**[(a) TERMINATION.—**Except as provided in subsection (b), the Commission shall terminate 10 years and 6 months after the date of the enactment of this Act.

**[(b) EXTENSIONS.—**The Commission may be extended for a period of not more than 5 years beginning on the day of termination specified in subsection (a) if, not later than 180 days before that day, the Commission—

**[(1)** determines that such an extension is necessary in order to carry out the purpose of this Act; and

**[(2)** submits such proposed extension to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

**[SEC. 9. ADMINISTRATION BY SECRETARY.]**

**[(a) PLAN APPROVAL; PUBLICATION.—**Not later than 60 days after the Secretary receives a proposed management plan from the Commission, the Secretary, with the assistance of the Commission, shall initiate the environmental compliance activities which the Secretary determines to be appropriate in order to allow the review of the proposed plan and any alternatives thereto and to allow public participation in the environmental compliance activities. Thereafter, the Secretary shall approve an Area Management Plan for the Area consistent with the Commission's proposed plan to the extent possible, that reflects the results of the environmental compliance activities undertaken. Not later than 18 months after the Secretary receives the proposed management plan, the Secretary shall publish the Area Management Plan in the Federal Register.

**[(b) ADMINISTRATION.—**The Secretary shall administer the lands owned by the United States within the Area in accordance with the laws and regulations applicable to public lands and the Area Management Plan in such a manner as shall provide for the following:

**[(1)** The conservation, restoration, and protection of the Area's unique scientific, scenic, educational, recreational, and wildlife values.

**[(2)** The continued use of the Area for purposes of education, scientific study, and limited public recreation in a manner that does not substantially impair the purposes for which the Area is established.

**[(3)** The protection of the wildlife habitat of the Area.

**[(4)** The elimination of opportunities to construct water storage facilities within the Area.

**[(5)** The reduction or elimination of roads and motorized vehicles from the public lands to the greatest extent possible within the Area.

**[(6)** The elimination of roads and motorized use on the public lands within the area on the western side of the river from Lobatos Bridge south to the State line.

**[(c) NO RESERVATION OF WATER RIGHTS.—**Public lands affected by this Act shall not be subject to reserved water rights for any Federal purpose.

**[(d) CHANGES IN STREAMFLOW REGIME.—**To the extent that changes to the streamflow regime beneficial to the Area can be accommodated through negotiation with the State of Colorado, the Rio Grande Water Conservation District, and water users within Colorado, such changes should be encouraged, but may not be imposed as a requirement.

**[(e) PRIVATE LANDS.—**Private lands within the Area will be affected by the designation and management of the Area only to the extent that the private landowner agrees in writing to be bound by the Area Management Plan.

**[SEC. 10. MANAGEMENT.]**

**[(a) AREA MANAGEMENT PLAN.—**

**[(1) IN GENERAL.—**The Secretary shall implement the Area Management Plan for all

of the land within the Area that accomplishes the purposes of and is consistent with the provisions of this Act.

[(2) NON-FEDERAL LAND.—The Area Management Plan shall apply to all land within the Area owned by the United States and may be made to apply to non-Federal land within the Area only when written acceptance of the Area Management Plan is given by the owners of such land.

[(b) COORDINATION WITH STATE AND LOCAL GOVERNMENTS.—The Area Management Plan shall be developed and adopted in coordination with the appropriate State agencies and local governments in Colorado.

[(c) COOPERATION BY PRIVATE LANDOWNERS.—In implementing the Area Management Plan, the Secretary shall encourage full public participation and seek the cooperation of all private landowners within the Area, regardless of whether the landowners are directly or indirectly affected by the Area Management Plan. If accepted by private landowners, in writing, the provisions of the Area Management Plan may be applied to the individual parcels of private land.

[(d) NEW IMPOUNDMENTS.—In managing the Area, neither the Secretary nor any other Federal agency or officer may approve or issue any permit for, or provide any assistance for, the construction of any new dam, reservoir, or impoundment on any segment of the Rio Grande River or its tributaries within the exterior boundaries of the Area.

