

AMENDMENT TO RULES COMMITTEE PRINT 119-

33

OFFERED BY MR. NEGUSE OF COLORADO

At the end of the bill, add the following:

1 **DIVISION E—COLORADO OUT-**
2 **DOOR RECREATION AND**
3 **ECONOMY**

4 **SEC. 5001. SHORT TITLE.**

5 This division may be cited as the “Colorado Outdoor
6 Recreation and Economy Act”.

7 **SEC. 5002. DEFINITION OF STATE.**

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

10 **TITLE I—CONTINENTAL DIVIDE**

11 **SEC. 5101. DEFINITIONS.**

12 In this title:

13 (1) COVERED AREA.—The term “covered area”
14 means any area designated as wilderness by the
15 amendments to section 2(a) of the Colorado Wilder-
16 ness Act of 1993 (16 U.S.C. 1132 note; Public Law
17 103–77) made by section 5102(a).

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

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

4 (A) the Porcupine Gulch Wildlife Con-
5 servation Area designated by section 5104(a);

6 (B) the Williams Fork Mountains Wildlife
7 Conservation Area designated by section
8 5105(a); and

9 (C) the Spraddle Creek Wildlife Conserva-
10 tion Area designated by section 5106(a).

11 **SEC. 5102. COLORADO WILDERNESS ADDITIONS.**

12 (a) DESIGNATION.—Section 2(a) of the Colorado Wil-
13 derness Act of 1993 (16 U.S.C. 1132 note; Public Law
14 103–77) is amended—

15 (1) in paragraph (18), by striking “1993,” and
16 inserting “1993, and certain Federal land within the
17 White River National Forest that comprises approxi-
18 mately 6,896 acres, as generally depicted as ‘Pro-
19 posed Ptarmigan Peak Wilderness Additions’ on the
20 map entitled ‘Proposed Ptarmigan Peak Wilderness
21 Additions’ and dated June 24, 2019,”; and

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

23 “(23) HOLY CROSS WILDERNESS ADDITION.—
24 Certain Federal land within the White River Na-
25 tional Forest that comprises approximately 3,866

1 acres, as generally depicted as ‘Proposed Megan
2 Dickie Wilderness Addition’ on the map entitled
3 ‘Holy Cross Wilderness Addition Proposal’ and
4 dated June 24, 2019, which shall be incorporated
5 into, and managed as part of, the Holy Cross Wil-
6 derness designated by section 102(a)(5) of Public
7 Law 96–560 (94 Stat. 3266).

8 “(24) HOOSIER RIDGE WILDERNESS.—Certain
9 Federal land within the White River National Forest
10 that comprises approximately 5,235 acres, as gen-
11 erally depicted as ‘Proposed Hoosier Ridge Wilder-
12 ness’ on the map entitled ‘Tenmile Proposal’ and
13 dated May 1, 2023, which shall be known as the
14 ‘Hoosier Ridge Wilderness’.

15 “(25) TENMILE WILDERNESS.—Certain Federal
16 land within the White River National Forest that
17 comprises approximately 7,624 acres, as generally
18 depicted as ‘Proposed Tenmile Wilderness’ on the
19 map entitled ‘Tenmile Proposal’ and dated May 1,
20 2023, which shall be known as the ‘Tenmile Wilder-
21 ness’.

22 “(26) EAGLES NEST WILDERNESS ADDI-
23 TIONS.—Certain Federal land within the White
24 River National Forest that comprises approximately
25 7,634 acres, as generally depicted as ‘Proposed

1 Freeman Creek Wilderness Addition’ and ‘Proposed
2 Spraddle Creek Wilderness Addition’ on the map en-
3 titled ‘Eagles Nest Wilderness Additions Proposal’
4 and dated April 26, 2022, which shall be incor-
5 porated into, and managed as part of, the Eagles
6 Nest Wilderness designated by Public Law 94–352
7 (90 Stat. 870).”.

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

13 (c) FIRE, INSECTS, AND DISEASES.—In accordance
14 with section 4(d)(1) of the Wilderness Act (16 U.S.C.
15 1133(d)(1)), the Secretary may carry out any activity in
16 a covered area that the Secretary determines to be nec-
17 essary for the control of fire, insects, and diseases, subject
18 to such terms and conditions as the Secretary determines
19 to be appropriate.

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

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

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

7 (e) COORDINATION.—For purposes of administering
8 the Federal land designated as wilderness by paragraph
9 (26) of section 2(a) of the Colorado Wilderness Act of
10 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as
11 added by subsection (a)(2)), the Secretary shall, as deter-
12 mined to be appropriate for the protection of watersheds,
13 coordinate the activities of the Secretary in response to
14 fires and flooding events with interested State and local
15 agencies.

