AMENDMENT TO RULES COMMITTEE

PRINT 118–10

OFFERED BY MR. NEGUSE OF COLORADO

At the end of the bill, add the following:

DIVISION E—COLORADO OUT-DOOR RECREATION AND ECONOMY ACT

SEC. 5001. DEFINITION OF STATE.

In this division, the term “State” means the State of Colorado.

TITLE I—CONTINENTAL DIVIDE

SEC. 5101. DEFINITIONS.

In this title:

(1) COVERED AREA.—The term “covered area” means any area designated as wilderness by the amendments to section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) made by section 5102(a).

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

(3) WILDLIFE CONSERVATION AREA.—The term “Wildlife Conservation Area” means, as applicable—
(A) the Porcupine Gulch Wildlife Conservation Area designated by section 5104(a);

(B) the Williams Fork Mountains Wildlife Conservation Area designated by section 5105(a); and

(C) the Spraddle Creek Wildlife Conservation Area designated by section 5106(a).

SEC. 5102. COLORADO WILDERNESS ADDITIONS.

(a) DESIGNATION.—Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) is amended—

(1) in paragraph (18), by striking “1993,” and inserting “1993, and certain Federal land within the White River National Forest that comprises approximately 6,896 acres, as generally depicted as ‘Proposed Ptarmigan Peak Wilderness Additions’ on the map entitled ‘Proposed Ptarmigan Peak Wilderness Additions’ and dated June 24, 2019,”; and

(2) by adding at the end the following:

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

“(24) HOOSIER RIDGE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 5,235 acres, as generally depicted as ‘Proposed Hoosier Ridge Wilderness’ on the map entitled ‘Tenmile Proposal’ and dated April 22, 2022, which shall be known as the ‘Hoosier Ridge Wilderness’.

“(25) TENMILE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 7,624 acres, as generally depicted as ‘Proposed Tenmile Wilderness’ on the map entitled ‘Tenmile Proposal’ and dated May 1, 2023, which shall be known as the ‘Tenmile Wilderness’.

“(26) EAGLES NEST WILDERNESS ADDITIONS.—Certain Federal land within the White River National Forest that comprises approximately 7,634 acres, as generally depicted as ‘Proposed Freeman Creek Wilderness Addition’ and ‘Proposed Spraddle Creek Wilderness Addition’ on the map entitled ‘Eagles Nest Wilderness Additions Proposal’
and dated April 26, 2022, which shall be incorporated into, and managed as part of, the Eagles Nest Wilderness designated by Public Law 94–352 (90 Stat. 870).”.

(b) APPLICABLE LAW.—Any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act for purposes of administering a covered area.

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

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

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

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

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

SEC. 5103. WILLIAMS FORK MOUNTAINS POTENTIAL WILDERNESS.

(a) Designation.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land in the White River National Forest in the State, comprising approximately 8,036 acres, as generally depicted as “Proposed Williams Fork Mountains Wilderness” on the map entitled “Williams Fork Mountains Proposal” and dated June 24, 2019, is designated as a potential wilderness area.

(b) Management.—Subject to valid existing rights and except as provided in subsection (d), the potential wilderness area designated by subsection (a) shall be managed in accordance with—
(1) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) this section.

(c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

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

(A) the “Big Hole Allotment”; and

(B) the “Blue Ridge Allotment”.

(2) MODIFICATION OF ALLOTMENTS.—In publishing a determination pursuant to paragraph (1), the Secretary may modify or combine the vacant allotments referred to in that paragraph.

(3) PERMIT OR OTHER AUTHORIZATION.—Not later than 1 year after the date on which a determination of the Secretary to authorize livestock grazing or other use by livestock is published under paragraph (1), if applicable, the Secretary shall grant a permit or other authorization for that livestock grazing or other use in accordance with applicable laws (including regulations).

(d) RANGE IMPROVEMENTS.—
(1) IN GENERAL.—If the Secretary permits livestock grazing or other use by livestock on the potential wilderness area under subsection (c), the Secretary, or a third party authorized by the Secretary, may use motorized or mechanized transport or equipment for purposes of constructing or rehabilitating such range improvements as are necessary to obtain appropriate livestock management objectives (including habitat and watershed restoration).

(2) TERMINATION OF AUTHORITY.—The authority provided by this subsection terminates on the date that is 2 years after the date on which the Secretary publishes a positive determination under subsection (c)(3).

(e) DESIGNATION AS WILDERNESS.—

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

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

(B) on the earliest of—

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

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

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

(2) ADMINISTRATION.—Subject to valid existing
rights, the Secretary shall manage the Williams
Fork Mountains Wilderness in accordance with the
note; Public Law 103–77), except that any reference
in that Act to the effective date of that Act shall be
considered to be a reference to the date on which the
Williams Fork Mountains Wilderness is designated
in accordance with paragraph (1).

SEC. 5104. PORCUPINE GULCH WILDLIFE CONSERVATION
AREA.

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

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

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

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

(c) MANAGEMENT.—

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

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

(B) in accordance with—

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

(ii) any other applicable laws (includ-
ing regulations); and
(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) RECREATION.—The Secretary may permit such recreational activities in the Wildlife Conservation Area that the Secretary determines are consistent with the purposes described in subsection (b).

(C) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT; NEW OR TEMPORARY ROADS.—

(i) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—Except as provided in clause (iii), the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area shall be prohibited.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii) and subsection (e), no new or temporary road shall
be constructed within the Wildlife Conservation Area.