#### [(SEC. 11. RESTORATION TO PUBLIC LANDS STATUS.]

[(a) EXISTING RESERVATIONS.—All reservations of public lands within the Area for Federal purposes that have been made by an Act of Congress or Executive order prior to the date of enactment of this Act are revoked.

[(b) PUBLIC LANDS.—Subject to subsection (c), public lands within the Area that were subject to a reservation described in subsection (a)—

[(1) are restored to the status of public lands; and

[(2) shall be administered in accordance with the Area Management Plan.

[(c) WITHDRAWAL.—All public lands within the Area are withdrawn from settlement, sale, location, entry, or disposal under the laws applicable to public lands, including the following:

[(1) Sections 910, 2318 through 2340, and 2343 through 2346 of the Revised Statutes (commonly known as the "General Mining Law, of 1872") (30 U.S.C. 21, 22, 23, 24, 26 through 30, 33 through 43, 46 through 48, 50 through 53).

[(2) The Mining and Minerals Policy Act of 1970 (30 U.S.C. 21a).

[(3) The Act of April 26, 1882 (22 Stat. 49, chapter 106; 30 U.S.C. 25, 31).

[(4) Public Law 85-876 (30 U.S.C. 28-1, 28-2).

[(5) The Act of June 21, 1949 (63 Stat. 214, chapter 232; 30 U.S.C. 28b through 28e, 54).

[(6) The Act of March 3, 1991 (21 Stat. 505, chapter 140; 30 U.S.C. 32).

[(7) The Act of May 5, 1876 (19 Stat. 52, chapter 91; 30 U.S.C. 49).

[(8) Sections 15, 16, and 26 of the Act of June 6, 1990 (31 Stat. 327, 328, 329, chapter 786; 30 U.S.C. 49a, 49c, 49d).

[(9) Section 2 of the Act of May 4, 1934 (48 Stat. 1243, chapter 2559; 30 U.S.C. 49e, 49f).

[(10) The Act entitled "An Act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain", approved February 25, 1920 (commonly known as the "Mineral Lands Leasing Act of 1920"; 30 U.S.C. 181 et seq.).

[(11) The Act entitled "An Act to provide for the disposal of materials on public lands of the United States", approved July 31, 1947 (commonly known as the "Materials Act of 1947"; 30 U.S.C. 601 et seq.).

[(d) WILD AND SCENIC RIVERS.—No land or water within the Area shall be designated as

a wild, scenic, or recreational river under section 2 of the Wild and Scenic Rivers Act (16 U.S.C. 1273).

#### [(SEC. 12. ACQUISITION OF NON-FEDERAL LANDS.]

[(a) ACQUISITION OF LANDS NOT CURRENTLY IN FEDERAL OWNERSHIP.—The Secretary, with the cooperation and assistance of the Commission, may acquire by purchase, exchange, or donation all or any part of the land and interests in land, including conservation easements, within the Area from willing sellers only.

[(b) ADMINISTRATION.—Any lands and interests in lands acquired under this section—

[(1) shall be administered in accordance with the Area Management Plan;

[(2) shall not be subject to reserved water rights for any Federal purpose, nor shall the acquisition of the land authorize the Secretary or any Federal agency to acquire instream flows in the Rio Grande River at any place within the Area;

[(3) shall become public lands; and

[(4) shall upon acquisition be immediately withdrawn as provided in section 11.

#### [(SEC. 13. STATE INSTREAM FLOW PROTECTION AUTHORIZED.]

[(Nothing in this Act shall be construed to prevent the State from acquiring an instream flow through the Area pursuant to the terms, conditions, and limitations of Colorado law to assist in protecting the natural environment to the extent and for the purposes authorized by Colorado law.]