16 **SEC. 5103. WILLIAMS FORK MOUNTAINS POTENTIAL WIL-**
17 **DERNESS.**

18 (a) DESIGNATION.—In furtherance of the purposes of
19 the Wilderness Act (16 U.S.C. 1131 et seq.), certain Fed-
20 eral land in the White River National Forest in the State,
21 comprising approximately 8,036 acres, as generally de-
22 picted as “Proposed Williams Fork Mountains Wilder-
23 ness” on the map entitled “Williams Fork Mountains Pro-
24 posal” and dated June 24, 2019, is designated as a poten-
25 tial wilderness area.

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

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

7 (2) this section.

8 (c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

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

15 (A) the “Big Hole Allotment”; and

16 (B) the “Blue Ridge Allotment”.

17 (2) MODIFICATION OF ALLOTMENTS.—In pub-
18 lishing a determination pursuant to paragraph (1),
19 the Secretary may modify or combine the vacant al-
20 lotments referred to in that paragraph.

21 (3) PERMIT OR OTHER AUTHORIZATION.—Not
22 later than 1 year after the date on which a deter-
23 mination of the Secretary to authorize livestock
24 grazing or other use by livestock is published under
25 paragraph (1), if applicable, the Secretary shall

1 grant a permit or other authorization for that live-
2 stock grazing or other use in accordance with appli-
3 cable laws (including regulations).

4 (d) RANGE IMPROVEMENTS.—

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

14 (2) TERMINATION OF AUTHORITY.—The au-
15 thority provided by this subsection terminates on the
16 date that is 2 years after the date on which the Sec-
17 retary publishes a positive determination under sub-
18 section (c)(3).

19 (e) DESIGNATION AS WILDERNESS.—

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

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

4 (B) on the earliest of—

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

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

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

16 (2) ADMINISTRATION.—Subject to valid existing
17 rights, the Secretary shall manage the Williams
18 Fork Mountains Wilderness in accordance with the
19 Colorado Wilderness Act of 1993 (16 U.S.C. 1132
20 note; Public Law 103–77), except that any reference
21 in that Act to the effective date of that Act shall be
22 considered to be a reference to the date on which the
23 Williams Fork Mountains Wilderness is designated
24 in accordance with paragraph (1).

1 **SEC. 5104. PORCUPINE GULCH WILDLIFE CONSERVATION**

2 **AREA.**

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

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

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

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

21 (c) MANAGEMENT.—

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

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

1 (B) in accordance with—

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

5 (ii) any other applicable laws (includ-
6 ing regulations); and

7 (iii) this section.

8 (2) USES.—

9 (A) IN GENERAL.—The Secretary shall
10 only allow such uses of the Wildlife Conserva-
11 tion Area as the Secretary determines would
12 further the purposes described in subsection
13 (b).

14 (B) RECREATION.—The Secretary may
15 permit such recreational activities in the Wild-
16 life Conservation Area that the Secretary deter-
17 mines are consistent with the purposes de-
18 scribed in subsection (b).

19 (C) MOTORIZED VEHICLES AND MECHA-
20 NIZED TRANSPORT; NEW OR TEMPORARY
21 ROADS.—

22 (i) MOTORIZED VEHICLES AND
23 MECHANIZED TRANSPORT.—Except as pro-
24 vided in clause (iii), the use of motorized
25 vehicles and mechanized transport in the

1 Wildlife Conservation Area shall be prohib-
2 ited.

3 (ii) NEW OR TEMPORARY ROADS.—
4 Except as provided in clause (iii) and sub-
5 section (e), no new or temporary road shall
6 be constructed within the Wildlife Con-
7 servation Area.

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

10 (I) authorizing the use of motor-
11 ized vehicles or mechanized transport
12 for administrative purposes;

13 (II) constructing temporary
14 roads or permitting the use of motor-
15 ized vehicles or mechanized transport
16 to carry out pre- or post-fire water-
17 shed protection projects;

18 (III) authorizing the use of mo-
19 torized vehicles or mechanized trans-
20 port to carry out activities described
21 in subsection (d) or (e); or

22 (IV) responding to an emergency.

23 (D) COMMERCIAL TIMBER.—

24 (i) IN GENERAL.—Subject to clause

25 (ii), no project shall be carried out in the

1 Wildlife Conservation Area for the purpose
2 of harvesting commercial timber.

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

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

15 (e) REGIONAL TRANSPORTATION PROJECTS.—Noth-
16 ing in this section or section 5110(f) precludes the Sec-
17 retary from authorizing, in accordance with applicable
18 laws (including regulations) and subject to valid existing
19 rights, the use of the subsurface of the Wildlife Conserva-
20 tion Area to construct, realign, operate, or maintain re-
21 gional transportation projects, including Interstate 70 and
22 the Eisenhower-Johnson Tunnels.

