

118TH CONGRESS
1ST SESSION

S. 1634

To provide for the designation of certain wilderness areas, recreation management areas, and conservation areas in the State of Colorado, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 17, 2023

Mr. BENNET (for himself and Mr. HICKENLOOPER) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for the designation of certain wilderness areas, recreation management areas, and conservation areas in the State of Colorado, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Colorado Outdoor Recreation and Economy Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of State.

TITLE I—CONTINENTAL DIVIDE

- Sec. 101. Definitions.
- Sec. 102. Colorado Wilderness additions.
- Sec. 103. Williams Fork Mountains potential wilderness.
- Sec. 104. Porcupine Gulch Wildlife Conservation Area.
- Sec. 105. Williams Fork Mountains Wildlife Conservation Area.
- Sec. 106. Spraddle Creek Wildlife Conservation Area.
- Sec. 107. Sandy Treat Overlook.
- Sec. 108. White River National Forest boundary modification.
- Sec. 109. Rocky Mountain National Park potential wilderness boundary adjustment.
- Sec. 110. Administrative provisions.

TITLE II—SAN JUAN MOUNTAINS

- Sec. 201. Definitions.
- Sec. 202. Additions to National Wilderness Preservation System.
- Sec. 203. Special management areas.
- Sec. 204. Release of wilderness study areas.
- Sec. 205. Administrative provisions.

TITLE III—THOMPSON DIVIDE

- Sec. 301. Purposes.
- Sec. 302. Definitions.
- Sec. 303. Thompson Divide Withdrawal and Protection Area.
- Sec. 304. Thompson Divide lease credits.
- Sec. 305. Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program.
- Sec. 306. Effect.

TITLE IV—CURECANTI NATIONAL RECREATION AREA

- Sec. 401. Definitions.
- Sec. 402. Curecanti National Recreation Area.
- Sec. 403. Acquisition of land; boundary management.
- Sec. 404. General management plan.
- Sec. 405. Boundary survey.

1 SEC. 2. DEFINITION OF STATE.

2 In this Act, the term “State” means the State of Col-
3 orado.

4 TITLE I—CONTINENTAL DIVIDE**5 SEC. 101. DEFINITIONS.**

6 In this title:

7 (1) COVERED AREA.—The term “covered area”
8 means any area designated as wilderness by the

1 amendments to section 2(a) of the Colorado Wilder-
2 ness Act of 1993 (16 U.S.C. 1132 note; Public Law
3 103–77) made by section 102(a).

4 (2) SECRETARY.—The term “Secretary” means
5 the Secretary of Agriculture.

6 (3) WILDLIFE CONSERVATION AREA.—The
7 term “Wildlife Conservation Area” means, as appli-
8 cable—

9 (A) the Porcupine Gulch Wildlife Con-
10 servation Area designated by section 104(a);

11 (B) the Williams Fork Mountains Wildlife
12 Conservation Area designated by section
13 105(a); and

14 (C) the Spraddle Creek Wildlife Conserva-
15 tion Area designated by section 106(a).

16 **SEC. 102. COLORADO WILDERNESS ADDITIONS.**

17 (a) DESIGNATION.—Section 2(a) of the Colorado Wil-
18 derness Act of 1993 (16 U.S.C. 1132 note; Public Law
19 103–77) is amended—

20 (1) in paragraph (18), by striking “1993,” and
21 inserting “1993, and certain Federal land within the
22 White River National Forest that comprises approxi-
23 mately 6,896 acres, as generally depicted as ‘Pro-
24 posed Ptarmigan Peak Wilderness Additions’ on the

1 map entitled ‘Proposed Ptarmigan Peak Wilderness
2 Additions’ and dated June 24, 2019,”; and

3 (2) by adding at the end the following:

4 “(23) HOLY CROSS WILDERNESS ADDITION.—
5 Certain Federal land within the White River Na-
6 tional Forest that comprises approximately 3,866
7 acres, as generally depicted as ‘Proposed Megan
8 Dickie Wilderness Addition’ on the map entitled
9 ‘Holy Cross Wilderness Addition Proposal’ and
10 dated June 24, 2019, which shall be incorporated
11 into, and managed as part of, the Holy Cross Wil-
12 derness designated by section 102(a)(5) of Public
13 Law 96–560 (94 Stat. 3266).

14 “(24) HOOSIER RIDGE WILDERNESS.—Certain
15 Federal land within the White River National Forest
16 that comprises approximately 5,235 acres, as gen-
17 erally depicted as ‘Proposed Hoosier Ridge Wilder-
18 ness’ on the map entitled ‘Tenmile Proposal’ and
19 dated April 22, 2022, which shall be known as the
20 ‘Hoosier Ridge Wilderness’.

21 “(25) TENMILE WILDERNESS.—Certain Federal
22 land within the White River National Forest that
23 comprises approximately 7,624 acres, as generally
24 depicted as ‘Proposed Tenmile Wilderness’ on the
25 map entitled ‘Tenmile Proposal’ and dated May 1,

1 2023, which shall be known as the ‘Tenmile Wilder-
2 ness’.

3 “(26) EAGLES NEST WILDERNESS ADDI-
4 TIONS.—Certain Federal land within the White
5 River National Forest that comprises approximately
6 7,634 acres, as generally depicted as ‘Proposed
7 Freeman Creek Wilderness Addition’ and ‘Proposed
8 Spraddle Creek Wilderness Addition’ on the map en-
9 titled ‘Eagles Nest Wilderness Additions Proposal’
10 and dated April 26, 2022, which shall be incor-
11 porated into, and managed as part of, the Eagles
12 Nest Wilderness designated by Public Law 94–352
13 (90 Stat. 870).”.

14 (b) APPLICABLE LAW.—Any reference in the Wilder-
15 ness Act (16 U.S.C. 1131 et seq.) to the effective date
16 of that Act shall be considered to be a reference to the
17 date of enactment of this Act for purposes of admin-
18 istering a covered area.

19 (c) FIRE, INSECTS, AND DISEASES.—In accordance
20 with section 4(d)(1) of the Wilderness Act (16 U.S.C.
21 1133(d)(1)), the Secretary may carry out any activity in
22 a covered area that the Secretary determines to be nec-
23 essary for the control of fire, insects, and diseases, subject
24 to such terms and conditions as the Secretary determines
25 to be appropriate.

1 (d) GRAZING.—The grazing of livestock on a covered
2 area, if established before the date of enactment of this
3 Act, shall be permitted to continue subject to such reason-
4 able regulations as are considered to be necessary by the
5 Secretary, in accordance with—

6 (1) section 4(d)(4) of the Wilderness Act (16
7 U.S.C. 1133(d)(4)); and

8 (2) the guidelines set forth in the report of the
9 Committee on Interior and Insular Affairs of the
10 House of Representatives accompanying H.R. 5487
11 of the 96th Congress (H. Rept. 96–617).

12 (e) COORDINATION.—For purposes of administering
13 the Federal land designated as wilderness by paragraph
14 (26) of section 2(a) of the Colorado Wilderness Act of
15 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as
16 added by subsection (a)(2)), the Secretary shall, as deter-
17 mined to be appropriate for the protection of watersheds,
18 coordinate the activities of the Secretary in response to
19 fires and flooding events with interested State and local
20 agencies.

21 **SEC. 103. WILLIAMS FORK MOUNTAINS POTENTIAL WIL-**
22 **DERNESS.**

23 (a) DESIGNATION.—In furtherance of the purposes of
24 the Wilderness Act (16 U.S.C. 1131 et seq.), certain Fed-
25 eral land in the White River National Forest in the State,

1 comprising approximately 8,036 acres, as generally de-
2 picted as “Proposed Williams Fork Mountains Wilder-
3 ness” on the map entitled “Williams Fork Mountains Pro-
4 posal” and dated June 24, 2019, is designated as a poten-
5 tial wilderness area.

6 (b) MANAGEMENT.—Subject to valid existing rights
7 and except as provided in subsection (d), the potential wil-
8 derness area designated by subsection (a) shall be man-
9 aged in accordance with—

10 (1) the Wilderness Act (16 U.S.C. 1131 et
11 seq.); and

12 (2) this section.

13 (c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

14 (1) IN GENERAL.—Not later than 3 years after
15 the date of enactment of this Act, in accordance
16 with applicable laws (including regulations), the Sec-
17 retary shall publish a determination regarding
18 whether to authorize livestock grazing or other use
19 by livestock on the vacant allotments known as—

20 (A) the “Big Hole Allotment”; and

21 (B) the “Blue Ridge Allotment”.

22 (2) MODIFICATION OF ALLOTMENTS.—In pub-
23 lishing a determination pursuant to paragraph (1),
24 the Secretary may modify or combine the vacant al-
25 lotments referred to in that paragraph.

1 (3) PERMIT OR OTHER AUTHORIZATION.—Not
2 later than 1 year after the date on which a deter-
3 mination of the Secretary to authorize livestock
4 grazing or other use by livestock is published under
5 paragraph (1), if applicable, the Secretary shall
6 grant a permit or other authorization for that live-
7 stock grazing or other use in accordance with appli-
8 cable laws (including regulations).

9 (d) RANGE IMPROVEMENTS.—

10 (1) IN GENERAL.—If the Secretary permits live-
11 stock grazing or other use by livestock on the poten-
12 tial wilderness area under subsection (c), the Sec-
13 retary, or a third party authorized by the Secretary,
14 may use motorized or mechanized transport or
15 equipment for purposes of constructing or rehabili-
16 tating such range improvements as are necessary to
17 obtain appropriate livestock management objectives
18 (including habitat and watershed restoration).

19 (2) TERMINATION OF AUTHORITY.—The au-
20 thority provided by this subsection terminates on the
21 date that is 2 years after the date on which the Sec-
22 retary publishes a positive determination under sub-
23 section (c)(3).

24 (e) DESIGNATION AS WILDERNESS.—

1 (1) DESIGNATION.—The potential wilderness
2 area designated by subsection (a) shall be designated
3 as wilderness, to be known as the “Williams Fork
4 Mountains Wilderness”—

5 (A) effective not earlier than the date that
6 is 180 days after the date of enactment this
7 Act; and

8 (B) on the earliest of—

9 (i) the date on which the Secretary
10 publishes in the Federal Register a notice
11 that the construction or rehabilitation of
12 range improvements under subsection (d)
13 is complete;

14 (ii) the date described in subsection
15 (d)(2); and

16 (iii) the effective date of a determina-
17 tion of the Secretary not to authorize live-
18 stock grazing or other use by livestock
19 under subsection (c)(1).

20 (2) ADMINISTRATION.—Subject to valid existing
21 rights, the Secretary shall manage the Williams
22 Fork Mountains Wilderness in accordance with the
23 Colorado Wilderness Act of 1993 (16 U.S.C. 1132
24 note; Public Law 103–77), except that any reference
25 in that Act to the effective date of that Act shall be

1 considered to be a reference to the date on which the
2 Williams Fork Mountains Wilderness is designated
3 in accordance with paragraph (1).