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

(I) authorizing the use of motorized vehicles or mechanized transport for administrative purposes;

(II) constructing temporary roads or permitting the use of motorized vehicles or mechanized transport to carry out pre- or post-fire watershed protection projects;

(III) authorizing the use of motorized vehicles or mechanized transport to carry out activities described in subsection (d) or (e); or

(IV) responding to an emergency.

(D) COMMERCIAL TIMBER.—

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

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

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) REGIONAL TRANSPORTATION PROJECTS.—Nothing in this section or section 5110(f) precludes the Secretary from authorizing, in accordance with applicable laws (including regulations) and subject to valid existing rights, the use of the subsurface of the Wildlife Conservation Area to construct, realign, operate, or maintain regional transportation projects, including Interstate 70 and the Eisenhower-Johnson Tunnels.

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

SEC. 5105. WILLIAMS FORK MOUNTAINS WILDLIFE CONSERVATION AREA.

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

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

(c) MANAGEMENT.—

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

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

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—
(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES.—

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

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary road shall be constructed in the Wildlife Conservation Area.

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

(I) authorizing the use of motorized vehicles for administrative purposes;

(II) authorizing the use of motorized vehicles to carry out activities described in subsection (d); or

(III) responding to an emergency.
(C) Bicycles.—The use of bicycles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(D) Commercial timber.—

(i) In general.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

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

(E) Grazing.—The laws (including regulations) and policies followed by the Secretary in issuing and administering grazing permits or leases on land under the jurisdiction of the Secretary shall continue to apply with regard to the land in the Wildlife Conservation Area, consistent with the purposes described in subsection (b).

(d) Fire, Insects, and Diseases.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to manage wildland fire and treat
hazardous fuels, insects, and diseases in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

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

SEC. 5106. SPRADDLE CREEK WILDLIFE CONSERVATION AREA.

(a) DESIGNATION.—Subject to valid existing rights, the approximately 2,674 acres of Federal land in the White River National Forest in the State, as generally depicted as “Proposed Spraddle Creek Wildlife Conservation Area” on the map entitled “Eagles Nest Wilderness Additions Proposal” and dated April 26, 2022, are designated as the “Spraddle Creek Wildlife Conservation Area” (referred to in this section as the “Wildlife Conservation Area”).

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, recreational, and ecological resources of the Wildlife Conservation Area.

(e) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—
(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this title.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—Except as necessary for administrative purposes or to respond to an emergency, the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area shall be prohibited.

(C) ROADS.—
(i) IN GENERAL.—Except as provided in clause (ii), no road shall be constructed in the Wildlife Conservation Area.

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

(I) constructing a temporary road as the Secretary determines to be necessary as a minimum requirement for carrying out a vegetation management project in the Wildlife Conservation Area; or

(II) responding to an emergency.

(iii) DECOMMISSIONING OF TEMPORARY ROADS.—Not later than 3 years after the date on which the applicable vegetation management project is completed, the Secretary shall decommission any temporary road constructed under clause (ii)(I) for the applicable vegetation management project.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.
(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized in the Wildlife Conservation Area under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

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

SEC. 5107. SANDY TREAT OVERLOOK.

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

SEC. 5108. WHITE RIVER NATIONAL FOREST BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the White River National Forest is modified to include the approximately
120 acres comprised of the SW¼, the SE¼, and the NE¼ of the SE¼ of sec. 1, T. 2 S., R. 80 W., 6th Principal Meridian, in Summit County in the State.

(b) Land and Water Conservation Fund.—For purposes of section 200306 of title 54, United States Code, the boundaries of the White River National Forest, as modified by subsection (a), shall be considered to be the boundaries of the White River National Forest as in existence on January 1, 1965.

SEC. 5109. ROCKY MOUNTAIN NATIONAL PARK POTENTIAL WILDERNESS BOUNDARY ADJUSTMENT.

(a) Purpose.—The purpose of this section is to provide for the ongoing maintenance and use of portions of the Trail River Ranch and the associated property located within Rocky Mountain National Park in Grand County in the State.

(b) Boundary Adjustment.—Section 1952(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1070) is amended by adding at the end the following:

“(3) Boundary Adjustment.—The boundary of the Potential Wilderness is modified to exclude the area comprising approximately 15.5 acres of land identified as ‘Potential Wilderness to Non-wilderness’ on the map entitled ‘Rocky Mountain Na-
tional Park Proposed Wilderness Area Amendment’ and dated January 16, 2018.”.

SEC. 5110. ADMINISTRATIVE PROVISIONS.

(a) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this title or an amendment made by this title establishes a protective perimeter or buffer zone around—

(A) a covered area;

(B) a wilderness area or potential wilderness area designated by section 5103; or

(C) a Wildlife Conservation Area.

(2) OUTSIDE ACTIVITIES.—The fact that a non-wilderness activity or use on land outside of an area described in paragraph (1) can be seen or heard from within the applicable area described in paragraph (1) shall not preclude the activity or use outside the boundary of the applicable area described in paragraph (1).

(c) TRIBAL RIGHTS AND USES.—

(1) TREATY RIGHTS.—Nothing in this title affects the treaty rights of an Indian Tribe.
(2) TRADITIONAL TRIBAL USES.—Subject to any terms and conditions that the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the areas described in subsection (b)(1) by members of Indian Tribes—

(A) for traditional ceremonies; and

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

(d) MAPS AND LEGAL DESCRIPTIONS.—

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

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

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

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

(A) correct any typographical errors in the maps and legal descriptions; and
(B) in consultation with the State, make
minor adjustments to the boundaries of the
Porcupine Gulch Wildlife Conservation Area
designated by section 5104(a) and the Williams
Fork Mountains Wildlife Conservation Area
designated by section 5105(a) to account for
potential highway or multimodal transportation
system construction, safety measures, mainte-
nance, realignment, or widening.