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

1 **SEC. 5105. WILLIAMS FORK MOUNTAINS WILDLIFE CON-**
2 **SERVATION AREA.**

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

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

17 (c) MANAGEMENT.—

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

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

23 (B) in accordance with—

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

1 (ii) any other applicable laws (includ-
2 ing regulations); and

3 (iii) this section.

4 (2) USES.—

5 (A) IN GENERAL.—The Secretary shall
6 only allow such uses of the Wildlife Conserva-
7 tion Area as the Secretary determines would
8 further the purposes described in subsection
9 (b).

10 (B) MOTORIZED VEHICLES.—

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

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

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

21 (I) authorizing the use of motor-
22 ized vehicles for administrative pur-
23 poses;

1 (II) authorizing the use of motor-
2 ized vehicles to carry out activities de-
3 scribed in subsection (d); or

4 (III) responding to an emer-
5 gency.

6 (C) BICYCLES.—The use of bicycles in the
7 Wildlife Conservation Area shall be limited to
8 designated roads and trails.

9 (D) COMMERCIAL TIMBER.—

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

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

19 (E) GRAZING.—The laws (including regu-
20 lations) and policies followed by the Secretary
21 in issuing and administering grazing permits or
22 leases on land under the jurisdiction of the Sec-
23 retary shall continue to apply with regard to
24 the land in the Wildlife Conservation Area, con-

1 sistent with the purposes described in sub-
2 section (b).

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

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

13 **SEC. 5106. SPRADDLE CREEK WILDLIFE CONSERVATION**
14 **AREA.**

15 (a) DESIGNATION.—Subject to valid existing rights,
16 the approximately 2,674 acres of Federal land in the
17 White River National Forest in the State, as generally de-
18 picted as “Proposed Spraddle Creek Wildlife Conservation
19 Area” on the map entitled “Eagles Nest Wilderness Addi-
20 tions Proposal” and dated April 26, 2022, are designated
21 as the “Spraddle Creek Wildlife Conservation Area” (re-
22 ferred to in this section as the “Wildlife Conservation
23 Area”).

24 (b) PURPOSES.—The purposes of the Wildlife Con-
25 servation Area are to conserve, protect, and enhance for

1 the benefit and enjoyment of present and future genera-
2 tions the wildlife, scenic, roadless, watershed, recreational,
3 and ecological resources of the Wildlife Conservation Area.

4 (c) MANAGEMENT.—

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

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

10 (B) in accordance with—

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

14 (ii) any other applicable laws (includ-
15 ing regulations); and

16 (iii) this title.

17 (2) USES.—

18 (A) IN GENERAL.—The Secretary shall
19 only allow such uses of the Wildlife Conserva-
20 tion Area as the Secretary determines would
21 further the purposes described in subsection
22 (b).

23 (B) MOTORIZED VEHICLES AND MECHA-
24 NIZED TRANSPORT.—Except as necessary for
25 administrative purposes or to respond to an

1 emergency, the use of motorized vehicles and
2 mechanized transport in the Wildlife Conserva-
3 tion Area shall be prohibited.

4 (C) ROADS.—

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

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

10 (I) constructing a temporary
11 road as the Secretary determines to
12 be necessary as a minimum require-
13 ment for carrying out a vegetation
14 management project in the Wildlife
15 Conservation Area; or

16 (II) responding to an emergency.

17 (iii) DECOMMISSIONING OF TEM-
18 PORARY ROADS.—Not later than 3 years
19 after the date on which the applicable
20 vegetation management project is com-
21 pleted, the Secretary shall decommission
22 any temporary road constructed under
23 clause (ii)(I) for the applicable vegetation
24 management project.

25 (D) COMMERCIAL TIMBER.—

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

5 (ii) LIMITATION.—Nothing in clause
6 (i) prevents the Secretary from harvesting
7 or selling a merchantable product that is a
8 byproduct of an activity authorized in the
9 Wildlife Conservation Area under this sec-
10 tion.

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

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

21 **SEC. 5107. SANDY TREAT OVERLOOK.**

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

1 **SEC. 5108. WHITE RIVER NATIONAL FOREST BOUNDARY**
2 **MODIFICATION.**

3 (a) IN GENERAL.—The boundary of the White River
4 National Forest is modified to include the approximately
5 120 acres comprised of the SW¹/₄, the SE¹/₄, and the
6 NE¹/₄ of the SE¹/₄ of sec. 1, T. 2 S., R. 80 W., 6th Prin-
7 cipal Meridian, in Summit County in the State.

8 (b) LAND AND WATER CONSERVATION FUND.—For
9 purposes of section 200306 of title 54, United States
10 Code, the boundaries of the White River National Forest,
11 as modified by subsection (a), shall be considered to be
12 the boundaries of the White River National Forest as in
13 existence on January 1, 1965.