4 **SEC. 104. PORCUPINE GULCH WILDLIFE CONSERVATION**
5 **AREA.**

6 (a) DESIGNATION.—Subject to valid existing rights,
7 the approximately 8,287 acres of Federal land located in
8 the White River National Forest, as generally depicted as
9 “Proposed Porcupine Gulch Wildlife Conservation Area”
10 on the map entitled “Porcupine Gulch Wildlife Conserva-
11 tion Area Proposal” and dated June 24, 2019, are des-
12 ignated as the “Porcupine Gulch Wildlife Conservation
13 Area” (referred to in this section as the “Wildlife Con-
14 servation Area”).

15 (b) PURPOSES.—The purposes of the Wildlife Con-
16 servation Area are—

17 (1) to conserve and protect a wildlife migration
18 corridor over Interstate 70; and

19 (2) to conserve, protect, and enhance for the
20 benefit and enjoyment of present and future genera-
21 tions the wildlife, scenic, roadless, watershed, and
22 ecological resources of the Wildlife Conservation
23 Area.

24 (c) MANAGEMENT.—

1 (1) IN GENERAL.—The Secretary shall manage
2 the Wildlife Conservation Area—

3 (A) in a manner that conserves, protects,
4 and enhances the purposes described in sub-
5 section (b); and

6 (B) in accordance with—

7 (i) the Forest and Rangeland Renew-
8 able Resources Planning Act of 1974 (16
9 U.S.C. 1600 et seq.);

10 (ii) any other applicable laws (includ-
11 ing regulations); and

12 (iii) this section.

13 (2) USES.—

14 (A) IN GENERAL.—The Secretary shall
15 only allow such uses of the Wildlife Conserva-
16 tion Area as the Secretary determines would
17 further the purposes described in subsection
18 (b).

19 (B) RECREATION.—The Secretary may
20 permit such recreational activities in the Wild-
21 life Conservation Area that the Secretary deter-
22 mines are consistent with the purposes de-
23 scribed in subsection (b).

1 (C) MOTORIZED VEHICLES AND MECHA-
2 NIZED TRANSPORT; NEW OR TEMPORARY
3 ROADS.—

4 (i) MOTORIZED VEHICLES AND
5 MECHANIZED TRANSPORT.—Except as pro-
6 vided in clause (iii), the use of motorized
7 vehicles and mechanized transport in the
8 Wildlife Conservation Area shall be prohib-
9 ited.

10 (ii) NEW OR TEMPORARY ROADS.—
11 Except as provided in clause (iii) and sub-
12 section (e), no new or temporary road shall
13 be constructed within the Wildlife Con-
14 servation Area.

15 (iii) EXCEPTIONS.—Nothing in clause
16 (i) or (ii) prevents the Secretary from—

17 (I) authorizing the use of motor-
18 ized vehicles or mechanized transport
19 for administrative purposes;

20 (II) constructing temporary
21 roads or permitting the use of motor-
22 ized vehicles or mechanized transport
23 to carry out pre- or post-fire water-
24 shed protection projects;

1 (III) authorizing the use of mo-
2 torized vehicles or mechanized trans-
3 port to carry out activities described
4 in subsection (d) or (e); or

5 (IV) responding to an emergency.

6 (D) COMMERCIAL TIMBER.—

7 (i) IN GENERAL.—Subject to clause
8 (ii), no project shall be carried out in the
9 Wildlife Conservation Area for the purpose
10 of harvesting commercial timber.

11 (ii) LIMITATION.—Nothing in clause
12 (i) prevents the Secretary from harvesting
13 or selling a merchantable product that is a
14 byproduct of an activity authorized under
15 this section.

16 (d) FIRE, INSECTS, AND DISEASES.—The Secretary
17 may carry out any activity, in accordance with applicable
18 laws (including regulations), that the Secretary deter-
19 mines to be necessary to manage wildland fire and treat
20 hazardous fuels, insects, and diseases in the Wildlife Con-
21 servation Area, subject to such terms and conditions as
22 the Secretary determines to be appropriate.

23 (e) REGIONAL TRANSPORTATION PROJECTS.—Noth-
24 ing in this section or section 110(f) precludes the Sec-
25 retary from authorizing, in accordance with applicable

1 laws (including regulations) and subject to valid existing
 2 rights, the use of the subsurface of the Wildlife Conserva-
 3 tion Area to construct, realign, operate, or maintain re-
 4 gional transportation projects, including Interstate 70 and
 5 the Eisenhower-Johnson Tunnels.

6 (f) WATER.—Section 3(e) of the James Peak Wilder-
 7 ness and Protection Area Act (Public Law 107–216; 116
 8 Stat. 1058) shall apply to the Wildlife Conservation Area.

9 **SEC. 105. WILLIAMS FORK MOUNTAINS WILDLIFE CON-**
 10 **SERVATION AREA.**

11 (a) DESIGNATION.—Subject to valid existing rights,
 12 the approximately 3,528 acres of Federal land in the
 13 White River National Forest in the State, as generally de-
 14 picted as “Proposed Williams Fork Mountains Wildlife
 15 Conservation Area” on the map entitled “Williams Fork
 16 Mountains Proposal” and dated June 24, 2019, are des-
 17 ignated as the “Williams Fork Mountains Wildlife Con-
 18 servation Area” (referred to in this section as the “Wild-
 19 life Conservation Area”).

20 (b) PURPOSES.—The purposes of the Wildlife Con-
 21 servation Area are to conserve, protect, and enhance for
 22 the benefit and enjoyment of present and future genera-
 23 tions the wildlife, scenic, roadless, watershed, recreational,
 24 and ecological resources of the Wildlife Conservation Area.

25 (c) MANAGEMENT.—

1 (1) IN GENERAL.—The Secretary shall manage
2 the Wildlife Conservation Area—

3 (A) in a manner that conserves, protects,
4 and enhances the purposes described in sub-
5 section (b); and

6 (B) in accordance with—

7 (i) the Forest and Rangeland Renew-
8 able Resources Planning Act of 1974 (16
9 U.S.C. 1600 et seq.);

10 (ii) any other applicable laws (includ-
11 ing regulations); and

12 (iii) this section.

13 (2) USES.—

14 (A) IN GENERAL.—The Secretary shall
15 only allow such uses of the Wildlife Conserva-
16 tion Area as the Secretary determines would
17 further the purposes described in subsection
18 (b).

19 (B) MOTORIZED VEHICLES.—

20 (i) IN GENERAL.—Except as provided
21 in clause (iii), the use of motorized vehicles
22 in the Wildlife Conservation Area shall be
23 limited to designated roads and trails.

24 (ii) NEW OR TEMPORARY ROADS.—
25 Except as provided in clause (iii), no new

1 or temporary road shall be constructed in
2 the Wildlife Conservation Area.

3 (iii) EXCEPTIONS.—Nothing in clause
4 (i) or (ii) prevents the Secretary from—

5 (I) authorizing the use of motor-
6 ized vehicles for administrative pur-
7 poses;

8 (II) authorizing the use of motor-
9 ized vehicles to carry out activities de-
10 scribed in subsection (d); or

11 (III) responding to an emer-
12 gency.

13 (C) BICYCLES.—The use of bicycles in the
14 Wildlife Conservation Area shall be limited to
15 designated roads and trails.

16 (D) COMMERCIAL TIMBER.—

17 (i) IN GENERAL.—Subject to clause
18 (ii), no project shall be carried out in the
19 Wildlife Conservation Area for the purpose
20 of harvesting commercial timber.

21 (ii) LIMITATION.—Nothing in clause
22 (i) prevents the Secretary from harvesting
23 or selling a merchantable product that is a
24 byproduct of an activity authorized under
25 this section.

1 (E) GRAZING.—The laws (including regu-
2 lations) and policies followed by the Secretary
3 in issuing and administering grazing permits or
4 leases on land under the jurisdiction of the Sec-
5 retary shall continue to apply with regard to
6 the land in the Wildlife Conservation Area, con-
7 sistent with the purposes described in sub-
8 section (b).

9 (d) FIRE, INSECTS, AND DISEASES.—The Secretary
10 may carry out any activity, in accordance with applicable
11 laws (including regulations), that the Secretary deter-
12 mines to be necessary to manage wildland fire and treat
13 hazardous fuels, insects, and diseases in the Wildlife Con-
14 servation Area, subject to such terms and conditions as
15 the Secretary determines to be appropriate.

16 (e) WATER.—Section 3(e) of the James Peak Wilder-
17 ness and Protection Area Act (Public Law 107–216; 116
18 Stat. 1058) shall apply to the Wildlife Conservation Area.

19 **SEC. 106. SPRADDLE CREEK WILDLIFE CONSERVATION**
20 **AREA.**

21 (a) DESIGNATION.—Subject to valid existing rights,
22 the approximately 2,674 acres of Federal land in the
23 White River National Forest in the State, as generally de-
24 picted as “Proposed Spraddle Creek Wildlife Conservation
25 Area” on the map entitled “Eagles Nest Wilderness Addi-

1 tions Proposal” and dated April 26, 2022, are designated
2 as the “Spraddle Creek Wildlife Conservation Area” (re-
3 ferred to in this section as the “Wildlife Conservation
4 Area”).

5 (b) PURPOSES.—The purposes of the Wildlife Con-
6 servation Area are to conserve, protect, and enhance for
7 the benefit and enjoyment of present and future genera-
8 tions the wildlife, scenic, roadless, watershed, recreational,
9 and ecological resources of the Wildlife Conservation Area.

10 (c) MANAGEMENT.—

11 (1) IN GENERAL.—The Secretary shall manage
12 the Wildlife Conservation Area—

13 (A) in a manner that conserves, protects,
14 and enhances the purposes described in sub-
15 section (b); and

16 (B) in accordance with—

17 (i) the Forest and Rangeland Renew-
18 able Resources Planning Act of 1974 (16
19 U.S.C. 1600 et seq.);

20 (ii) any other applicable laws (includ-
21 ing regulations); and

22 (iii) this title.

23 (2) USES.—

24 (A) IN GENERAL.—The Secretary shall
25 only allow such uses of the Wildlife Conserva-

1 tion Area as the Secretary determines would
2 further the purposes described in subsection
3 (b).

4 (B) **MOTORIZED VEHICLES AND MECHA-**
5 **NIZED TRANSPORT.**—Except as necessary for
6 administrative purposes or to respond to an
7 emergency, the use of motorized vehicles and
8 mechanized transport in the Wildlife Conserva-
9 tion Area shall be prohibited.

10 (C) **ROADS.**—

11 (i) **IN GENERAL.**—Except as provided
12 in clause (ii), no road shall be constructed
13 in the Wildlife Conservation Area.