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

(e) **ACQUISITION OF LAND.**—

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

(2) **MANAGEMENT.**—Any land or interest in
land acquired under paragraph (1) shall be incor-
porated into, and administered as a part of, the wil-
derness area or Wildlife Conservation Area, as appli-
cable, in which the land or interest in land is lo-
cated.
(f) WITHDRAWAL.—Subject to valid existing rights, the areas described in subsection (b)(1) are withdrawn from—

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

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

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

(g) MILITARY OVERFLIGHTS.—Nothing in this title or an amendment made by this title restricts or precludes—

(1) any low-level overflight of military aircraft over any area subject to this title or an amendment made by this title, including military overflights that can be seen, heard, or detected within such an area;

(2) flight testing or evaluation over an area described in paragraph (1); or

(3) the use or establishment of—

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

(B) any military flight training or transportation over such an area.

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

TITLE II—SAN JUAN MOUNTAINS

SEC. 5201. DEFINITIONS.

In this title:

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

(A) land designated as wilderness under
paragraphs (27) through (29) of section 2(a) of
the Colorado Wilderness Act of 1993 (16
U.S.C. 1132 note; Public Law 103–77) (as
added by section 5202); and

(B) a Special Management Area.

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

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

(A) the Sheep Mountain Special Manage-
ment Area designated by section 5203(a)(1); and

(B) the Liberty Bell East Special Manage-
ment Area designated by section 5203(a)(2).
SEC. 5202. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as amended by section 5102(a)(2)) is amended by adding at the end the following:

“(27) LIZARD HEAD WILDERNESS ADDITION.—

Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 3,141 acres, as generally depicted on the map entitled ‘Proposed Wilson, Sunshine, Black Face and San Bernardo Additions to the Lizard Head Wilderness’ and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Lizard Head Wilderness.

“(28) MOUNT SNEFFELS WILDERNESS ADDITIONS.—

“(A) LIBERTY BELL AND LAST DOLLAR ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 7,235 acres, as generally depicted on the map entitled ‘Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area’ and dated September 6, 2018, which is incorporated in,
and shall be administered as part of, the Mount Sneffels Wilderness.

“(B) WHITEHOUSE ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 12,465 acres, as generally depicted on the map entitled ‘Proposed Whitehouse Additions to the Mt. Sneffels Wilderness’ and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

“(29) McKENNA PEAK WILDERNESS.—Certain Federal land in the State of Colorado comprising approximately 8,884 acres of Bureau of Land Management land, as generally depicted on the map entitled ‘Proposed McKenna Peak Wilderness Area’ and dated September 18, 2018, to be known as the ‘McKenna Peak Wilderness’.”.

SEC. 5203. SPECIAL MANAGEMENT AREAS.

(a) DESIGNATION.—

(1) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison and San Juan National Forests in the State comprising approximately 21,663 acres, as generally depicted on the map enti-
(2) **LIBERTY BELL EAST SPECIAL MANAGEMENT AREA.**—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests in the State comprising approximately 792 acres, as generally depicted on the map entitled “Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area” and dated September 6, 2018, is designated as the “Liberty Bell East Special Management Area”.

(b) **PURPOSE.**—The purpose of the Special Management Areas is to conserve and protect for the benefit and enjoyment of present and future generations the geological, cultural, archaeological, paleontological, natural, scientific, recreational, wilderness, wildlife, riparian, historical, educational, and scenic resources of the Special Management Areas.

(c) **MANAGEMENT.**—

(1) **IN GENERAL.**—The Secretary shall manage the Special Management Areas in a manner that—
(A) conserves, protects, and enhances the resources and values of the Special Management Areas described in subsection (b);

(B) subject to paragraph (3), maintains or improves the wilderness character of the Special Management Areas and the suitability of the Special Management Areas for potential inclusion in the National Wilderness Preservation System; and

(C) is in accordance with—

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

(ii) this title; and

(iii) any other applicable laws.

(2) PROHIBITIONS.—The following shall be prohibited in the Special Management Areas:

(A) Permanent roads.

(B) Except as necessary to meet the minimum requirements for the administration of the Federal land, to provide access for abandoned mine cleanup, and to protect public health and safety—

(i) the use of motor vehicles, motorized equipment, or mechanical transport

...
(other than as provided in paragraph (3));

and

(ii) the establishment of temporary roads.

(3) AUTHORIZED ACTIVITIES.—

(A) IN GENERAL.—The Secretary may allow any activities (including helicopter access for recreation and maintenance and the competitive running event permitted since 1992) that have been authorized by permit or license as of the date of enactment of this Act to continue within the Special Management Areas, subject to such terms and conditions as the Secretary may require.

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

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

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

(ii) the portion of the Liberty Bell East Special Management Area identified as ‘‘Liberty Bell Corridor’’ on the map entitled ‘‘Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area’’ and dated September 6, 2018.

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

(1) any reference contained in that section to ‘‘the lands designated as wilderness by this Act’’, ‘‘the Piedra, Roubideau, and Tabeguache areas identified in section 9 of this Act, or the Bowen Gulch Protection Area or the Fossil Ridge Recreation Management Area identified in sections 5 and 6 of this Act’’, or ‘‘the areas described in sections 2, 5, 6, and 9 of this Act’’ shall be considered to be a reference to ‘‘the Special Management Areas’’; and

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

(c) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA

NORDIC SKI SAFETY STUDY.—

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

(2) REQUIREMENT.—In conducting the study under paragraph (1), the Secretary, in coordination with San Miguel County in the State, the State Department of Transportation, and other interested stakeholders, shall identify a range of reasonable actions that could be taken by the Secretary to provide or facilitate off-highway parking areas along State Highway 145 to facilitate safe access for Nordic skiing in the vicinity of the Sheep Mountain Special Management Area.