14 **SEC. 5109. ROCKY MOUNTAIN NATIONAL PARK POTENTIAL**
15 **WILDERNESS BOUNDARY ADJUSTMENT.**

16 (a) PURPOSE.—The purpose of this section is to pro-
17 vide for the ongoing maintenance and use of portions of
18 the Trail River Ranch and the associated property located
19 within Rocky Mountain National Park in Grand County
20 in the State.

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

25 “(3) BOUNDARY ADJUSTMENT.—The boundary
26 of the Potential Wilderness is modified to exclude

1 the area comprising approximately 15.5 acres of
2 land identified as ‘Potential Wilderness to Non-wil-
3 derness’ on the map entitled ‘Rocky Mountain Na-
4 tional Park Proposed Wilderness Area Amendment’
5 and dated January 16, 2018.”.

6 **SEC. 5110. ADMINISTRATIVE PROVISIONS.**

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

10 (b) NO BUFFER ZONES.—

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

14 (A) a covered area;

15 (B) a wilderness area or potential wilder-
16 ness area designated by section 5103; or

17 (C) a Wildlife Conservation Area.

18 (2) OUTSIDE ACTIVITIES.—The fact that a non-
19 wilderness activity or use on land outside of an area
20 described in paragraph (1) can be seen or heard
21 from within the applicable area described in para-
22 graph (1) shall not preclude the activity or use out-
23 side the boundary of the applicable area described in
24 paragraph (1).

25 (c) TRIBAL RIGHTS AND USES.—

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

3 (2) TRADITIONAL TRIBAL USES.—Subject to
4 any terms and conditions that the Secretary deter-
5 mines to be necessary and in accordance with appli-
6 cable law, the Secretary shall allow for the continued
7 use of the areas described in subsection (b)(1) by
8 members of Indian Tribes—

9 (A) for traditional ceremonies; and

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

12 (d) MAPS AND LEGAL DESCRIPTIONS.—

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

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

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

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

1 (A) correct any typographical errors in the
2 maps and legal descriptions; and

3 (B) in consultation with the State, make
4 minor adjustments to the boundaries of the
5 Porcupine Gulch Wildlife Conservation Area
6 designated by section 5104(a) and the Williams
7 Fork Mountains Wildlife Conservation Area
8 designated by section 5105(a) to account for
9 potential highway or multimodal transportation
10 system construction, safety measures, mainte-
11 nance, realignment, or widening.

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

16 (e) ACQUISITION OF LAND.—

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

21 (2) MANAGEMENT.—Any land or interest in
22 land acquired under paragraph (1) shall be incor-
23 porated into, and administered as a part of, the wil-
24 derness area or Wildlife Conservation Area, as appli-

1 cable, in which the land or interest in land is lo-
2 cated.

3 (f) WITHDRAWAL.—Subject to valid existing rights,
4 the areas described in subsection (b)(1) are withdrawn
5 from—

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

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

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

12 (g) MILITARY OVERFLIGHTS.—Nothing in this title
13 or an amendment made by this title restricts or pre-
14 cludes—

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

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

21 (3) the use or establishment of—

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

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

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

7 **TITLE II—SAN JUAN MOUNTAINS**

8 **SEC. 5201. DEFINITIONS.**

9 In this title:

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

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

17 (B) a Special Management Area.

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

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

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

1 (B) the Liberty Bell East Special Manage-
2 ment Area designated by section 5203(a)(2).

3 **SEC. 5202. ADDITIONS TO NATIONAL WILDERNESS PRESER-**
4 **VATION SYSTEM.**

5 Section 2(a) of the Colorado Wilderness Act of 1993
6 (16 U.S.C. 1132 note; Public Law 103–77) (as amended
7 by section 5102(a)(2)) is amended further by adding at
8 the end the following:

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

18 “(28) MOUNT SNEFFELS WILDERNESS ADDI-
19 TIONS.—

20 “(A) LIBERTY BELL AND LAST DOLLAR
21 ADDITIONS.—Certain Federal land in the
22 Grand Mesa, Uncompahgre, and Gunnison Na-
23 tional Forests comprising approximately 7,235
24 acres, as generally depicted on the map entitled
25 ‘Proposed Liberty Bell and Last Dollar Addi-

1 tions to the Mt. Sneffels Wilderness, Liberty
2 Bell East Special Management Area’ and dated
3 September 6, 2018, which is incorporated in,
4 and shall be administered as part of, the Mount
5 Sneffels Wilderness.

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

15 “(29) MCKENNA PEAK WILDERNESS.—Certain
16 Federal land in the State of Colorado comprising ap-
17 proximately 8,884 acres of Bureau of Land Manage-
18 ment land, as generally depicted on the map entitled
19 ‘Proposed McKenna Peak Wilderness Area’ and
20 dated September 18, 2018, to be known as the
21 ‘McKenna Peak Wilderness’.”.