14 (ii) **EXCEPTIONS.**—Nothing in clause
15 (i) prevents the Secretary from—

16 (I) constructing a temporary
17 road as the Secretary determines to
18 be necessary as a minimum require-
19 ment for carrying out a vegetation
20 management project in the Wildlife
21 Conservation Area; or

22 (II) responding to an emergency.

23 (iii) **DECOMMISSIONING OF TEM-**
24 **PORARY ROADS.**—Not later than 3 years
25 after the date on which the applicable

1 vegetation management project is com-
2 pleted, the Secretary shall decommission
3 any temporary road constructed under
4 clause (ii)(I) for the applicable vegetation
5 management project.

6 (D) COMMERCIAL TIMBER.—

7 (i) IN GENERAL.—Subject to clause
8 (ii), no project shall be carried out in the
9 Wildlife Conservation Area for the purpose
10 of harvesting commercial timber.

11 (ii) LIMITATION.—Nothing in clause
12 (i) prevents the Secretary from harvesting
13 or selling a merchantable product that is a
14 byproduct of an activity authorized in the
15 Wildlife Conservation Area under this sec-
16 tion.

17 (d) FIRE, INSECTS, AND DISEASES.—The Secretary
18 may carry out any activity, in accordance with applicable
19 laws (including regulations), that the Secretary deter-
20 mines to be necessary to manage wildland fire and treat
21 hazardous fuels, insects, and diseases in the Wildlife Con-
22 servation Area, subject to such terms and conditions as
23 the Secretary determines to be appropriate.

1 (e) WATER.—Section 3(e) of the James Peak Wilder-
2 ness and Protection Area Act (Public Law 107–216; 116
3 Stat. 1058) shall apply to the Wildlife Conservation Area.

4 **SEC. 107. SANDY TREAT OVERLOOK.**

5 The interpretive site located beside United States
6 Route 24 within the Camp Hale-Continental Divide Na-
7 tional Monument, at 39.431N 106.323W, is designated as
8 the “Sandy Treat Overlook”.

9 **SEC. 108. WHITE RIVER NATIONAL FOREST BOUNDARY**
10 **MODIFICATION.**

11 (a) IN GENERAL.—The boundary of the White River
12 National Forest is modified to include the approximately
13 120 acres comprised of the SW¹/₄, the SE¹/₄, and the
14 NE¹/₄ of the SE¹/₄ of sec. 1, T. 2 S., R. 80 W., 6th Prin-
15 cipal Meridian, in Summit County in the State.

16 (b) LAND AND WATER CONSERVATION FUND.—For
17 purposes of section 200306 of title 54, United States
18 Code, the boundaries of the White River National Forest,
19 as modified by subsection (a), shall be considered to be
20 the boundaries of the White River National Forest as in
21 existence on January 1, 1965.

22 **SEC. 109. ROCKY MOUNTAIN NATIONAL PARK POTENTIAL**
23 **WILDERNESS BOUNDARY ADJUSTMENT.**

24 (a) PURPOSE.—The purpose of this section is to pro-
25 vide for the ongoing maintenance and use of portions of

1 the Trail River Ranch and the associated property located
2 within Rocky Mountain National Park in Grand County
3 in the State.

4 (b) BOUNDARY ADJUSTMENT.—Section 1952(b) of
5 the Omnibus Public Land Management Act of 2009 (Pub-
6 lic Law 111–11; 123 Stat. 1070) is amended by adding
7 at the end the following:

8 “(3) BOUNDARY ADJUSTMENT.—The boundary
9 of the Potential Wilderness is modified to exclude
10 the area comprising approximately 15.5 acres of
11 land identified as ‘Potential Wilderness to Non-wil-
12 derness’ on the map entitled ‘Rocky Mountain Na-
13 tional Park Proposed Wilderness Area Amendment’
14 and dated January 16, 2018.”.

15 **SEC. 110. ADMINISTRATIVE PROVISIONS.**

16 (a) FISH AND WILDLIFE.—Nothing in this title af-
17 fects the jurisdiction or responsibility of the State with
18 respect to fish and wildlife in the State.

19 (b) NO BUFFER ZONES.—

20 (1) IN GENERAL.—Nothing in this title or an
21 amendment made by this title establishes a protec-
22 tive perimeter or buffer zone around—

23 (A) a covered area;

24 (B) a wilderness area or potential wilder-
25 ness area designated by section 103; or

1 (C) a Wildlife Conservation Area.

2 (2) OUTSIDE ACTIVITIES.—The fact that a non-
3 wilderness activity or use on land outside of an area
4 described in paragraph (1) can be seen or heard
5 from within the applicable area described in para-
6 graph (1) shall not preclude the activity or use out-
7 side the boundary of the applicable area described in
8 paragraph (1).

9 (c) TRIBAL RIGHTS AND USES.—

10 (1) TREATY RIGHTS.—Nothing in this title af-
11 fects the treaty rights of an Indian Tribe.

12 (2) TRADITIONAL TRIBAL USES.—Subject to
13 any terms and conditions that the Secretary deter-
14 mines to be necessary and in accordance with appli-
15 cable law, the Secretary shall allow for the continued
16 use of the areas described in subsection (b)(1) by
17 members of Indian Tribes—

18 (A) for traditional ceremonies; and

19 (B) as a source of traditional plants and
20 other materials.

21 (d) MAPS AND LEGAL DESCRIPTIONS.—

22 (1) IN GENERAL.—As soon as practicable after
23 the date of enactment of this Act, the Secretary
24 shall prepare maps and legal descriptions of each
25 area described in subsection (b)(1) with—

1 (A) the Committee on Natural Resources
2 of the House of Representatives; and

3 (B) the Committee on Energy and Natural
4 Resources of the Senate.

5 (2) FORCE OF LAW.—Each map and legal de-
6 scription prepared under paragraph (1) shall have
7 the same force and effect as if included in this title,
8 except that the Secretary may—

9 (A) correct any typographical errors in the
10 maps and legal descriptions; and

11 (B) in consultation with the State, make
12 minor adjustments to the boundaries of the
13 Porcupine Gulch Wildlife Conservation Area
14 designated by section 104(a) and the Williams
15 Fork Mountains Wildlife Conservation Area
16 designated by section 105(a) to account for po-
17 tential highway or multimodal transportation
18 system construction, safety measures, mainte-
19 nance, realignment, or widening.

20 (3) PUBLIC AVAILABILITY.—Each map and
21 legal description prepared under paragraph (1) shall
22 be on file and available for public inspection in the
23 appropriate offices of the Forest Service.

24 (e) ACQUISITION OF LAND.—

1 (1) IN GENERAL.—The Secretary may acquire
2 any land or interest in land within the boundaries of
3 an area described in subsection (b)(1) by donation,
4 purchase from a willing seller, or exchange.

5 (2) MANAGEMENT.—Any land or interest in
6 land acquired under paragraph (1) shall be incor-
7 porated into, and administered as a part of, the wil-
8 derness area or Wildlife Conservation Area, as appli-
9 cable, in which the land or interest in land is lo-
10 cated.

11 (f) WITHDRAWAL.—Subject to valid existing rights,
12 the areas described in subsection (b)(1) are withdrawn
13 from—

14 (1) entry, appropriation, and disposal under the
15 public land laws;

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

18 (3) operation of the mineral leasing, mineral
19 materials, and geothermal leasing laws.

20 (g) MILITARY OVERFLIGHTS.—Nothing in this title
21 or an amendment made by this title restricts or pre-
22 cludes—

23 (1) any low-level overflight of military aircraft
24 over any area subject to this title or an amendment

1 made by this title, including military overflights that
2 can be seen, heard, or detected within such an area;

3 (2) flight testing or evaluation over an area de-
4 scribed in paragraph (1); or

5 (3) the use or establishment of—

6 (A) any new unit of special use airspace
7 over an area described in paragraph (1); or

8 (B) any military flight training or trans-
9 portation over such an area.

10 (h) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that military aviation training on Federal public
12 land in the State, including the training conducted at the
13 High-Altitude Army National Guard Aviation Training
14 Site, is critical to the national security of the United
15 States and the readiness of the Armed Forces.

16 **TITLE II—SAN JUAN MOUNTAINS**

17 **SEC. 201. DEFINITIONS.**

18 In this title:

19 (1) COVERED LAND.—The term “covered land”
20 means—

21 (A) land designated as wilderness under
22 paragraphs (27) through (29) of section 2(a) of
23 the Colorado Wilderness Act of 1993 (16
24 U.S.C. 1132 note; Public Law 103–77) (as
25 added by section 202); and

1 (B) a Special Management Area.

2 (2) SECRETARY.—The term “Secretary” means
3 the Secretary of Agriculture.

4 (3) SPECIAL MANAGEMENT AREA.—The term
5 “Special Management Area” means each of—

6 (A) the Sheep Mountain Special Manage-
7 ment Area designated by section 203(a)(1); and

8 (B) the Liberty Bell East Special Manage-
9 ment Area designated by section 203(a)(2).

10 **SEC. 202. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
11 **VATION SYSTEM.**

12 Section 2(a) of the Colorado Wilderness Act of 1993
13 (16 U.S.C. 1132 note; Public Law 103–77) (as amended
14 by section 102(a)(2)) is amended by adding at the end
15 the following:

16 “(27) LIZARD HEAD WILDERNESS ADDITION.—
17 Certain Federal land in the Grand Mesa,
18 Uncompahgre, and Gunnison National Forests com-
19 prising approximately 3,141 acres, as generally de-
20 picted on the map entitled ‘Proposed Wilson, Sun-
21 shine, Black Face and San Bernardo Additions to
22 the Lizard Head Wilderness’ and dated September
23 6, 2018, which is incorporated in, and shall be ad-
24 ministered as part of, the Lizard Head Wilderness.

1 “(28) MOUNT SNEFFELS WILDERNESS ADDI-
2 TIONS.—

3 “(A) LIBERTY BELL AND LAST DOLLAR
4 ADDITIONS.—Certain Federal land in the
5 Grand Mesa, Uncompahgre, and Gunnison Na-
6 tional Forests comprising approximately 7,235
7 acres, as generally depicted on the map entitled
8 ‘Proposed Liberty Bell and Last Dollar Addi-
9 tions to the Mt. Sneffels Wilderness, Liberty
10 Bell East Special Management Area’ and dated
11 September 6, 2018, which is incorporated in,
12 and shall be administered as part of, the Mount
13 Sneffels Wilderness.

14 “(B) WHITEHOUSE ADDITIONS.—Certain
15 Federal land in the Grand Mesa, Uncompahgre,
16 and Gunnison National Forests comprising ap-
17 proximately 12,465 acres, as generally depicted
18 on the map entitled ‘Proposed Whitehouse Ad-
19 ditions to the Mt. Sneffels Wilderness’ and
20 dated September 6, 2018, which is incorporated
21 in, and shall be administered as part of, the
22 Mount Sneffels Wilderness.