SEC. 5204. RELEASE OF WILDERNESS STUDY AREAS.

(a) DOMINGUEZ CANYON WILDERNESS STUDY AREA.—Subtitle E of title II of Public Law 111–11 is amended—
(1) by redesignating section 2408 (16 U.S.C.
460zzz–7) as section 2409; and
(2) by inserting after section 2407 (16 U.S.C.
460zzz–6) the following:

“SEC. 2408. RELEASE.

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

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

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

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

(b) McKenna Peak Wilderness Study Area.—

(1) In general.—Congress finds that, for the
purposes of section 603(c) of the Federal Land Pol-
icy and Management Act of 1976 (43 U.S.C.
1782(c)), the portions of the McKenna Peak Wilder-
ness Study Area in San Miguel County in the State
not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202) have been adequately studied for wilderness designation.

(2) RELEASE.—Any public land referred to in paragraph (1) that is not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202)—

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

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

SEC. 5205. ADMINISTRATIVE PROVISIONS.

(a) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this title establishes a protective perimeter or buffer zone around covered land.

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

(c) Tribal Rights and Uses.—

(1) Treaty Rights.—Nothing in this title affects the treaty rights of any Indian Tribe, including rights under the Agreement of September 13, 1873, ratified by the Act of April 29, 1874 (18 Stat. 36, chapter 136).

(2) Traditional Tribal Uses.—Subject to any terms and conditions as the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the covered land by members of Indian Tribes—

(A) for traditional ceremonies; and

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

(d) Maps and Legal Descriptions.—

(1) In General.—As soon as practicable after the date of enactment of this Act, the Secretary or the Secretary of the Interior, as appropriate, shall file a map and a legal description of each wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993.
(16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202) and the Special Management Areas with—

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

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

(2) Force of Law.—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary or the Secretary of the Interior, as appropriate, may correct any typographical errors in the maps and legal descriptions.

(3) Public Availability.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the Forest Service.

(e) Acquisition of Land.—

(1) In General.—The Secretary or the Secretary of the Interior, as appropriate, may acquire any land or interest in land within the boundaries of a Special Management Area or the wilderness designated under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993
(16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202) by donation, purchase from a willing seller, or exchange.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness or Special Management Area in which the land or interest in land is located.

(f) GRAZING.—The grazing of livestock on covered land, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary with jurisdiction over the covered land, in accordance with—

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

(2) the applicable guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405) or H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(g) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary with jurisdiction over a wilder-
ness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202) may carry out any activity in the wilderness area that the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(h) WITHDRAWAL.—Subject to valid existing rights, the covered land and the approximately 6,590 acres generally depicted on the map entitled “Proposed Naturita Canyon Mineral Withdrawal Area” and dated September 6, 2018, is withdrawn from—

1. entry, appropriation, and disposal under the public land laws;
2. location, entry, and patent under mining laws; and
3. operation of the mineral leasing, mineral materials, and geothermal leasing laws.

TITLE III—THOMPSON DIVIDE

SEC. 5301. PURPOSES.

The purposes of this title are—

1. subject to valid existing rights, to withdraw certain Federal land in the Thompson Divide area from mineral and other disposal laws in order to
protect the agricultural, ranching, wildlife, air quality, recreation, ecological, and scenic values of the area; and

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

SEC. 5302. DEFINITIONS.

In this title:

(1) FUGITIVE METHANE EMISSIONS.—The term “fugitive methane emissions” means methane gas from the Federal land or interests in Federal land in Garfield, Gunnison, Delta, or Pitkin County in the State, within the boundaries of the “Fugitive Coal Mine Methane Use Pilot Program Area”, as generally depicted on the pilot program map, that would leak or be vented into the atmosphere from—

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

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

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

(ii) with respect to which the Federal interest in land includes mineral rights to the methane gas.
1. **Pilot Program.**—The term “pilot program” means the Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program established by section 5305(a)(1).

2. **Pilot Program Map.**—The term “pilot program map” means the map entitled “Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program Area” and dated April 29, 2022.

3. **Secretary.**—The term “Secretary” means the Secretary of the Interior.

4. **Thompson Divide Lease.**—
   
   A) **In General.**—The term “Thompson Divide lease” means any oil or gas lease in effect on the date of enactment of this Act within the Thompson Divide Withdrawal and Protection Area.

   B) **Exclusions.**—The term “Thompson Divide lease” does not include any oil or gas lease that—

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

   (ii) before the date of enactment of this Act, has expired, been cancelled, or otherwise terminated.
(6) **THOMPSON DIVIDE MAP.**—The term “Thompson Divide map” means the map entitled “Greater Thompson Divide Area Map” and dated May 15, 2023.

(7) **THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.**—The term “Thompson Divide Withdrawal and Protection Area” means the Federal land and minerals within the area generally depicted as the “Thompson Divide Withdrawal and Protection Area” on the Thompson Divide map.

(8) **WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHT.**—

(A) **IN GENERAL.**—The term “Wolf Creek Storage Field development right” means a development right for any of the Federal mineral leases numbered COC 0007496, COC 0007497, COC 0007498, COC 0007499, COC 0007500, COC 0007538, COC 0008128, COC 0015373, COC 0128018, COC 0051645, and COC 0051646, as generally depicted on the Thompson Divide map as “Wolf Creek Storage Agreement”.