22 **SEC. 5203. SPECIAL MANAGEMENT AREAS.**

23 (a) DESIGNATION.—

24 (1) SHEEP MOUNTAIN SPECIAL MANAGEMENT
25 AREA.—The Federal land in the Grand Mesa,

1 Uncompahgre, and Gunnison and San Juan Na-
2 tional Forests in the State comprising approximately
3 21,663 acres, as generally depicted on the map enti-
4 tled “Proposed Sheep Mountain Special Manage-
5 ment Area” and dated September 19, 2018, is des-
6 ignated as the “Sheep Mountain Special Manage-
7 ment Area”.

8 (2) LIBERTY BELL EAST SPECIAL MANAGE-
9 MENT AREA.—The Federal land in the Grand Mesa,
10 Uncompahgre, and Gunnison National Forests in
11 the State comprising approximately 792 acres, as
12 generally depicted on the map entitled “Proposed
13 Liberty Bell and Last Dollar Additions to the Mt.
14 Sneffels Wilderness, Liberty Bell East Special Man-
15 agement Area” and dated September 6, 2018, is
16 designated as the “Liberty Bell East Special Man-
17 agement Area”.

18 (b) PURPOSE.—The purpose of the Special Manage-
19 ment Areas is to conserve and protect for the benefit and
20 enjoyment of present and future generations the geologi-
21 cal, cultural, archaeological, paleontological, natural, sci-
22 entific, recreational, wilderness, wildlife, riparian, histor-
23 ical, educational, and scenic resources of the Special Man-
24 agement Areas.

25 (c) MANAGEMENT.—

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

3 (A) conserves, protects, and enhances the
4 resources and values of the Special Manage-
5 ment Areas described in subsection (b);

6 (B) subject to paragraph (3), maintains or
7 improves the wilderness character of the Special
8 Management Areas and the suitability of the
9 Special Management Areas for potential inclu-
10 sion in the National Wilderness Preservation
11 System; and

12 (C) is in accordance with—

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

15 (ii) this title; and

16 (iii) any other applicable laws.

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

19 (A) Permanent roads.

20 (B) Except as necessary to meet the min-
21 imum requirements for the administration of
22 the Federal land, to provide access for aban-
23 doned mine cleanup, and to protect public
24 health and safety—

1 (i) the use of motor vehicles, motor-
2 ized equipment, or mechanical transport
3 (other than as provided in paragraph (3));
4 and

5 (ii) the establishment of temporary
6 roads.

7 (3) AUTHORIZED ACTIVITIES.—

8 (A) IN GENERAL.—The Secretary may
9 allow any activities (including helicopter access
10 for recreation and maintenance and the com-
11 petitive running event permitted since 1992)
12 that have been authorized by permit or license
13 as of the date of enactment of this Act to con-
14 tinue within the Special Management Areas,
15 subject to such terms and conditions as the
16 Secretary may require.

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

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

24 (i) the portion of the Sheep Mountain
25 Special Management Area identified as

1 “Ophir Valley Area” on the map entitled
2 “Proposed Sheep Mountain Special Man-
3 agement Area” and dated September 19,
4 2018; and

5 (ii) the portion of the Liberty Bell
6 East Special Management Area identified
7 as “Liberty Bell Corridor” on the map en-
8 titled “Proposed Liberty Bell and Last
9 Dollar Additions to the Mt. Sneffels Wil-
10 derness, Liberty Bell East Special Manage-
11 ment Area” and dated September 6, 2018.

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

17 (1) any reference contained in that section to
18 “the lands designated as wilderness by this Act”,
19 “the Piedra, Roubideau, and Tabeguache areas iden-
20 tified in section 9 of this Act, or the Bowen Gulch
21 Protection Area or the Fossil Ridge Recreation Man-
22 agement Area identified in sections 5 and 6 of this
23 Act”, or “the areas described in sections 2, 5, 6, and
24 9 of this Act” shall be considered to be a reference
25 to “the Special Management Areas”; and

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

5 (e) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA
6 NORDIC SKI SAFETY STUDY.—

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

14 (2) REQUIREMENT.—In conducting the study
15 under paragraph (1), the Secretary, in coordination
16 with San Miguel County in the State, the State De-
17 partment of Transportation, and other interested
18 stakeholders, shall identify a range of reasonable ac-
19 tions that could be taken by the Secretary to provide
20 or facilitate off-highway parking areas along State
21 Highway 145 to facilitate safe access for Nordic ski-
22 ing in the vicinity of the Sheep Mountain Special
23 Management Area.