23 “(29) MCKENNA PEAK WILDERNESS.—Certain
24 Federal land in the State of Colorado comprising ap-
25 proximately 8,884 acres of Bureau of Land Manage-

1 ment land, as generally depicted on the map entitled
2 ‘Proposed McKenna Peak Wilderness Area’ and
3 dated September 18, 2018, to be known as the
4 ‘McKenna Peak Wilderness’.”.

5 **SEC. 203. SPECIAL MANAGEMENT AREAS.**

6 (a) DESIGNATION.—

7 (1) SHEEP MOUNTAIN SPECIAL MANAGEMENT
8 AREA.—The Federal land in the Grand Mesa,
9 Uncompahgre, and Gunnison and San Juan Na-
10 tional Forests in the State comprising approximately
11 21,663 acres, as generally depicted on the map enti-
12 tled “Proposed Sheep Mountain Special Manage-
13 ment Area” and dated September 19, 2018, is des-
14 ignated as the “Sheep Mountain Special Manage-
15 ment Area”.

16 (2) LIBERTY BELL EAST SPECIAL MANAGE-
17 MENT AREA.—The Federal land in the Grand Mesa,
18 Uncompahgre, and Gunnison National Forests in
19 the State comprising approximately 792 acres, as
20 generally depicted on the map entitled “Proposed
21 Liberty Bell and Last Dollar Additions to the Mt.
22 Sneffels Wilderness, Liberty Bell East Special Man-
23 agement Area” and dated September 6, 2018, is
24 designated as the “Liberty Bell East Special Man-
25 agement Area”.

1 (b) PURPOSE.—The purpose of the Special Manage-
2 ment Areas is to conserve and protect for the benefit and
3 enjoyment of present and future generations the geologi-
4 cal, cultural, archaeological, paleontological, natural, sci-
5 entific, recreational, wilderness, wildlife, riparian, histor-
6 ical, educational, and scenic resources of the Special Man-
7 agement Areas.

8 (c) MANAGEMENT.—

9 (1) IN GENERAL.—The Secretary shall manage
10 the Special Management Areas in a manner that—

11 (A) conserves, protects, and enhances the
12 resources and values of the Special Manage-
13 ment Areas described in subsection (b);

14 (B) subject to paragraph (3), maintains or
15 improves the wilderness character of the Special
16 Management Areas and the suitability of the
17 Special Management Areas for potential inclu-
18 sion in the National Wilderness Preservation
19 System; and

20 (C) is in accordance with—

21 (i) the National Forest Management
22 Act of 1976 (16 U.S.C. 1600 et seq.);

23 (ii) this title; and

24 (iii) any other applicable laws.

1 (2) PROHIBITIONS.—The following shall be pro-
2 hibited in the Special Management Areas:

3 (A) Permanent roads.

4 (B) Except as necessary to meet the min-
5 imum requirements for the administration of
6 the Federal land, to provide access for aban-
7 doned mine cleanup, and to protect public
8 health and safety—

9 (i) the use of motor vehicles, motor-
10 ized equipment, or mechanical transport
11 (other than as provided in paragraph (3));
12 and

13 (ii) the establishment of temporary
14 roads.

15 (3) AUTHORIZED ACTIVITIES.—

16 (A) IN GENERAL.—The Secretary may
17 allow any activities (including helicopter access
18 for recreation and maintenance and the com-
19 petitive running event permitted since 1992)
20 that have been authorized by permit or license
21 as of the date of enactment of this Act to con-
22 tinue within the Special Management Areas,
23 subject to such terms and conditions as the
24 Secretary may require.

1 (B) PERMITTING.—The designation of the
2 Special Management Areas by subsection (a)
3 shall not affect the issuance of permits relating
4 to the activities covered under subparagraph
5 (A) after the date of enactment of this Act.

6 (C) BICYCLES.—The Secretary may permit
7 the use of bicycles in—

8 (i) the portion of the Sheep Mountain
9 Special Management Area identified as
10 “Ophir Valley Area” on the map entitled
11 “Proposed Sheep Mountain Special Man-
12 agement Area” and dated September 19,
13 2018; and

14 (ii) the portion of the Liberty Bell
15 East Special Management Area identified
16 as “Liberty Bell Corridor” on the map en-
17 titled “Proposed Liberty Bell and Last
18 Dollar Additions to the Mt. Sneffels Wil-
19 derness, Liberty Bell East Special Manage-
20 ment Area” and dated September 6, 2018.

21 (d) APPLICABLE LAW.—Water and water rights in
22 the Special Management Areas shall be administered in
23 accordance with section 8 of the Colorado Wilderness Act
24 of 1993 (Public Law 103–77; 107 Stat. 762), except that,
25 for purposes of this title—

1 (1) any reference contained in that section to
2 “the lands designated as wilderness by this Act”,
3 “the Piedra, Roubideau, and Tabeguache areas iden-
4 tified in section 9 of this Act, or the Bowen Gulch
5 Protection Area or the Fossil Ridge Recreation Man-
6 agement Area identified in sections 5 and 6 of this
7 Act”, or “the areas described in sections 2, 5, 6, and
8 9 of this Act” shall be considered to be a reference
9 to “the Special Management Areas”; and

10 (2) any reference contained in that section to
11 “this Act” shall be considered to be a reference to
12 “the Colorado Outdoor Recreation and Economy
13 Act”.

14 (e) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA
15 NORDIC SKI SAFETY STUDY.—

16 (1) IN GENERAL.—Not later than 2 years after
17 the date of enactment of this Act, the Secretary, in
18 consultation with interested parties, shall complete a
19 study on ensuring safe access for Nordic skiing in
20 the vicinity of the Sheep Mountain Special Manage-
21 ment Area, consistent with the purposes of the
22 Sheep Mountain Special Management Area.

23 (2) REQUIREMENT.—In conducting the study
24 under paragraph (1), the Secretary, in coordination
25 with San Miguel County in the State, the State De-

1 department of Transportation, and other interested
2 stakeholders, shall identify a range of reasonable ac-
3 tions that could be taken by the Secretary to provide
4 or facilitate off-highway parking areas along State
5 Highway 145 to facilitate safe access for Nordic ski-
6 ing in the vicinity of the Sheep Mountain Special
7 Management Area.

8 **SEC. 204. RELEASE OF WILDERNESS STUDY AREAS.**

9 (a) DOMINGUEZ CANYON WILDERNESS STUDY
10 AREA.—Subtitle E of title II of Public Law 111–11 is
11 amended—

12 (1) by redesignating section 2408 (16 U.S.C.
13 460zzz–7) as section 2409; and

14 (2) by inserting after section 2407 (16 U.S.C.
15 460zzz–6) the following:

16 **“SEC. 2408. RELEASE.**

17 “(a) IN GENERAL.—Congress finds that, for the pur-
18 poses of section 603(c) of the Federal Land Policy and
19 Management Act of 1976 (43 U.S.C. 1782(c)), the por-
20 tions of the Dominguez Canyon Wilderness Study Area
21 not designated as wilderness by this subtitle have been
22 adequately studied for wilderness designation.

23 “(b) RELEASE.—Any public land referred to in sub-
24 section (a) that is not designated as wilderness by this
25 subtitle—

1 “(1) is no longer subject to section 603(c) of
2 the Federal Land Policy and Management Act of
3 1976 (43 U.S.C. 1782(c)); and

4 “(2) shall be managed in accordance with this
5 subtitle and any other applicable laws.”.

6 (b) MCKENNA PEAK WILDERNESS STUDY AREA.—

7 (1) IN GENERAL.—Congress finds that, for the
8 purposes of section 603(c) of the Federal Land Pol-
9 icy and Management Act of 1976 (43 U.S.C.
10 1782(c)), the portions of the McKenna Peak Wilder-
11 ness Study Area in San Miguel County in the State
12 not designated as wilderness by paragraph (29) of
13 section 2(a) of the Colorado Wilderness Act of 1993
14 (16 U.S.C. 1132 note; Public Law 103–77) (as
15 added by section 202) have been adequately studied
16 for wilderness designation.

17 (2) RELEASE.—Any public land referred to in
18 paragraph (1) that is not designated as wilderness
19 by paragraph (29) of section 2(a) of the Colorado
20 Wilderness Act of 1993 (16 U.S.C. 1132 note; Pub-
21 lic Law 103–77) (as added by section 202)—

22 (A) is no longer subject to section 603(c)
23 of the Federal Land Policy and Management
24 Act of 1976 (43 U.S.C. 1782(c)); and

1 (B) shall be managed in accordance with
2 applicable laws.

3 **SEC. 205. ADMINISTRATIVE PROVISIONS.**

4 (a) FISH AND WILDLIFE.—Nothing in this title af-
5 fects the jurisdiction or responsibility of the State with
6 respect to fish and wildlife in the State.

7 (b) NO BUFFER ZONES.—

8 (1) IN GENERAL.—Nothing in this title estab-
9 lishes a protective perimeter or buffer zone around
10 covered land.

11 (2) ACTIVITIES OUTSIDE WILDERNESS.—The
12 fact that a nonwilderness activity or use on land out-
13 side of the covered land can be seen or heard from
14 within covered land shall not preclude the activity or
15 use outside the boundary of the covered land.

16 (c) TRIBAL RIGHTS AND USES.—

17 (1) TREATY RIGHTS.—Nothing in this title af-
18 fects the treaty rights of any Indian Tribe, including
19 rights under the Agreement of September 13, 1873,
20 ratified by the Act of April 29, 1874 (18 Stat. 36,
21 chapter 136).

22 (2) TRADITIONAL TRIBAL USES.—Subject to
23 any terms and conditions as the Secretary deter-
24 mines to be necessary and in accordance with appli-
25 cable law, the Secretary shall allow for the continued

1 use of the covered land by members of Indian
2 Tribes—

3 (A) for traditional ceremonies; and

4 (B) as a source of traditional plants and
5 other materials.

6 (d) MAPS AND LEGAL DESCRIPTIONS.—

7 (1) IN GENERAL.—As soon as practicable after
8 the date of enactment of this Act, the Secretary or
9 the Secretary of the Interior, as appropriate, shall
10 file a map and a legal description of each wilderness
11 area designated by paragraphs (27) through (29) of
12 section 2(a) of the Colorado Wilderness Act of 1993
13 (16 U.S.C. 1132 note; Public Law 103–77) (as
14 added by section 202) and the Special Management
15 Areas with—

16 (A) the Committee on Natural Resources
17 of the House of Representatives; and

18 (B) the Committee on Energy and Natural
19 Resources of the Senate.

20 (2) FORCE OF LAW.—Each map and legal de-
21 scription filed under paragraph (1) shall have the
22 same force and effect as if included in this title, ex-
23 cept that the Secretary or the Secretary of the Inte-
24 rior, as appropriate, may correct any typographical
25 errors in the maps and legal descriptions.