(B) **EXCLUSIONS.**—The term “Wolf Creek Storage Field development right” does not in-
include any storage right or related activity within the area described in subparagraph (A).

SEC. 5303. THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.

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

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

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

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

(b) SURVEYS.—The exact acreage and legal description of the Thompson Divide Withdrawal and Protection Area shall be determined by surveys approved by the Secretary, in consultation with the Secretary of Agriculture.

(c) GRAZING.—Nothing in this title affects the administration of grazing in the Thompson Divide Withdrawal and Protection Area.

SEC. 5304. THOMPSON DIVIDE LEASE CREDITS.

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

(b) AMOUNT OF CREDITS.—

(1) IN GENERAL.—Subject to paragraph (2), the amount of the credits issued to a leaseholder of a Thompson Divide lease relinquished under subsection (a) shall—

(A) be equal to the sum of—

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

(ii) the amount of any rental paid for the applicable Thompson Divide leases as of the date on which the leaseholder submits to the Secretary a notice of the decision to relinquish the applicable Thompson Divide leases; and

(iii) the amount of any reasonable expenses incurred by the leaseholder of the applicable Thompson Divide leases in the preparation of any drilling permit, sundry notice, or other related submission in support of the development of the applicable Thompson Divide leases as of January 28, 2019, including any expenses relating to the preparation of any analysis under the
National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and
(B) require the approval of the Secretary.

(2) EXCLUSION.—The amount of a credit issued under subsection (a) shall not include any expenses paid by the leaseholder of a Thompson Divide lease for—
(A) legal fees or related expenses for legal work with respect to a Thompson Divide lease; or
(B) any expenses incurred before the issuance of a Thompson Divide lease.

(e) CANCELLATION.—Effective on relinquishment under this section, and without any additional action by the Secretary, a Thompson Divide lease—
(1) shall be permanently cancelled; and
(2) shall not be reissued.

(d) CONDITIONS.—
(1) APPLICABLE LAW.—Except as otherwise provided in this section, each exchange under this section shall be conducted in accordance with—
(A) this title; and
(B) other applicable laws (including regulations).
(2) ACCEPTANCE OF CREDITS.—The Secretary shall accept credits issued under subsection (a) in the same manner as cash for the payments described in that subsection.

(3) APPLICABILITY.—The use of a credit issued under subsection (a) shall be subject to the laws (including regulations) applicable to the payments described in that subsection, to the extent that the laws are consistent with this section.

(4) TREATMENT OF CREDITS.—All amounts in the form of credits issued under subsection (a) accepted by the Secretary shall be considered to be amounts received for the purposes of—

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


(e) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHTS.—

(1) CONVEYANCE TO SECRETARY.—As a condition precedent to the relinquishment of a Thompson Divide lease under this section, any leaseholder with a Wolf Creek Storage Field development right shall permanently relinquish, transfer, and otherwise convey to the Secretary, in a form acceptable to the
Secretary, all Wolf Creek Storage Field development rights of the leaseholder.

(2) CREDITS.—

(A) IN GENERAL.—In consideration for the transfer of development rights under paragraph (1), the Secretary may issue to a leaseholder described in that paragraph credits for any reasonable expenses incurred by the leaseholder in acquiring the Wolf Creek Storage Field development right or in the preparation of any drilling permit, sundry notice, or other related submission in support of the development right as of January 28, 2019, including any reasonable expenses relating to the preparation of any analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

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

(i) the exclusion described in subsection (b)(2);

(ii) the conditions described in subsection (d); and

(iii) the approval of the Secretary.
(3) LIMITATION OF TRANSFER.—Development rights acquired by the Secretary under paragraph (1)—

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

(B) shall not be—
(i) transferred;
(ii) reissued; or
(iii) otherwise used for mineral extraction.

SEC. 5305. GREATER THOMPSON DIVIDE FUGITIVE COAL MINE METHANE USE PILOT PROGRAM.

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

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

(2) PURPOSE.—The purpose of the pilot program is to promote the capture, beneficial use, mitigation, and sequestration of fugitive methane emissions—

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

(3) PLAN.—

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

(i) to complete an inventory of fugitive methane emissions in accordance with subsection (b);

(ii) to provide for the leasing of fugitive methane emissions in accordance with subsection (c); and

(iii) to provide for the capping or destruction of fugitive methane emissions in accordance with subsection (d).

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

(i) the State;

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

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

(iv) interested institutions of higher education in the State; and
(v) interested members of the public.

(b) **Fugitive Methane Emissions Inventory.**—

(1) **In General.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete an inventory of fugitive methane emissions.

(2) **Conduct.**—

(A) **Collaboration.**—The Secretary may conduct the inventory under paragraph (1) through, or in collaboration with—

(i) the Bureau of Land Management;

(ii) the United States Geological Survey;

(iii) the Environmental Protection Agency;

(iv) the United States Forest Service;

(v) State departments or agencies;

(vi) Garfield, Gunnison, Delta, or Pitkin County in the State;

(vii) the Garfield County Federal Mineral Lease District;

(viii) institutions of higher education in the State;

(ix) lessees of Federal coal within a county referred to in subparagraph (F);
(x) the National Oceanic and Atmospheric Administration;

(xi) the National Center for Atmospheric Research; or

(xii) other interested entities, including members of the public.