#### [(SEC. 14. RULE OF CONSTRUCTION.]

[(Nothing in this Act shall be construed to—

[(1) authorize, expressly or by implication, the appropriation or reservation of water by any Federal agency, or any other entity or individual other than the State of Colorado, for any instream flow purpose associated with the Area;

[(2) affect the rights or jurisdiction of the United States, a State, or any other entity over waters of any river or stream or over any ground water resource;

[(3) alter, amend, repeal, interpret, modify, or be in conflict with the Compact;

[(4) alter or establish the respective rights of any State, the United States, or any person with respect to any water or water-related right;

[(5) impede the maintenance of the free-flowing nature of the waters in the Area so as to protect—

[(A) the ability of the State of Colorado to fulfill its obligations under the Compact; or

[(B) the riparian habitat within the Area;

[(6) allow the conditioning of Federal permits, permissions, licenses, or approvals to require the bypass or release of waters appropriated pursuant to State law to protect, enhance, or alter the water flows through the Area;

[(7) affect the continuing use and operation, repair, rehabilitation, expansion, or new construction of water supply facilities, water and wastewater treatment facilities, stormwater facilities, public utilities, and common carriers along the Rio Grande River and its tributaries upstream of the Area;

[(8) impose any Federal or State water use designation or water quality standard upon uses of, or discharges to, waters of the State or waters of the United States, within or upstream of the Area, that is more restrictive than those that would be applicable had the Area not been established; or

[(9) modify, alter, or amend title I of the Reclamation Project Authorizing Act of 1972, as amended (Public Law 92-514, 86 Stat. 964; Public Law 96-375, 94 Stat. 1507; Public Law 98-570, 98 Stat. 2941; and Public Law 100-516, 100 Stat. 257), or to authorize the Secretary to acquire water from other sources for delivery to the Rio Grande River pursuant to section 102(c) of such title.]

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Rio Grande Natural Area Act".

#### SEC. 2. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term "Commission" means the Rio Grande Natural Area Commission established by section 4(a).

(2) NATURAL AREA.—The term "Natural Area" means the Rio Grande Natural Area established by section 3(a).

(3) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

#### SEC. 3. ESTABLISHMENT OF RIO GRANDE NATURAL AREA.

(a) IN GENERAL.—There is established the Rio Grande Natural Area in the State of Colorado to conserve, restore, and protect the natural, historic, cultural, scientific, scenic, wildlife, and recreational resources of the Natural Area.

(b) BOUNDARIES.—The Natural Area shall include the Rio Grande River from the southern boundary of the Alamosa National Wildlife Refuge to the New Mexico State border, extending ¼ mile on either side of the bank of the River.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Natural Area.

(2) EFFECT.—The map and legal description of the Natural Area shall have the same force and effect as if included in this Act, except that the Secretary may correct any minor errors in the map and legal description.

(3) PUBLIC AVAILABILITY.—The map and legal description of the Natural Area shall be available for public inspection in the appropriate offices of the Bureau of Land Management.

#### SEC. 4. ESTABLISHMENT OF THE COMMISSION.

(a) ESTABLISHMENT.—There is established the Rio Grande Natural Area Commission.

(b) PURPOSE.—The Commission shall—

(1) advise the Secretary with respect to the Natural Area; and

(2) prepare a management plan relating to non-Federal land in the Natural Area under section 6(b)(2)(A).

(c) MEMBERSHIP.—The Commission shall be composed of 9 members appointed by the Secretary, of whom—

(1) 1 member shall represent the Colorado State Director of the Bureau of Land Management;

(2) 1 member shall be the manager of the Alamosa National Wildlife Refuge, ex officio;

(3) 3 members shall be appointed based on the recommendation of the Governor of Colorado, of whom—

(A) 1 member shall represent the Colorado Division of Wildlife;

(B) 1 member shall represent the Colorado Division of Water Resources; and

(C) 1 member shall represent the Rio Grande Water Conservation District; and

(4) 4 members shall—

(A) represent the general public;

(B) be citizens of the local region in which the Natural Area is established; and

(C) have knowledge and experience in the fields of interest relating to the preservation, restoration, and use of the Natural Area.

(d) TERMS OF OFFICE.—

(1) IN GENERAL.—Except for the manager of the Alamosa National Wildlife Refuge, the term of office of a member of the Commission shall be 5 years.

(2) REAPPOINTMENT.—A member may be reappointed to the Commission on completion of the term of office of the member.

(e) COMPENSATION.—A member of the Commission shall serve without compensation for service on the Commission.

(f) CHAIRPERSON.—The Commission shall elect a chairperson of the Commission.

(g) MEETINGS.—

(1) IN GENERAL.—The Commission shall meet at least quarterly at the call of the chairperson.