1 (3) PUBLIC AVAILABILITY.—Each map and
2 legal description filed under paragraph (1) shall be
3 on file and available for public inspection in the ap-
4 propriate offices of the Bureau of Land Management
5 and the Forest Service.

6 (e) ACQUISITION OF LAND.—

7 (1) IN GENERAL.—The Secretary or the Sec-
8 retary of the Interior, as appropriate, may acquire
9 any land or interest in land within the boundaries of
10 a Special Management Area or the wilderness des-
11 ignated under paragraphs (27) through (29) of sec-
12 tion 2(a) of the Colorado Wilderness Act of 1993
13 (16 U.S.C. 1132 note; Public Law 103–77) (as
14 added by section 202) by donation, purchase from a
15 willing seller, or exchange.

16 (2) MANAGEMENT.—Any land or interest in
17 land acquired under paragraph (1) shall be incor-
18 porated into, and administered as a part of, the wil-
19 derness or Special Management Area in which the
20 land or interest in land is located.

21 (f) GRAZING.—The grazing of livestock on covered
22 land, if established before the date of enactment of this
23 Act, shall be permitted to continue subject to such reason-
24 able regulations as are considered to be necessary by the

1 Secretary with jurisdiction over the covered land, in ac-
2 cordance with—

3 (1) section 4(d)(4) of the Wilderness Act (16
4 U.S.C. 1133(d)(4)); and

5 (2) the applicable guidelines set forth in Appen-
6 dix A of the report of the Committee on Interior and
7 Insular Affairs of the House of Representatives ac-
8 companying H.R. 2570 of the 101st Congress (H.
9 Rept. 101–405) or H.R. 5487 of the 96th Congress
10 (H. Rept. 96–617).

11 (g) FIRE, INSECTS, AND DISEASES.—In accordance
12 with section 4(d)(1) of the Wilderness Act (16 U.S.C.
13 1133(d)(1)), the Secretary with jurisdiction over a wilder-
14 ness area designated by paragraphs (27) through (29) of
15 section 2(a) of the Colorado Wilderness Act of 1993 (16
16 U.S.C. 1132 note; Public Law 103–77) (as added by sec-
17 tion 202) may carry out any activity in the wilderness area
18 that the Secretary determines to be necessary for the con-
19 trol of fire, insects, and diseases, subject to such terms
20 and conditions as the Secretary determines to be appro-
21 priate.

22 (h) WITHDRAWAL.—Subject to valid existing rights,
23 the covered land and the approximately 6,590 acres gen-
24 erally depicted on the map entitled “Proposed Naturita

1 Canyon Mineral Withdrawal Area” and dated September
2 6, 2018, is withdrawn from—

3 (1) entry, appropriation, and disposal under the
4 public land laws;

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

7 (3) operation of the mineral leasing, mineral
8 materials, and geothermal leasing laws.

9 **TITLE III—THOMPSON DIVIDE**

10 **SEC. 301. PURPOSES.**

11 The purposes of this title are—

12 (1) subject to valid existing rights, to withdraw
13 certain Federal land in the Thompson Divide area
14 from mineral and other disposal laws in order to
15 protect the agricultural, ranching, wildlife, air qual-
16 ity, recreation, ecological, and scenic values of the
17 area; and

18 (2) to promote the capture of fugitive methane
19 emissions that would otherwise be emitted into the
20 atmosphere.

21 **SEC. 302. DEFINITIONS.**

22 In this title:

23 (1) FUGITIVE METHANE EMISSIONS.—The term
24 “fugitive methane emissions” means methane gas
25 from the Federal land or interests in Federal land

1 in Garfield, Gunnison, Delta, or Pitkin County in
2 the State, within the boundaries of the “Fugitive
3 Coal Mine Methane Use Pilot Program Area”, as
4 generally depicted on the pilot program map, that
5 would leak or be vented into the atmosphere from—

6 (A) an active or inactive coal mine subject
7 to a Federal coal lease; or

8 (B) an abandoned underground coal mine
9 or the site of a former coal mine—

10 (i) that is not subject to a Federal
11 coal lease; and

12 (ii) with respect to which the Federal
13 interest in land includes mineral rights to
14 the methane gas.

15 (2) PILOT PROGRAM.—The term “pilot pro-
16 gram” means the Greater Thompson Divide Fugitive
17 Coal Mine Methane Use Pilot Program established
18 by section 305(a)(1).

19 (3) PILOT PROGRAM MAP.—The term “pilot
20 program map” means the map entitled “Greater
21 Thompson Divide Fugitive Coal Mine Methane Use
22 Pilot Program Area” and dated April 29, 2022.

23 (4) SECRETARY.—The term “Secretary” means
24 the Secretary of the Interior.

25 (5) THOMPSON DIVIDE LEASE.—

1 (A) IN GENERAL.—The term “Thompson
2 Divide lease” means any oil or gas lease in ef-
3 fect on the date of enactment of this Act within
4 the Thompson Divide Withdrawal and Protec-
5 tion Area.

6 (B) EXCLUSIONS.—The term “Thompson
7 Divide lease” does not include any oil or gas
8 lease that—

9 (i) is associated with a Wolf Creek
10 Storage Field development right; or

11 (ii) before the date of enactment of
12 this Act, has expired, been cancelled, or
13 otherwise terminated.

14 (6) THOMPSON DIVIDE MAP.—The term
15 “Thompson Divide map” means the map entitled
16 “Greater Thompson Divide Area Map” and dated
17 May 15, 2023.

18 (7) THOMPSON DIVIDE WITHDRAWAL AND PRO-
19 TECTION AREA.—The term “Thompson Divide With-
20 drawal and Protection Area” means the Federal
21 land and minerals within the area generally depicted
22 as the “Thompson Divide Withdrawal and Protec-
23 tion Area” on the Thompson Divide map.

24 (8) WOLF CREEK STORAGE FIELD DEVELOP-
25 MENT RIGHT.—

1 (A) IN GENERAL.—The term “Wolf Creek
2 Storage Field development right” means a de-
3 velopment right for any of the Federal mineral
4 leases numbered COC 0007496, COC 0007497,
5 COC 0007498, COC 0007499, COC 0007500,
6 COC 0007538, COC 0008128, COC 0015373,
7 COC 0128018, COC 0051645, and COC
8 0051646, as generally depicted on the Thomp-
9 son Divide map as “Wolf Creek Storage Agree-
10 ment”.

11 (B) EXCLUSIONS.—The term “Wolf Creek
12 Storage Field development right” does not in-
13 clude any storage right or related activity with-
14 in the area described in subparagraph (A).

15 **SEC. 303. THOMPSON DIVIDE WITHDRAWAL AND PROTEC-**
16 **TION AREA.**

17 (a) WITHDRAWAL.—Subject to valid existing rights,
18 the Thompson Divide Withdrawal and Protection Area is
19 withdrawn from—

20 (1) entry, appropriation, and disposal under the
21 public land laws;

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

24 (3) operation of the mineral leasing, mineral
25 materials, and geothermal leasing laws.

1 (b) SURVEYS.—The exact acreage and legal descrip-
2 tion of the Thompson Divide Withdrawal and Protection
3 Area shall be determined by surveys approved by the Sec-
4 retary, in consultation with the Secretary of Agriculture.

5 (c) GRAZING.—Nothing in this title affects the ad-
6 ministration of grazing in the Thompson Divide With-
7 drawal and Protection Area.

8 **SEC. 304. THOMPSON DIVIDE LEASE CREDITS.**

9 (a) IN GENERAL.—In exchange for the relinquis-
10 ment by a leaseholder of all Thompson Divide leases of
11 the leaseholder, the Secretary may issue to the leaseholder
12 credits for any bid, royalty, or rental payment due under
13 any Federal oil or gas lease on Federal land in the State,
14 in accordance with subsection (b).

15 (b) AMOUNT OF CREDITS.—

16 (1) IN GENERAL.—Subject to paragraph (2),
17 the amount of the credits issued to a leaseholder of
18 a Thompson Divide lease relinquished under sub-
19 section (a) shall—

20 (A) be equal to the sum of—

21 (i) the amount of the bonus bids paid
22 for the applicable Thompson Divide leases;

23 (ii) the amount of any rental paid for
24 the applicable Thompson Divide leases as
25 of the date on which the leaseholder sub-

1 mits to the Secretary a notice of the deci-
2 sion to relinquish the applicable Thompson
3 Divide leases; and

4 (iii) the amount of any reasonable ex-
5 penses incurred by the leaseholder of the
6 applicable Thompson Divide leases in the
7 preparation of any drilling permit, sundry
8 notice, or other related submission in sup-
9 port of the development of the applicable
10 Thompson Divide leases as of January 28,
11 2019, including any expenses relating to
12 the preparation of any analysis under the
13 National Environmental Policy Act of
14 1969 (42 U.S.C. 4321 et seq.); and

15 (B) require the approval of the Secretary.

16 (2) EXCLUSION.—The amount of a credit
17 issued under subsection (a) shall not include any ex-
18 penses paid by the leaseholder of a Thompson Divide
19 lease for—

20 (A) legal fees or related expenses for legal
21 work with respect to a Thompson Divide lease;
22 or

23 (B) any expenses incurred before the
24 issuance of a Thompson Divide lease.

1 (c) CANCELLATION.—Effective on relinquishment
2 under this section, and without any additional action by
3 the Secretary, a Thompson Divide lease—

4 (1) shall be permanently cancelled; and

5 (2) shall not be reissued.

6 (d) CONDITIONS.—

7 (1) APPLICABLE LAW.—Except as otherwise
8 provided in this section, each exchange under this
9 section shall be conducted in accordance with—

10 (A) this title; and

11 (B) other applicable laws (including regu-
12 lations).

13 (2) ACCEPTANCE OF CREDITS.—The Secretary
14 shall accept credits issued under subsection (a) in
15 the same manner as cash for the payments described
16 in that subsection.

17 (3) APPLICABILITY.—The use of a credit issued
18 under subsection (a) shall be subject to the laws (in-
19 cluding regulations) applicable to the payments de-
20 scribed in that subsection, to the extent that the
21 laws are consistent with this section.

22 (4) TREATMENT OF CREDITS.—All amounts in
23 the form of credits issued under subsection (a) ac-
24 cepted by the Secretary shall be considered to be
25 amounts received for the purposes of—

1 (A) section 35 of the Mineral Leasing Act
2 (30 U.S.C. 191); and

3 (B) section 20 of the Geothermal Steam
4 Act of 1970 (30 U.S.C. 1019).

5 (e) WOLF CREEK STORAGE FIELD DEVELOPMENT
6 RIGHTS.—

7 (1) CONVEYANCE TO SECRETARY.—As a condi-
8 tion precedent to the relinquishment of a Thompson
9 Divide lease under this section, any leaseholder with
10 a Wolf Creek Storage Field development right shall
11 permanently relinquish, transfer, and otherwise con-
12 vey to the Secretary, in a form acceptable to the
13 Secretary, all Wolf Creek Storage Field development
14 rights of the leaseholder.