(B) FEDERAL SPLIT ESTATE.—

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

(ii) LIMITATION.—Nothing in this section requires or authorizes the Secretary to enter or access private land to conduct the inventory under paragraph (1).

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

(A) the general location and geographic coordinates of vents, seeps, or other sources producing significant fugitive methane emissions;

(B) an estimate of the volume and concentration of fugitive methane emissions from each source of significant fugitive methane emissions, including details of measurements taken and the basis for that emissions estimate;
(C) relevant data and other information available from—

   (i) the Environmental Protection Agency;
   
   (ii) the Mine Safety and Health Administration;
   
   (iii) the Colorado Department of Natural Resources;
   
   (iv) the Colorado Public Utility Commission;
   
   (v) the Colorado Department of Health and Environment; and
   
   (vi) the Office of Surface Mining Reclamation and Enforcement; and
   
   (D) such other information as may be useful in advancing the purposes of the pilot program.

(4) Public participation; disclosure.—

   (A) Public participation.—The Secretary shall, as appropriate, provide opportunities for public participation in the conduct of the inventory under paragraph (1).

   (B) Availability.—The Secretary shall make the inventory conducted under paragraph (1) publicly available.
(C) DISCLOSURE.—Nothing in this subsection requires the Secretary to publicly release information that—

(i) poses a threat to public safety;

(ii) is confidential business information; or

(iii) is otherwise protected from public disclosure.

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

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

(B) EFFECT.—Nothing in this section requires the holder of a Federal coal lease to report additional data or information to the Secretary.

(6) USE.—The Secretary shall use the inventory conducted under paragraph (1) in carrying—

(A) the leasing program under subsection (e); and
(B) the capping or destruction of fugitive methane emissions under subsection (d).

(c) FUGITIVE METHANE EMISSIONS LEASING PROGRAM AND SEQUESTRATION.—

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

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

(A) IN GENERAL.—The Secretary shall authorize the holder of a valid existing Federal coal lease for a mine that is producing fugitive methane emissions to capture for use or destroy the fugitive methane emissions.

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

(i) valid existing rights; and

(ii) such terms and conditions as the Secretary may require.

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

(i) endanger the safety of any coal
mine worker; or

(ii) unreasonably interfere with any
ongoing operation at a coal mine.

(D) COOPERATION.—

(i) IN GENERAL.—The Secretary shall
work cooperatively with the holders of valid
existing Federal coal leases for mines that
produce fugitive methane emissions to en-
courage—

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

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

(ii) GUIDANCE.—In support of cooper-
ative efforts with holders of valid existing
Federal coal leases to capture for use or destroy fugitive methane emissions, not later than 1 year after the date of enactment of this Act, the Secretary shall issue guidance to the public for the implementation of authorities and programs to encourage the capture for use and destruction of fugitive methane emissions, while minimizing impacts on natural resources or other public interest values.

(E) ROYALTIES.—The Secretary shall determine whether any fugitive methane emissions used or destroyed pursuant to this paragraph are subject to the payment of a royalty under applicable law.

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

(A) IN GENERAL.—Except as otherwise provided in this section, notwithstanding section 5303 and subject to valid existing rights and any other applicable law, the Secretary shall, for land not subject to a Federal coal lease—

(i) authorize the capture for use or destruction of fugitive methane emissions; and
(ii) make available for leasing such fugitive methane emissions as the Secretary determines to be in the public interest.

(B) SOURCE.—To the extent practicable, the Secretary shall offer for lease, individually or in combination, each significant source of fugitive methane emissions on land not subject to a Federal coal lease.

(C) BID QUALIFICATIONS.—A bid to lease fugitive methane emissions under this paragraph shall specify whether the prospective lessee intends—

(i) to capture the fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, or transforming the fugitive methane emissions into a different marketable material;

(ii) to destroy the fugitive methane emissions; or

(iii) to employ a specific combination of—

(I) capturing the fugitive methane emissions for beneficial use; and
(II) destroying the fugitive methane emissions.

(D) PRIORITY.—

(i) IN GENERAL.—If there is more than 1 qualified bid for a lease under this paragraph, the Secretary shall select the bid that the Secretary determines is likely to most significantly advance the public interest.

(ii) CONSIDERATIONS.—In determining the public interest under clause (i), the Secretary shall take into consideration—

(I) the overall decrease in the fugitive methane emissions;

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

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

(E) LEASE FORM.—

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

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

(F) ROYALTY RATE.—The Secretary shall develop a minimum bid, as the Secretary determines to be necessary, and royalty rate for leases under this paragraph.

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

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

(2) to cap those fugitive methane emissions at the source in any case in which the cap will result in the long-term sequestration of all or a significant portion of the fugitive methane emissions; or
(3) to destroy the fugitive methane emissions, if
incentivizing leases under paragraph (1) or sequestration under paragraph (2) is not feasible, with priority for locations that destroy the greatest quantity of fugitive methane emissions at the lowest cost.

(e) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of this Act the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report detailing—

(1) the economic and environmental impacts of the pilot program, including information on increased royalties and estimates of avoided greenhouse gas emissions; and

(2) any recommendations of the Secretary on whether the pilot program could be expanded to include—

(A) other significant sources of emissions of fugitive methane located outside the boundaries of the area depicted as “Fugitive Coal Mine Methane Use Pilot Program Area” on the pilot program map; and
(B) the leasing of natural methane seeps under the activities authorized pursuant to subsection (c)(3).

SEC. 5306. EFFECT.

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

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

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

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

TITLE IV—CURECANTI NATIONAL RECREATION AREA

SEC. 5401. DEFINITIONS.