(2) **PUBLIC MEETINGS.**—A meeting of the Commission shall be open to the public.

(3) **NOTICE.**—Notice of any meeting of the Commission shall be published in advance of the meeting.

(h) **TECHNICAL ASSISTANCE.**—The Secretary and the heads of other Federal agencies shall, to the maximum extent practicable, provide any information and technical services requested by the Commission to assist in carrying out the duties of the Commission.

#### SEC. 5. POWERS OF THE COMMISSION.

(a) **HEARINGS.**—The Commission may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this Act.

(b) **COOPERATIVE AGREEMENTS.**—

(1) **IN GENERAL.**—For purposes of carrying out the management plan on non-Federal land in the Natural Area, the Commission may enter into a cooperative agreement with the State of Colorado, a political subdivision of the State, or any person.

(2) **REQUIREMENTS.**—A cooperative agreement entered into under paragraph (1) shall establish procedures for providing notice to the Commission of any action proposed by the State of Colorado, a political subdivision of the State, or any person that may affect the implementation of the management plan on non-Federal land in the Natural Area.

(3) **EFFECT.**—A cooperative agreement entered into under paragraph (1) shall not enlarge or diminish any right or duty of a Federal agency under Federal law.

(c) **PROHIBITION OF ACQUISITION OF REAL PROPERTY.**—The Commission may not acquire any real property or interest in real property.

(d) **IMPLEMENTATION OF MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—The Commission shall assist the Secretary in implementing the management plan by carrying out the activities described in paragraph (2) to preserve and interpret the natural, historic, cultural, scientific, scenic, wildlife, and recreational resources of the Natural Area.

(2) **AUTHORIZED ACTIVITIES.**—In assisting with the implementation of the management plan under paragraph (1), the Commission may—

(A) assist the State of Colorado in preserving State land and wildlife within the Natural Area;

(B) assist the State of Colorado and political subdivisions of the State in increasing public awareness of, and appreciation for, the natural, historic, scientific, scenic, wildlife, and recreational resources in the Natural Area;

(C) encourage political subdivisions of the State of Colorado to adopt and implement land use policies that are consistent with—

(i) the management of the Natural Area; and

(ii) the management plan; and

(D) encourage and assist private landowners in the Natural Area in the implementation of the management plan.

#### SEC. 6. MANAGEMENT PLAN.

(a) **IN GENERAL.**—Not later than 4 years after the date of enactment of this Act, the Secretary and the Commission, in coordination with appropriate agencies in the State of Colorado, political subdivisions of the State, and private landowners in the Natural Area, shall prepare management plans for the Natural Area as provided in subsection (b).

(b) **DUTIES OF SECRETARY AND COMMISSION.**—

(1) **SECRETARY.**—The Secretary shall prepare a management plan relating to the management of Federal land in the Natural Area.

(2) **COMMISSION.**—

(A) **IN GENERAL.**—The Commission shall prepare a management plan relating to the management of the non-Federal land in the Natural Area.

(B) **APPROVAL OR DISAPPROVAL.**—

(i) **IN GENERAL.**—The Commission shall submit to the Secretary the management plan prepared

under subparagraph (A) for approval or disapproval.

(ii) **ACTION FOLLOWING DISAPPROVAL.**—If the Secretary disapproves the management plan submitted under clause (i), the Secretary shall—

(I) notify the Commission of the reasons for the disapproval; and

(II) allow the Commission to submit to the Secretary revisions to the management plan submitted under clause (i).

(3) **COOPERATION.**—The Secretary and the Commission shall cooperate to ensure that the management plans relating to the management of Federal land and non-Federal land are consistent.