15 (2) CREDITS.—

16 (A) IN GENERAL.—In consideration for the
17 transfer of development rights under paragraph
18 (1), the Secretary may issue to a leaseholder
19 described in that paragraph credits for any rea-
20 sonable expenses incurred by the leaseholder in
21 acquiring the Wolf Creek Storage Field develop-
22 ment right or in the preparation of any drilling
23 permit, sundry notice, or other related submis-
24 sion in support of the development right as of
25 January 28, 2019, including any reasonable ex-

1 penses relating to the preparation of any anal-
2 ysis under the National Environmental Policy
3 Act of 1969 (42 U.S.C. 4321 et seq.).

4 (B) APPROVAL.—Any credits for a transfer
5 of the development rights under paragraph (1),
6 shall be subject to—

7 (i) the exclusion described in sub-
8 section (b)(2);

9 (ii) the conditions described in sub-
10 section (d); and

11 (iii) the approval of the Secretary.

12 (3) LIMITATION OF TRANSFER.—Development
13 rights acquired by the Secretary under paragraph
14 (1)—

15 (A) shall be held for as long as the parent
16 leases in the Wolf Creek Storage Field remain
17 in effect; and

18 (B) shall not be—

19 (i) transferred;

20 (ii) reissued; or

21 (iii) otherwise used for mineral extrac-
22 tion.

1 **SEC. 305. GREATER THOMPSON DIVIDE FUGITIVE COAL**
2 **MINE METHANE USE PILOT PROGRAM.**

3 (a) FUGITIVE COAL MINE METHANE USE PILOT
4 PROGRAM.—

5 (1) ESTABLISHMENT.—There is established in
6 the Bureau of Land Management a pilot program,
7 to be known as the “Greater Thompson Divide Fu-
8 gitive Coal Mine Methane Use Pilot Program”.

9 (2) PURPOSE.—The purpose of the pilot pro-
10 gram is to promote the capture, beneficial use, miti-
11 gation, and sequestration of fugitive methane emis-
12 sions—

- 13 (A) to reduce methane emissions;
14 (B) to promote economic development;
15 (C) to improve air quality; and
16 (D) to improve public safety.

17 (3) PLAN.—

18 (A) IN GENERAL.—Not later than 180
19 days after the date of enactment of this Act,
20 the Secretary shall develop a plan—

21 (i) to complete an inventory of fugitive
22 methane emissions in accordance with sub-
23 section (b);

24 (ii) to provide for the leasing of fugi-
25 tive methane emissions in accordance with
26 subsection (c); and

1 (iii) to provide for the capping or de-
2 struction of fugitive methane emissions in
3 accordance with subsection (d).

4 (B) COORDINATION.—In developing the
5 plan under this paragraph, the Secretary shall
6 coordinate with—

7 (i) the State;

8 (ii) Garfield, Gunnison, Delta, and
9 Pitkin Counties in the State;

10 (iii) lessees of Federal coal within the
11 counties referred to in clause (ii);

12 (iv) interested institutions of higher
13 education in the State; and

14 (v) interested members of the public.

15 (b) FUGITIVE METHANE EMISSIONS INVENTORY.—

16 (1) IN GENERAL.—Not later than 2 years after
17 the date of enactment of this Act, the Secretary
18 shall complete an inventory of fugitive methane
19 emissions.

20 (2) CONDUCT.—

21 (A) COLLABORATION.—The Secretary may
22 conduct the inventory under paragraph (1)
23 through, or in collaboration with—

24 (i) the Bureau of Land Management;

- 1 (ii) the United States Geological Sur-
2 vey;
- 3 (iii) the Environmental Protection
4 Agency;
- 5 (iv) the United States Forest Service;
- 6 (v) State departments or agencies;
- 7 (vi) Garfield, Gunnison, Delta, or
8 Pitkin County in the State;
- 9 (vii) the Garfield County Federal Min-
10 eral Lease District;
- 11 (viii) institutions of higher education
12 in the State;
- 13 (ix) lessees of Federal coal within a
14 county referred to in subparagraph (F);
- 15 (x) the National Oceanic and Atmos-
16 pheric Administration;
- 17 (xi) the National Center for Atmos-
18 pheric Research; or
- 19 (xii) other interested entities, includ-
20 ing members of the public.

21 (B) FEDERAL SPLIT ESTATE.—

- 22 (i) IN GENERAL.—In conducting the
23 inventory under paragraph (1) for Federal
24 minerals on split estate land, the Secretary
25 shall rely on available data.

1 (ii) LIMITATION.—Nothing in this sec-
2 tion requires or authorizes the Secretary to
3 enter or access private land to conduct the
4 inventory under paragraph (1).

5 (3) CONTENTS.—The inventory conducted
6 under paragraph (1) shall include—

7 (A) the general location and geographic co-
8 ordinates of vents, seeps, or other sources pro-
9 ducing significant fugitive methane emissions;

10 (B) an estimate of the volume and con-
11 centration of fugitive methane emissions from
12 each source of significant fugitive methane
13 emissions, including details of measurements
14 taken and the basis for that emissions estimate;

15 (C) relevant data and other information
16 available from—

17 (i) the Environmental Protection
18 Agency;

19 (ii) the Mine Safety and Health Ad-
20 ministration;

21 (iii) the Colorado Department of Nat-
22 ural Resources;

23 (iv) the Colorado Public Utility Com-
24 mission;

1 (v) the Colorado Department of
2 Health and Environment; and

3 (vi) the Office of Surface Mining Rec-
4 lamation and Enforcement; and

5 (D) such other information as may be use-
6 ful in advancing the purposes of the pilot pro-
7 gram.

8 (4) PUBLIC PARTICIPATION; DISCLOSURE.—

9 (A) PUBLIC PARTICIPATION.—The Sec-
10 retary shall, as appropriate, provide opportuni-
11 ties for public participation in the conduct of
12 the inventory under paragraph (1).

13 (B) AVAILABILITY.—The Secretary shall
14 make the inventory conducted under paragraph
15 (1) publicly available.

16 (C) DISCLOSURE.—Nothing in this sub-
17 section requires the Secretary to publicly re-
18 lease information that—

19 (i) poses a threat to public safety;

20 (ii) is confidential business informa-
21 tion; or

22 (iii) is otherwise protected from public
23 disclosure.

24 (5) IMPACT ON COAL MINES SUBJECT TO
25 LEASE.—

1 (A) IN GENERAL.—For the purposes of
2 conducting the inventory under paragraph (1),
3 for land subject to a Federal coal lease, the
4 Secretary shall use readily available methane
5 emissions data.

6 (B) EFFECT.—Nothing in this section re-
7 quires the holder of a Federal coal lease to re-
8 port additional data or information to the Sec-
9 retary.

10 (6) USE.—The Secretary shall use the inven-
11 tory conducted under paragraph (1) in carrying
12 out—

13 (A) the leasing program under subsection
14 (c); and

15 (B) the capping or destruction of fugitive
16 methane emissions under subsection (d).

17 (c) FUGITIVE METHANE EMISSIONS LEASING PRO-
18 GRAM AND SEQUESTRATION.—

19 (1) IN GENERAL.—Subject to valid existing
20 rights and in accordance with this section, not later
21 than 1 year after the date of completion of the in-
22 ventory required under subsection (b), the Secretary
23 shall carry out a program to encourage the use and
24 destruction of fugitive methane emissions.

1 (2) FUGITIVE METHANE EMISSIONS FROM COAL
2 MINES SUBJECT TO LEASE.—

3 (A) IN GENERAL.—The Secretary shall au-
4 thorize the holder of a valid existing Federal
5 coal lease for a mine that is producing fugitive
6 methane emissions to capture for use or destroy
7 the fugitive methane emissions.

8 (B) CONDITIONS.—The authority under
9 subparagraph (A) shall be subject to—

- 10 (i) valid existing rights; and
11 (ii) such terms and conditions as the
12 Secretary may require.

13 (C) LIMITATIONS.—The program carried
14 out under paragraph (1) shall only include fugi-
15 tive methane emissions that can be captured for
16 use or destroyed in a manner that does not—

- 17 (i) endanger the safety of any coal
18 mine worker; or
19 (ii) unreasonably interfere with any
20 ongoing operation at a coal mine.

21 (D) COOPERATION.—

22 (i) IN GENERAL.—The Secretary shall
23 work cooperatively with the holders of valid
24 existing Federal coal leases for mines that

1 produce fugitive methane emissions to en-
2 courage—

3 (I) the capture of fugitive meth-
4 ane emissions for beneficial use, such
5 as generating electrical power, pro-
6 ducing usable heat, transporting the
7 methane to market, or transforming
8 the fugitive methane emissions into a
9 different marketable material; or

10 (II) if the beneficial use of the
11 fugitive methane emissions is not fea-
12 sible, the destruction of the fugitive
13 methane emissions.

14 (ii) GUIDANCE.—In support of cooper-
15 ative efforts with holders of valid existing
16 Federal coal leases to capture for use or
17 destroy fugitive methane emissions, not
18 later than 1 year after the date of enact-
19 ment of this Act, the Secretary shall issue
20 guidance to the public for the implementa-
21 tion of authorities and programs to encour-
22 age the capture for use and destruction of
23 fugitive methane emissions, while mini-
24 mizing impacts on natural resources or
25 other public interest values.

1 (E) ROYALTIES.—The Secretary shall de-
2 termine whether any fugitive methane emissions
3 used or destroyed pursuant to this paragraph
4 are subject to the payment of a royalty under
5 applicable law.

6 (3) FUGITIVE METHANE EMISSIONS FROM LAND
7 NOT SUBJECT TO A FEDERAL COAL LEASE.—

8 (A) IN GENERAL.—Except as otherwise
9 provided in this section, notwithstanding section
10 303 and subject to valid existing rights and any
11 other applicable law, the Secretary shall, for
12 land not subject to a Federal coal lease—

13 (i) authorize the capture for use or
14 destruction of fugitive methane emissions;
15 and

16 (ii) make available for leasing such fu-
17 gitive methane emissions as the Secretary
18 determines to be in the public interest.

19 (B) SOURCE.—To the extent practicable,
20 the Secretary shall offer for lease, individually
21 or in combination, each significant source of fu-
22 gitive methane emissions on land not subject to
23 a Federal coal lease.

24 (C) BID QUALIFICATIONS.—A bid to lease
25 fugitive methane emissions under this para-

1 graph shall specify whether the prospective les-
2 see intends—

3 (i) to capture the fugitive methane
4 emissions for beneficial use, such as gener-
5 ating electrical power, producing usable
6 heat, transporting the methane to market,
7 or transforming the fugitive methane emis-
8 sions into a different marketable material;

9 (ii) to destroy the fugitive methane
10 emissions; or

11 (iii) to employ a specific combination
12 of—

13 (I) capturing the fugitive meth-
14 ane emissions for beneficial use; and

15 (II) destroying the fugitive meth-
16 ane emissions.