In this title:

(1) Map.—The term “map” means the map entitled “Curecanti National Recreation Area, Pro-

(2) NATIONAL RECREATION AREA.—The term “National Recreation Area” means the Curecanti National Recreation Area established by section 5402(a).

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

SEC. 5402. CURECANTI NATIONAL RECREATION AREA.

(a) ESTABLISHMENT.—Effective beginning on the earlier of the date on which the Secretary approves a request under subsection (c)(2)(B)(i)(I) and the date that is 1 year after the date of enactment of this Act, there shall be established as a unit of the National Park System the Curecanti National Recreation Area, in accordance with this Act, consisting of approximately 50,300 acres of land in the State, as generally depicted on the map as “Curecanti National Recreation Area Proposed Boundary”.

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

(e) ADMINISTRATION.—
(1) In general.—The Secretary shall administer the National Recreation Area in accordance with—

(A) this title; and

(B) the laws (including regulations) generally applicable to units of the National Park System, including section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code.

(2) Dam, power plant, and reservoir management and operations.—

(A) In general.—Nothing in this title affects or interferes with the authority of the Secretary—

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

(ii) to operate the Wayne N. Aspinall Unit of the Colorado River Storage Project under the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620 et seq.); or
(iii) under the Federal Water Project Recreation Act (16 U.S.C. 460l–12 et seq.).

(B) Reclamation land.—

(i) Submission of request to retain administrative jurisdiction.—If, before the date that is 1 year after the date of enactment of this Act, the Commissioner of Reclamation submits to the Secretary a request for the Commissioner of Reclamation to retain administrative jurisdiction over the minimum quantity of land within the land identified on the map as “Lands withdrawn or acquired for Bureau of Reclamation projects” that the Commissioner of Reclamation identifies as necessary for the effective operation of Bureau of Reclamation water facilities, the Secretary may—

(I) approve, approve with modifications, or disapprove the request; and

(II) if the request is approved under subclause (I), make any modifications to the map that are nec-
necessary to reflect that the Commissioner of Reclamation retains management authority over the minimum quantity of land required to fulfill the reclamation mission.

(ii) TRANSFER OF LAND.—

(I) IN GENERAL.—Administrative jurisdiction over the land identified on the map as “Lands withdrawn or acquired for Bureau of Reclamation projects”, as modified pursuant to clause (i)(II), if applicable, shall be transferred from the Commissioner of Reclamation to the Director of the National Park Service by not later than the date that is 1 year after the date of enactment of this Act.

(II) ACCESS TO TRANSFERRED LAND.—

(aa) IN GENERAL.—Subject to item (bb), the Commissioner of Reclamation shall retain access to the land transferred to the Director of the National Park Service under subclause (I) for
reclamation purposes, including
for the operation, maintenance,
and expansion or replacement of
facilities.

(bb) **Memorandum of Under-stan-ding.**—The terms of
the access authorized under item
(aa) shall be determined by a
memorandum of understanding
entered into between the Com-
missioner of Reclamation and the
Director of the National Park
Service not later than 1 year
after the date of enactment of
this Act.

(3) **Management Agreements.**—

(A) **In General.**—The Secretary may
enter into management agreements, or modify
management agreements in existence on the
date of enactment of this Act, relating to the
authority of the Director of the National Park
Service, the Commissioner of Reclamation, the
Director of the Bureau of Land Management,
or the Chief of the Forest Service to manage
Federal land within or adjacent to the boundary of the National Recreation Area.

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

(4) RECREATIONAL ACTIVITIES.—

(A) AUTHORIZATION.—Except as provided in subparagraph (B), the Secretary shall allow boating, boating-related activities, hunting, and fishing in the National Recreation Area in accordance with applicable Federal and State laws.

(B) CLOSURES; DESIGNATED ZONES.—

(i) IN GENERAL.—The Secretary, acting through the Superintendent of the National Recreation Area, may designate zones in which, and establish periods during which, no boating, hunting, or fishing shall be permitted in the National Recreation Area under subparagraph (A) for
reasons of public safety, administration, or
compliance with applicable laws.

(ii) Consultation Required.—Except in the case of an emergency, any clo-
sure proposed by the Secretary under clause (i) shall not take effect until after
the date on which the Superintendent of the National Recreation Area consults
with—

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

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

(5) Landowner Assistance.—On the written
request of an individual that owns private land lo-
cated within the area generally depicted as “Con-
servation Opportunity Area” on the map entitled
“Preferred Alternative” in the document entitled
“Report to Congress: Curecanti Special Resource
Study” and dated June 2009, the Secretary may
work in partnership with the individual to enhance
the long-term conservation of natural, cultural, rec-
reational, and scenic resources in and around the National Recreation Area—

(A) by acquiring all or a portion of the private land or interests in private land within the Conservation Opportunity Area by purchase, exchange, or donation, in accordance with section 5403;

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

(C) through available grant programs; and

(D) by supporting conservation easement opportunities.

(6) Incorporation of acquired land and interests.—Any land or interest in land acquired by the United States under paragraph (5) shall—

(A) become part of the National Recreation Area; and

(B) be managed in accordance with this title.

(7) Withdrawal.—Subject to valid existing rights, all Federal land within the National Recreation Area, including land acquired pursuant to this section, is withdrawn from—

(A) entry, appropriation, and disposal under the public land laws;
(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(8) Grazing.—

(A) State land subject to a state grazing lease.—

(i) In general.—If State land acquired under this title is subject to a State grazing lease in effect on the date of acquisition, the Secretary shall allow the grazing to continue for the remainder of the term of the lease, subject to the related terms and conditions of user agreements, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements.