1 **SEC. 5204. RELEASE OF WILDERNESS STUDY AREAS.**

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

5 (1) by redesignating section 2408 (16 U.S.C.
6 460zzz–7) as section 2409; and

7 (2) by inserting after section 2407 (16 U.S.C.
8 460zzz–6) the following:

9 **“SEC. 2408. RELEASE.**

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

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

19 “(1) is no longer subject to section 603(c) of
20 the Federal Land Policy and Management Act of
21 1976 (43 U.S.C. 1782(c)); and

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

24 (b) MCKENNA PEAK WILDERNESS STUDY AREA.—

25 (1) IN GENERAL.—Congress finds that, for the
26 purposes of section 603(c) of the Federal Land Pol-

1 icy and Management Act of 1976 (43 U.S.C.
2 1782(c)), the portions of the McKenna Peak Wilder-
3 ness Study Area in San Miguel County in the State
4 not designated as wilderness by paragraph (29) of
5 section 2(a) of the Colorado Wilderness Act of 1993
6 (16 U.S.C. 1132 note; Public Law 103–77) (as
7 added by section 202) have been adequately studied
8 for wilderness designation.

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

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

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

19 **SEC. 5205. ADMINISTRATIVE PROVISIONS.**

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

23 (b) NO BUFFER ZONES.—

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

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

9 (c) TRIBAL RIGHTS AND USES.—

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

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

21 (A) for traditional ceremonies; and

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

24 (d) MAPS AND LEGAL DESCRIPTIONS.—

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

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

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

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

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

25 (e) ACQUISITION OF LAND.—

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

10 (2) MANAGEMENT.—Any land or interest in
11 land acquired under paragraph (1) shall be incor-
12 porated into, and administered as a part of, the wil-
13 derness or Special Management Area in which the
14 land or interest in land is located.

15 (f) GRAZING.—The grazing of livestock on covered
16 land, if established before the date of enactment of this
17 Act, shall be permitted to continue subject to such reason-
18 able regulations as are considered to be necessary by the
19 Secretary with jurisdiction over the covered land, in ac-
20 cordance with—

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

23 (2) the applicable guidelines set forth in Appen-
24 dix A of the report of the Committee on Interior and
25 Insular Affairs of the House of Representatives ac-

1 companying H.R. 2570 of the 101st Congress (H.
2 Rept. 101–405) or H.R. 5487 of the 96th Congress
3 (H. Rept. 96–617).

4 (g) FIRE, INSECTS, AND DISEASES.—In accordance
5 with section 4(d)(1) of the Wilderness Act (16 U.S.C.
6 1133(d)(1)), the Secretary with jurisdiction over a wilder-
7 ness area designated by paragraphs (27) through (29) of
8 section 2(a) of the Colorado Wilderness Act of 1993 (16
9 U.S.C. 1132 note; Public Law 103–77) (as added by sec-
10 tion 5202) may carry out any activity in the wilderness
11 area that the Secretary determines to be necessary for the
12 control of fire, insects, and diseases, subject to such terms
13 and conditions as the Secretary determines to be appro-
14 priate.

15 (h) WITHDRAWAL.—Subject to valid existing rights,
16 the covered land and the approximately 6,590 acres gen-
17 erally depicted on the map entitled “Proposed Naturita
18 Canyon Mineral Withdrawal Area” and dated September
19 6, 2018, is withdrawn from—

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

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

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

1 **TITLE III—THOMPSON DIVIDE**

2 **SEC. 5301. PURPOSES.**

3 The purposes of this title are—

4 (1) subject to valid existing rights, to withdraw
5 certain Federal land in the Thompson Divide area
6 from mineral and other disposal laws in order to
7 protect the agricultural, ranching, wildlife, air qual-
8 ity, recreation, ecological, and scenic values of the
9 area; and

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

13 **SEC. 5302. DEFINITIONS.**

14 In this title:

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

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

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

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

5 (ii) with respect to which the Federal
6 interest in land includes mineral rights to
7 the methane gas.

8 (2) PILOT PROGRAM.—The term “pilot pro-
9 gram” means the Greater Thompson Divide Fugitive
10 Coal Mine Methane Use Pilot Program established
11 by section 5305(a)(1).

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

16 (4) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior.

18 (5) THOMPSON DIVIDE LEASE.—

19 (A) IN GENERAL.—The term “Thompson
20 Divide lease” means any oil or gas lease in ef-
21 fect on the date of enactment of this Act within
22 the Thompson Divide Withdrawal and Protec-
23 tion Area.

1 (B) EXCLUSIONS.—The term “Thompson
2 Divide lease” does not include any oil or gas
3 lease that—

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

6 (ii) before the date of enactment of
7 this Act, has expired, been cancelled, or
8 otherwise terminated.

9 (6) THOMPSON DIVIDE MAP.—The term
10 “Thompson Divide map” means the map entitled
11 “Greater Thompson Divide Legislative Boundary
12 Area Map” and dated September 19, 2023.