17 (D) PRIORITY.—

18 (i) IN GENERAL.—If there is more
19 than 1 qualified bid for a lease under this
20 paragraph, the Secretary shall select the
21 bid that the Secretary determines is likely
22 to most significantly advance the public in-
23 terest.

24 (ii) CONSIDERATIONS.—In deter-
25 mining the public interest under clause (i),

1 the Secretary shall take into consider-
2 ation—

3 (I) the overall decrease in the fu-
4 gitive methane emissions;

5 (II) the impacts to other natural
6 resource values, including wildlife,
7 water, and air; and

8 (III) other public interest values,
9 including scenic, economic, recreation,
10 and cultural values.

11 (E) LEASE FORM.—

12 (i) IN GENERAL.—The Secretary shall
13 develop and provide to prospective bidders
14 a lease form for leases issued under this
15 paragraph.

16 (ii) DUE DILIGENCE.—The lease form
17 developed under clause (i) shall include
18 terms and conditions requiring the leased
19 fugitive methane emissions to be put to
20 beneficial use or destroyed by not later
21 than 3 years after the date of issuance of
22 the lease.

23 (F) ROYALTY RATE.—The Secretary shall
24 develop a minimum bid, as the Secretary deter-

1 mines to be necessary, and royalty rate for
2 leases under this paragraph.

3 (d) SEQUESTRATION.—If, by not later than 4 years
4 after the date of completion of the inventory under sub-
5 section (b), any significant fugitive methane emissions are
6 not leased under subsection (c)(3), the Secretary shall,
7 subject to the availability of appropriations and in accord-
8 ance with applicable law, take all reasonable measures—

9 (1) to provide incentives for new leases under
10 subsection (c)(3);

11 (2) to cap those fugitive methane emissions at
12 the source in any case in which the cap will result
13 in the long-term sequestration of all or a significant
14 portion of the fugitive methane emissions; or

15 (3) to destroy the fugitive methane emissions, if
16 incentivizing leases under paragraph (1) or seques-
17 tration under paragraph (2) is not feasible, with pri-
18 ority for locations that destroy the greatest quantity
19 of fugitive methane emissions at the lowest cost.

20 (e) REPORT TO CONGRESS.—Not later than 4 years
21 after the date of enactment of this Act the Secretary shall
22 submit to the Committee on Energy and Natural Re-
23 sources of the Senate and the Committee on Natural Re-
24 sources of the House of Representatives a report detail-
25 ing—

1 (1) the economic and environmental impacts of
2 the pilot program, including information on in-
3 creased royalties and estimates of avoided green-
4 house gas emissions; and

5 (2) any recommendations of the Secretary on
6 whether the pilot program could be expanded to in-
7 clude—

8 (A) other significant sources of emissions
9 of fugitive methane located outside the bound-
10 aries of the area depicted as “Fugitive Coal
11 Mine Methane Use Pilot Program Area” on the
12 pilot program map; and

13 (B) the leasing of natural methane seeps
14 under the activities authorized pursuant to sub-
15 section (c)(3).

16 **SEC. 306. EFFECT.**

17 Except as expressly provided in this title, nothing in
18 this title—

19 (1) expands, diminishes, or impairs any valid
20 existing mineral leases, mineral interest, or other
21 property rights wholly or partially within the
22 Thompson Divide Withdrawal and Protection Area,
23 including access to the leases, interests, rights, or
24 land in accordance with applicable Federal, State,
25 and local laws (including regulations);

1 (2) prevents the capture of methane from any
2 active, inactive, or abandoned coal mine covered by
3 this title, in accordance with applicable laws; or

4 (3) prevents access to, or the development of,
5 any new or existing coal mine or lease in Delta or
6 Gunnison County in the State.

7 **TITLE IV—CURECANTI**
8 **NATIONAL RECREATION AREA**

9 **SEC. 401. DEFINITIONS.**

10 In this title:

11 (1) MAP.—The term “map” means the map en-
12 titled “Curecanti National Recreation Area, Pro-
13 posed Boundary”, numbered 616/100,485D, and
14 dated April 25, 2022.

15 (2) NATIONAL RECREATION AREA.—The term
16 “National Recreation Area” means the Curecanti
17 National Recreation Area established by section
18 402(a).

19 (3) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior.

21 **SEC. 402. CURECANTI NATIONAL RECREATION AREA.**

22 (a) ESTABLISHMENT.—Effective beginning on the
23 earlier of the date on which the Secretary approves a re-
24 quest under subsection (c)(2)(B)(i)(I) and the date that
25 is 1 year after the date of enactment of this Act, there

1 shall be established as a unit of the National Park System
2 the Curecanti National Recreation Area, in accordance
3 with this Act, consisting of approximately 50,300 acres of
4 land in the State, as generally depicted on the map as
5 “Curecanti National Recreation Area Proposed Bound-
6 ary”.

7 (b) AVAILABILITY OF MAP.—The map shall be on file
8 and available for public inspection in the appropriate of-
9 fices of the National Park Service.

10 (c) ADMINISTRATION.—

11 (1) IN GENERAL.—The Secretary shall admin-
12 ister the National Recreation Area in accordance
13 with—

14 (A) this title; and

15 (B) the laws (including regulations) gen-
16 erally applicable to units of the National Park
17 System, including section 100101(a), chapter
18 1003, and sections 100751(a), 100752,
19 100753, and 102101 of title 54, United States
20 Code.

21 (2) DAM, POWER PLANT, AND RESERVOIR MAN-
22 AGEMENT AND OPERATIONS.—

23 (A) IN GENERAL.—Nothing in this title af-
24 fects or interferes with the authority of the Sec-
25 retary—

1 (i) to operate the Uncompahgre Valley
2 Reclamation Project under the reclamation
3 laws;

4 (ii) to operate the Wayne N. Aspinall
5 Unit of the Colorado River Storage Project
6 under the Act of April 11, 1956 (com-
7 monly known as the “Colorado River Stor-
8 age Project Act”) (43 U.S.C. 620 et seq.);
9 or

10 (iii) under the Federal Water Project
11 Recreation Act (16 U.S.C. 4601–12 et
12 seq.).

13 (B) RECLAMATION LAND.—

14 (i) SUBMISSION OF REQUEST TO RE-
15 TAIN ADMINISTRATIVE JURISDICTION.—If,
16 before the date that is 1 year after the
17 date of enactment of this Act, the Commis-
18 sioner of Reclamation submits to the Sec-
19 retary a request for the Commissioner of
20 Reclamation to retain administrative juris-
21 diction over the minimum quantity of land
22 within the land identified on the map as
23 “Lands withdrawn or acquired for Bureau
24 of Reclamation projects” that the Commis-
25 sioner of Reclamation identifies as nec-

1 essary for the effective operation of Bu-
2 reau of Reclamation water facilities, the
3 Secretary may—

4 (I) approve, approve with modi-
5 fications, or disapprove the request;
6 and

7 (II) if the request is approved
8 under subclause (I), make any modi-
9 fications to the map that are nec-
10 essary to reflect that the Commis-
11 sioner of Reclamation retains manage-
12 ment authority over the minimum
13 quantity of land required to fulfill the
14 reclamation mission.

15 (ii) TRANSFER OF LAND.—

16 (I) IN GENERAL.—Administrative
17 jurisdiction over the land identified on
18 the map as “Lands withdrawn or ac-
19 quired for Bureau of Reclamation
20 projects”, as modified pursuant to
21 clause (i)(II), if applicable, shall be
22 transferred from the Commissioner of
23 Reclamation to the Director of the
24 National Park Service by not later

1 than the date that is 1 year after the
2 date of enactment of this Act.

3 (II) ACCESS TO TRANSFERRED
4 LAND.—

5 (aa) IN GENERAL.—Subject
6 to item (bb), the Commissioner
7 of Reclamation shall retain ac-
8 cess to the land transferred to
9 the Director of the National Park
10 Service under subclause (I) for
11 reclamation purposes, including
12 for the operation, maintenance,
13 and expansion or replacement of
14 facilities.

15 (bb) MEMORANDUM OF UN-
16 DERSTANDING.—The terms of
17 the access authorized under item
18 (aa) shall be determined by a
19 memorandum of understanding
20 entered into between the Com-
21 missioner of Reclamation and the
22 Director of the National Park
23 Service not later than 1 year
24 after the date of enactment of
25 this Act.

1 (3) MANAGEMENT AGREEMENTS.—

2 (A) IN GENERAL.—The Secretary may
3 enter into management agreements, or modify
4 management agreements in existence on the
5 date of enactment of this Act, relating to the
6 authority of the Director of the National Park
7 Service, the Commissioner of Reclamation, the
8 Director of the Bureau of Land Management,
9 or the Chief of the Forest Service to manage
10 Federal land within or adjacent to the boundary
11 of the National Recreation Area.

12 (B) STATE LAND.—The Secretary may
13 enter into cooperative management agreements
14 for any land administered by the State that is
15 within or adjacent to the National Recreation
16 Area, in accordance with the cooperative man-
17 agement authority under section 101703 of title
18 54, United States Code.

19 (4) RECREATIONAL ACTIVITIES.—

20 (A) AUTHORIZATION.—Except as provided
21 in subparagraph (B), the Secretary shall allow
22 boating, boating-related activities, hunting, and
23 fishing in the National Recreation Area in ac-
24 cordance with applicable Federal and State
25 laws.

1 (B) CLOSURES; DESIGNATED ZONES.—

2 (i) IN GENERAL.—The Secretary, act-
3 ing through the Superintendent of the Na-
4 tional Recreation Area, may designate
5 zones in which, and establish periods dur-
6 ing which, no boating, hunting, or fishing
7 shall be permitted in the National Recre-
8 ation Area under subparagraph (A) for
9 reasons of public safety, administration, or
10 compliance with applicable laws.

11 (ii) CONSULTATION REQUIRED.—Ex-
12 cept in the case of an emergency, any clo-
13 sure proposed by the Secretary under
14 clause (i) shall not take effect until after
15 the date on which the Superintendent of
16 the National Recreation Area consults
17 with—

18 (I) the appropriate State agency
19 responsible for hunting and fishing
20 activities; and

21 (II) the Board of County Com-
22 missioners in each county in which
23 the zone is proposed to be designated.