(ii) Access.—A lessee of State land may continue to use established routes within the National Recreation Area to access State land for purposes of administering the lease if the use was permitted before the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.
(B) State and private land.—The Secretary may, in accordance with applicable laws, authorize grazing on land acquired from the State or private landowners under section 5403, if grazing was established before the date of acquisition.

(C) Private land.—On private land acquired under section 5403 for the National Recreation Area on which authorized grazing is occurring before the date of enactment of this Act, the Secretary, in consultation with the lessee, may allow the continuation and renewal of grazing on the land based on the terms of acquisition or by agreement between the Secretary and the lessee, subject to applicable law (including regulations).

(D) Federal land.—The Secretary shall—

(i) allow, consistent with the grazing leases, uses, and practices in effect as of the date of enactment of this Act, the continuation and renewal of grazing on Federal land located within the boundary of the National Recreation Area on which grazing is allowed before the date of enact-
ment of this Act, unless the Secretary de-
determines that grazing on the Federal land
would present unacceptable impacts (as de-
defined in section 1.4.7.1 of the National
Park Service document entitled “Manage-
ment Policies 2006: The Guide to Man-
aging the National Park System”) to the
natural, cultural, recreational, and scenic
resource values and the character of the
land within the National Recreation Area;
and
(ii) retain all authorities to manage
grazing in the National Recreation Area.

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

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

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

(9) WATER RIGHTS.—Nothing in this title—
(A) affects any use or allocation in exis-
tence on the date of enactment of this Act of
any water, water right, or interest in water;
(B) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

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

(D) shall be considered to be a relinquishment or reduction of any water right reserved or appropriated by the United States in the State on or before the date of enactment of this Act; or

(E) constitutes an express or implied Federal reservation of any water or water rights with respect to the National Recreation Area.

(10) FISHING EASEMENTS.—

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

(B) ACQUISITION OF FISHING EASEMENTS.—The Secretary shall continue to fulfill
the obligation of the Secretary under the pro-
gram to acquire 26 miles of class 1 public fishing easements to provide to sportsmen access
for fishing within the Upper Gunnison Basin
upstream of the Aspinall Unit, subject to the
condition that no existing fishing access down-
stream of the Aspinall Unit shall be counted to-
ward the minimum mileage requirement under
the program.

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

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

(d) **TRIBAL RIGHTS AND USES.**—

(1) **TREATY RIGHTS.**—Nothing in this title affects the treaty rights of any Indian Tribe.

(2) **TRADITIONAL TRIBAL USES.**—Subject to any terms and conditions as the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the National Recreation Area by members of Indian Tribes—

(A) for traditional ceremonies; and

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

**SEC. 5403. ACQUISITION OF LAND; BOUNDARY MANAGEMENT.**

(a) **ACQUISITION.**—

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

(2) **MANNER OF ACQUISITION.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), land described in paragraph (1) may be acquired under this subsection by—

(i) donation;
(ii) purchase from willing sellers with donated or appropriated funds;

(iii) transfer from another Federal agency; or

(iv) exchange.

(B) **STATE LAND.**—Land or interests in land owned by the State or a political subdivision of the State may only be acquired by purchase, donation, or exchange.

(b) **TRANSFER OF ADMINISTRATIVE JURISDICTION.**—

(1) **FOREST SERVICE LAND.**—

(A) **IN GENERAL.**—Administrative jurisdiction over the approximately 2,500 acres of land identified on the map as “U.S. Forest Service proposed transfer to the National Park Service” is transferred to the Secretary, to be administered by the Director of the National Park Service as part of the National Recreation Area.

(B) **BOUNDARY ADJUSTMENT.**—The boundary of the Gunnison National Forest shall be adjusted to exclude the land transferred to the Secretary under subparagraph (A).
(2) BUREAU OF LAND MANAGEMENT LAND.—
Administrative jurisdiction over the approximately
6,100 acres of land identified on the map as “Bureau of Land Management proposed transfer to Na-
tional Park Service” is transferred from the Director
of the Bureau of Land Management to the Director
of the National Park Service, to be administered as
part of the National Recreation Area.

(3) WITHDRAWAL.—Administrative jurisdiction
over the land identified on the map as “Proposed for
transfer to the Bureau of Land Management, subject
to the revocation of Bureau of Reclamation
withdrawal” shall be transferred to the Director of
the Bureau of Land Management on relinquishment
of the land by the Bureau of Reclamation and rev-
ocation by the Bureau of Land Management of any
withdrawal as may be necessary.

(c) POTENTIAL LAND EXCHANGE.—

(1) IN GENERAL.—The withdrawal for reclama-
tion purposes of the land identified on the map as
“Potential exchange lands” shall be relinquished by
the Commissioner of Reclamation and revoked by
the Director of the Bureau of Land Management
and the land shall be transferred to the National
Park Service.
(2) Exchange; inclusion in National Recreation Area.—On transfer of the land described in paragraph (1), the transferred land—

(A) may be exchanged by the Secretary for private land described in section 5402(c)(5)—

(i) subject to a conservation easement remaining on the transferred land, to protect the scenic resources of the transferred land; and

(ii) in accordance with the laws (including regulations) and policies governing National Park Service land exchanges; and

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

(d) Addition to National Recreation Area.—Any land within the boundary of the National Recreation Area that is acquired by the United States shall be added to, and managed as a part of, the National Recreation Area.

SEC. 5404. GENERAL MANAGEMENT PLAN.

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

SEC. 5405. BOUNDARY SURVEY.

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