(c) **REQUIREMENTS.**—The management plans shall—

(1) take into consideration Federal, State, and local plans in existence on the date of enactment of this Act to present a unified preservation, restoration, and conservation plan for the Natural Area;

(2) with respect to Federal land in the Natural Area—

(A) be developed in accordance with section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712);

(B) be consistent, to the maximum extent practicable, with the management plans adopted by the Director of the Bureau of Land Management for land adjacent to the Natural Area; and

(C) be considered to be an amendment to the San Luis Resource Management Plan of the Bureau of Land Management; and

(3) include—

(A) an inventory of the resources contained in the Natural Area (including a list of property in the Natural Area that should be preserved, restored, managed, developed, maintained, or acquired to further the purposes of the Natural Area); and

(B) a recommendation of policies for resource management, including the use of intergovernmental cooperative agreements, that—

(i) protect the resources of the Natural Area; and

(ii) provide for solitude, quiet use, and pristine natural values of the Natural Area.

(d) **PUBLICATION.**—The Secretary shall publish notice of the management plans in the Federal Register.

#### SEC. 7. ADMINISTRATION OF NATURAL AREA.

(a) **IN GENERAL.**—The Secretary shall administer the Federal land in the Natural Area—

(1) in accordance with—

(A) the laws (including regulations) applicable to public land; and

(B) the management plan; and

(2) in a manner that provides for—

(A) the conservation, restoration, and protection of the natural, historic, scientific, scenic, wildlife, and recreational resources of the Natural Area;

(B) the continued use of the Natural Area for purposes of education, scientific study, and limited public recreation in a manner that does not substantially impair the purposes for which the Natural Area is established;

(C) the protection of the wildlife habitat of the Natural Area;

(D) a prohibition on the construction of water storage facilities in the Natural Area; and

(E) the reduction in the use of or removal of roads in the Natural Area and, to the maximum extent practicable, the reduction in or prohibition against the use of motorized vehicles in the Natural Area (including the removal of roads and a prohibition against motorized use on Federal land in the area on the western side of the Rio Grande River from Lobatos Bridge south to the New Mexico State line).

(b) **CHANGES IN STREAMFLOW.**—The Secretary is encouraged to negotiate with the State of Colorado, the Rio Grande Water Conservation District, and affected water users in the State to determine if changes in the streamflow that are beneficial to the Natural Area may be accommodated.

(c) **PRIVATE LAND.**—The management plan prepared under section 6(b)(2)(A) shall apply to private land in the Natural Area only to the extent that the private landowner agrees in writing to be bound by the management plan.

(d) **WITHDRAWAL.**—Subject to valid existing rights, all Federal land in the Natural Area is withdrawn from—

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

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

(3) disposition under the mineral leasing laws (including geothermal leasing laws).

(e) **ACQUISITION OF LAND.**—

(1) **IN GENERAL.**—The Secretary may acquire from willing sellers by purchase, exchange, or donation land or an interest in land in the Natural Area.

(2) **ADMINISTRATION.**—Any land or interest in land acquired under paragraph (1) shall be administered in accordance with the management plan and this Act.

(f) **APPLICABLE LAW.**—Section 5(d)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(d)(1)) shall not apply to the Natural Area.

#### SEC. 8. EFFECT.

Nothing in this Act—

(1) amends, modifies, or is in conflict with the Rio Grande Compact, consented to by Congress in the Act of May 31, 1939 (53 Stat. 785, ch. 155);

(2) authorizes the regulation of private land in the Natural Area;

(3) authorizes the imposition of any mandatory streamflow requirements;

(4) creates an express or implied Federal reserved water right;

(5) imposes any Federal water quality standard within or upstream of the Natural Area that is more restrictive than would be applicable had the Natural Area not been established; or

(6) prevents the State of Colorado from acquiring an instream flow through the Natural Area under the terms, conditions, and limitations of State law to assist in protecting the natural environment to the extent and for the purposes authorized by State law.

#### SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

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

#### SEC. 10. TERMINATION OF COMMISSION.

The Commission shall terminate on the date that is 10 years after the date of enactment of this Act.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1467), as amended was read the third time and passed.

The title was amended so as to read:

“A bill to establish the Rio Grande Natural Area in the State of Colorado, and for other purposes.”.

#### EDWARD H. McDANIEL AMERICAN LEGION POST NO. 22 LAND CONVEYANCE ACT

The Senate proceeded to consider the bill (S. 1521) to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, which had been reported from the Committee on Energy and Natural Resources, with amendments, as follows:

[Strike the part shown in black brackets and insert the part shown in italic.]

S. 1521

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,