24 (5) LANDOWNER ASSISTANCE.—On the written
25 request of an individual that owns private land lo-

1 cated within the area generally depicted as “Con-
2 servation Opportunity Area” on the map entitled
3 “Preferred Alternative” in the document entitled
4 “Report to Congress: Curecanti Special Resource
5 Study” and dated June 2009, the Secretary may
6 work in partnership with the individual to enhance
7 the long-term conservation of natural, cultural, rec-
8 reational, and scenic resources in and around the
9 National Recreation Area—

10 (A) by acquiring all or a portion of the pri-
11 vate land or interests in private land within the
12 Conservation Opportunity Area by purchase, ex-
13 change, or donation, in accordance with section
14 403;

15 (B) by providing technical assistance to the
16 individual, including cooperative assistance;

17 (C) through available grant programs; and

18 (D) by supporting conservation easement
19 opportunities.

20 (6) INCORPORATION OF ACQUIRED LAND AND
21 INTERESTS.—Any land or interest in land acquired
22 by the United States under paragraph (5) shall—

23 (A) become part of the National Recre-
24 ation Area; and

1 (B) be managed in accordance with this
2 title.

3 (7) WITHDRAWAL.—Subject to valid existing
4 rights, all Federal land within the National Recre-
5 ation Area, including land acquired pursuant to this
6 section, is withdrawn from—

7 (A) entry, appropriation, and disposal
8 under the public land laws;

9 (B) location, entry, and patent under the
10 mining laws; and

11 (C) operation of the mineral leasing, min-
12 eral materials, and geothermal leasing laws.

13 (8) GRAZING.—

14 (A) STATE LAND SUBJECT TO A STATE
15 GRAZING LEASE.—

16 (i) IN GENERAL.—If State land ac-
17 quired under this title is subject to a State
18 grazing lease in effect on the date of acqui-
19 sition, the Secretary shall allow the grazing
20 to continue for the remainder of the term
21 of the lease, subject to the related terms
22 and conditions of user agreements, includ-
23 ing permitted stocking rates, grazing fee
24 levels, access rights, and ownership and
25 use of range improvements.

1 (ii) ACCESS.—A lessee of State land
2 may continue to use established routes
3 within the National Recreation Area to ac-
4 cess State land for purposes of admin-
5 istering the lease if the use was permitted
6 before the date of enactment of this Act,
7 subject to such terms and conditions as the
8 Secretary may require.

9 (B) STATE AND PRIVATE LAND.—The Sec-
10 retary may, in accordance with applicable laws,
11 authorize grazing on land acquired from the
12 State or private landowners under section 403,
13 if grazing was established before the date of ac-
14 quisition.

15 (C) PRIVATE LAND.—On private land ac-
16 quired under section 403 for the National
17 Recreation Area on which authorized grazing is
18 occurring before the date of enactment of this
19 Act, the Secretary, in consultation with the les-
20 see, may allow the continuation and renewal of
21 grazing on the land based on the terms of ac-
22 quisition or by agreement between the Secretary
23 and the lessee, subject to applicable law (includ-
24 ing regulations).

1 (D) FEDERAL LAND.—The Secretary
2 shall—

3 (i) allow, consistent with the grazing
4 leases, uses, and practices in effect as of
5 the date of enactment of this Act, the con-
6 tinuation and renewal of grazing on Fed-
7 eral land located within the boundary of
8 the National Recreation Area on which
9 grazing is allowed before the date of enact-
10 ment of this Act, unless the Secretary de-
11 termines that grazing on the Federal land
12 would present unacceptable impacts (as de-
13 fined in section 1.4.7.1 of the National
14 Park Service document entitled “Manage-
15 ment Policies 2006: The Guide to Man-
16 aging the National Park System”) to the
17 natural, cultural, recreational, and scenic
18 resource values and the character of the
19 land within the National Recreation Area;
20 and

21 (ii) retain all authorities to manage
22 grazing in the National Recreation Area.

23 (E) TERMINATION OF LEASES.—Within
24 the National Recreation Area, the Secretary
25 may—

1 (i) accept the voluntary termination of
2 a lease or permit for grazing; or

3 (ii) in the case of a lease or permit va-
4 cated for a period of 3 or more years, ter-
5 minate the lease or permit.

6 (9) WATER RIGHTS.—Nothing in this title—

7 (A) affects any use or allocation in exist-
8 ence on the date of enactment of this Act of
9 any water, water right, or interest in water;

10 (B) affects any vested absolute or decreed
11 conditional water right in existence on the date
12 of enactment of this Act, including any water
13 right held by the United States;

14 (C) affects any interstate water compact in
15 existence on the date of enactment of this Act;

16 (D) shall be considered to be a relinquish-
17 ment or reduction of any water right reserved
18 or appropriated by the United States in the
19 State on or before the date of enactment of this
20 Act; or

21 (E) constitutes an express or implied Fed-
22 eral reservation of any water or water rights
23 with respect to the National Recreation Area.

24 (10) FISHING EASEMENTS.—

1 (A) IN GENERAL.—Nothing in this title di-
2 minishes or alters the fish and wildlife program
3 for the Aspinall Unit developed under section 8
4 of the Act of April 11, 1956 (commonly known
5 as the “Colorado River Storage Project Act”)
6 (70 Stat. 110, chapter 203; 43 U.S.C. 620g),
7 by the United States Fish and Wildlife Service,
8 the Bureau of Reclamation, and the Colorado
9 Division of Wildlife (including any successor in
10 interest to that division) that provides for the
11 acquisition of public access fishing easements as
12 mitigation for the Aspinall Unit (referred to in
13 this paragraph as the “program”).

14 (B) ACQUISITION OF FISHING EASE-
15 MENTS.—The Secretary shall continue to fulfill
16 the obligation of the Secretary under the pro-
17 gram to acquire 26 miles of class 1 public fish-
18 ing easements to provide to sportsmen access
19 for fishing within the Upper Gunnison Basin
20 upstream of the Aspinall Unit, subject to the
21 condition that no existing fishing access down-
22 stream of the Aspinall Unit shall be counted to-
23 ward the minimum mileage requirement under
24 the program.

1 (C) PLAN.—Not later than 1 year after
2 the date of enactment of this Act, the Secretary
3 shall develop a plan for fulfilling the obligation
4 of the Secretary described in subparagraph (B)
5 by the date that is 10 years after the date of
6 enactment of this Act.

7 (D) REPORTS.—Not later than each of 2
8 years, 5 years, and 8 years after the date of en-
9 actment of this Act, the Secretary shall submit
10 to Congress a report that describes the progress
11 made in fulfilling the obligation of the Secretary
12 described in subparagraph (B).

13 (d) TRIBAL RIGHTS AND USES.—

14 (1) TREATY RIGHTS.—Nothing in this title af-
15 fects the treaty rights of any Indian Tribe.

16 (2) TRADITIONAL TRIBAL USES.—Subject to
17 any terms and conditions as the Secretary deter-
18 mines to be necessary and in accordance with appli-
19 cable law, the Secretary shall allow for the continued
20 use of the National Recreation Area by members of
21 Indian Tribes—

22 (A) for traditional ceremonies; and

23 (B) as a source of traditional plants and
24 other materials.

1 **SEC. 403. ACQUISITION OF LAND; BOUNDARY MANAGE-**
2 **MENT.**

3 (a) ACQUISITION.—

4 (1) IN GENERAL.—The Secretary may acquire
5 any land or interest in land within the boundary of
6 the National Recreation Area.

7 (2) MANNER OF ACQUISITION.—

8 (A) IN GENERAL.—Subject to subpara-
9 graph (B), land described in paragraph (1) may
10 be acquired under this subsection by—

11 (i) donation;

12 (ii) purchase from willing sellers with
13 donated or appropriated funds;

14 (iii) transfer from another Federal
15 agency; or

16 (iv) exchange.

17 (B) STATE LAND.—Land or interests in
18 land owned by the State or a political subdivi-
19 sion of the State may only be acquired by pur-
20 chase, donation, or exchange.

21 (b) TRANSFER OF ADMINISTRATIVE JURISDIC-
22 TION.—

23 (1) FOREST SERVICE LAND.—

24 (A) IN GENERAL.—Administrative jurisdic-
25 tion over the approximately 2,500 acres of land
26 identified on the map as “U.S. Forest Service

1 proposed transfer to the National Park Service”
2 is transferred to the Secretary, to be adminis-
3 tered by the Director of the National Park
4 Service as part of the National Recreation
5 Area.

6 (B) BOUNDARY ADJUSTMENT.—The
7 boundary of the Gunnison National Forest shall
8 be adjusted to exclude the land transferred to
9 the Secretary under subparagraph (A).

10 (2) BUREAU OF LAND MANAGEMENT LAND.—
11 Administrative jurisdiction over the approximately
12 6,100 acres of land identified on the map as “Bu-
13 reau of Land Management proposed transfer to Na-
14 tional Park Service” is transferred from the Director
15 of the Bureau of Land Management to the Director
16 of the National Park Service, to be administered as
17 part of the National Recreation Area.

18 (3) WITHDRAWAL.—Administrative jurisdiction
19 over the land identified on the map as “Proposed for
20 transfer to the Bureau of Land Management, sub-
21 ject to the revocation of Bureau of Reclamation
22 withdrawal” shall be transferred to the Director of
23 the Bureau of Land Management on relinquishment
24 of the land by the Bureau of Reclamation and rev-

1 location by the Bureau of Land Management of any
2 withdrawal as may be necessary.

3 (c) POTENTIAL LAND EXCHANGE.—

4 (1) IN GENERAL.—The withdrawal for reclama-
5 tion purposes of the land identified on the map as
6 “Potential exchange lands” shall be relinquished by
7 the Commissioner of Reclamation and revoked by
8 the Director of the Bureau of Land Management
9 and the land shall be transferred to the National
10 Park Service.

11 (2) EXCHANGE; INCLUSION IN NATIONAL
12 RECREATION AREA.—On transfer of the land de-
13 scribed in paragraph (1), the transferred land—

14 (A) may be exchanged by the Secretary for
15 private land described in section 402(c)(5)—

16 (i) subject to a conservation easement
17 remaining on the transferred land, to pro-
18 tect the scenic resources of the transferred
19 land; and

20 (ii) in accordance with the laws (in-
21 cluding regulations) and policies governing
22 National Park Service land exchanges; and

23 (B) if not exchanged under subparagraph
24 (A), shall be added to, and managed as a part
25 of, the National Recreation Area.

1 (d) ADDITION TO NATIONAL RECREATION AREA.—
2 Any land within the boundary of the National Recreation
3 Area that is acquired by the United States shall be added
4 to, and managed as a part of, the National Recreation
5 Area.

6 **SEC. 404. GENERAL MANAGEMENT PLAN.**

7 Not later than 3 years after the date on which funds
8 are made available to carry out this title, the Director of
9 the National Park Service, in consultation with the Com-
10 missioner of Reclamation, shall prepare a general manage-
11 ment plan for the National Recreation Area in accordance
12 with section 100502 of title 54, United States Code.

13 **SEC. 405. BOUNDARY SURVEY.**

14 The Secretary (acting through the Director of the
15 National Park Service) shall prepare a boundary survey
16 and legal description of the National Recreation Area.

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