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

19 (8) WOLF CREEK STORAGE FIELD DEVELOP-
20 MENT RIGHT.—

21 (A) IN GENERAL.—The term “Wolf Creek
22 Storage Field development right” means a de-
23 velopment right for any of the Federal mineral
24 leases numbered COC 0007496, COC 0007497,
25 COC 0007498, COC 0007499, COC 0007500,

1 COC 0007538, COC 0008128, COC 0015373,
2 COC 0128018, COC 0051645, and COC
3 0051646, as generally depicted on the Thomp-
4 son Divide map as “Wolf Creek Storage Agree-
5 ment”.

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

10 **SEC. 5303. THOMPSON DIVIDE WITHDRAWAL AND PROTEC-**
11 **TION AREA.**

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

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

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

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

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

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

4 **SEC. 5304. THOMPSON DIVIDE LEASE CREDITS.**

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

11 (b) AMOUNT OF CREDITS.—

12 (1) IN GENERAL.—Subject to paragraph (2),
13 the amount of the credits issued to a leaseholder of
14 a Thompson Divide lease relinquished under sub-
15 section (a) shall—

16 (A) be equal to the sum of—

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

19 (ii) the amount of any rental paid for
20 the applicable Thompson Divide leases as
21 of the date on which the leaseholder sub-
22 mits to the Secretary a notice of the deci-
23 sion to relinquish the applicable Thompson
24 Divide leases; and

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

12 (B) require the approval of the Secretary.

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

17 (A) legal fees or related expenses for legal
18 work with respect to a Thompson Divide lease;

19 or

20 (B) any expenses incurred before the
21 issuance of a Thompson Divide lease.

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

25 (1) shall be permanently cancelled; and

1 (2) shall not be reissued.

2 (d) CONDITIONS.—

3 (1) APPLICABLE LAW.—Except as otherwise
4 provided in this section, each exchange under this
5 section shall be conducted in accordance with—

6 (A) this title; and

7 (B) other applicable laws (including regu-
8 lations).

9 (2) ACCEPTANCE OF CREDITS.—The Secretary
10 shall accept credits issued under subsection (a) in
11 the same manner as cash for the payments described
12 in that subsection.

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

18 (4) TREATMENT OF CREDITS.—All amounts in
19 the form of credits issued under subsection (a) ac-
20 cepted by the Secretary shall be considered to be
21 amounts received for the purposes of—

22 (A) section 35 of the Mineral Leasing Act
23 (30 U.S.C. 191); and

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

1 (e) WOLF CREEK STORAGE FIELD DEVELOPMENT
2 RIGHTS.—

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

11 (2) CREDITS.—

12 (A) IN GENERAL.—In consideration for the
13 transfer of development rights under paragraph
14 (1), the Secretary may issue to a leaseholder
15 described in that paragraph credits for any rea-
16 sonable expenses incurred by the leaseholder in
17 acquiring the Wolf Creek Storage Field develop-
18 ment right or in the preparation of any drilling
19 permit, sundry notice, or other related submis-
20 sion in support of the development right as of
21 January 28, 2019, including any reasonable ex-
22 penses relating to the preparation of any anal-
23 ysis under the National Environmental Policy
24 Act of 1969 (42 U.S.C. 4321 et seq.).

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

4 (i) the exclusion described in sub-
5 section (b)(2);

6 (ii) the conditions described in sub-
7 section (d); and

8 (iii) the approval of the Secretary.

9 (3) LIMITATION OF TRANSFER.—Development
10 rights acquired by the Secretary under paragraph
11 (1)—

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

15 (B) shall not be—

16 (i) transferred;

17 (ii) reissued; or

18 (iii) otherwise used for mineral extrac-
19 tion.

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

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

24 (1) ESTABLISHMENT.—There is established in
25 the Bureau of Land Management a pilot program,

1 to be known as the “Greater Thompson Divide Fu-
2 gitive Coal Mine Methane Use Pilot Program”.

3 (2) PURPOSE.—The purpose of the pilot pro-
4 gram is to promote the capture, beneficial use, miti-
5 gation, and sequestration of fugitive methane emis-
6 sions—

7 (A) to reduce methane emissions;

8 (B) to promote economic development;

9 (C) to improve air quality; and

10 (D) to improve public safety.

11 (3) PLAN.—

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

15 (i) to complete an inventory of fugitive
16 methane emissions in accordance with sub-
17 section (b);

18 (ii) to provide for the leasing of fugi-
19 tive methane emissions in accordance with
20 subsection (c); and

21 (iii) to provide for the capping or de-
22 struction of fugitive methane emissions in
23 accordance with subsection (d).

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

4 (i) the State;

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

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

9 (iv) interested institutions of higher
10 education in the State; and

11 (v) interested members of the public.

12 (b) FUGITIVE METHANE EMISSIONS INVENTORY.—

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

17 (2) CONDUCT.—

18 (A) COLLABORATION.—The Secretary may
19 conduct the inventory under paragraph (1)
20 through, or in collaboration with—

21 (i) the Bureau of Land Management;

22 (ii) the United States Geological Sur-
23 vey;

24 (iii) the Environmental Protection
25 Agency;

1 (iv) the United States Forest Service;

2 (v) State departments or agencies;

3 (vi) Garfield, Gunnison, Delta, or

4 Pitkin County in the State;

5 (vii) the Garfield County Federal Min-

6 eral Lease District;

7 (viii) institutions of higher education

8 in the State;

9 (ix) lessees of Federal coal within a
10 county referred to in subparagraph (F);

11 (x) the National Oceanic and Atmos-
12 pheric Administration;

13 (xi) the National Center for Atmos-
14 pheric Research; or

15 (xii) other interested entities, includ-
16 ing members of the public.

17 (B) FEDERAL SPLIT ESTATE.—

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

22 (ii) LIMITATION.—Nothing in this sec-
23 tion requires or authorizes the Secretary to
24 enter or access private land to conduct the
25 inventory under paragraph (1).

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

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

6 (B) an estimate of the volume and con-
7 centration of fugitive methane emissions from
8 each source of significant fugitive methane
9 emissions, including details of measurements
10 taken and the basis for that emissions estimate;

11 (C) relevant data and other information
12 available from—

13 (i) the Environmental Protection
14 Agency;

15 (ii) the Mine Safety and Health Ad-
16 ministration;

17 (iii) the Colorado Department of Nat-
18 ural Resources;

19 (iv) the Colorado Public Utility Com-
20 mission;

21 (v) the Colorado Department of
22 Health and Environment; and

23 (vi) the Office of Surface Mining Rec-
24 lamation and Enforcement; and

1 (D) such other information as may be use-
2 ful in advancing the purposes of the pilot pro-
3 gram.

4 (4) PUBLIC PARTICIPATION; DISCLOSURE.—

5 (A) PUBLIC PARTICIPATION.—The Sec-
6 retary shall, as appropriate, provide opportuni-
7 ties for public participation in the conduct of
8 the inventory under paragraph (1).

9 (B) AVAILABILITY.—The Secretary shall
10 make the inventory conducted under paragraph
11 (1) publicly available.

12 (C) DISCLOSURE.—Nothing in this sub-
13 section requires the Secretary to publicly re-
14 lease information that—

15 (i) poses a threat to public safety;

16 (ii) is confidential business informa-
17 tion; or

18 (iii) is otherwise protected from public
19 disclosure.

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

22 (A) IN GENERAL.—For the purposes of
23 conducting the inventory under paragraph (1),
24 for land subject to a Federal coal lease, the

1 Secretary shall use readily available methane
2 emissions data.

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

7 (6) USE.—The Secretary shall use the inven-
8 tory conducted under paragraph (1) in carrying
9 out—

10 (A) the leasing program under subsection
11 (c); and

12 (B) the capping or destruction of fugitive
13 methane emissions under subsection (d).

14 (c) FUGITIVE METHANE EMISSIONS LEASING PRO-
15 GRAM AND SEQUESTRATION.—

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

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

24 (A) IN GENERAL.—The Secretary shall au-
25 thorize the holder of a valid existing Federal

1 coal lease for a mine that is producing fugitive
2 methane emissions to capture for use or destroy
3 the fugitive methane emissions.

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

6 (i) valid existing rights; and

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

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

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

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

17 (D) COOPERATION.—

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

23 (I) the capture of fugitive meth-
24 ane emissions for beneficial use, such
25 as generating electrical power, pro-

1 ducing usable heat, transporting the
2 methane to market, or transforming
3 the fugitive methane emissions into a
4 different marketable material; or

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

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

21 (E) ROYALTIES.—The Secretary shall de-
22 termine whether any fugitive methane emissions
23 used or destroyed pursuant to this paragraph
24 are subject to the payment of a royalty under
25 applicable law.

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

3 (A) IN GENERAL.—Except as otherwise
4 provided in this section, notwithstanding section
5 5303 and subject to valid existing rights and
6 any other applicable law, the Secretary shall,
7 for land not subject to a Federal coal lease—

8 (i) authorize the capture for use or
9 destruction of fugitive methane emissions;
10 and

11 (ii) make available for leasing such fu-
12 gitive methane emissions as the Secretary
13 determines to be in the public interest.

14 (B) SOURCE.—To the extent practicable,
15 the Secretary shall offer for lease, individually
16 or in combination, each significant source of fu-
17 gitive methane emissions on land not subject to
18 a Federal coal lease.

19 (C) BID QUALIFICATIONS.—A bid to lease
20 fugitive methane emissions under this para-
21 graph shall specify whether the prospective les-
22 see intends—

23 (i) to capture the fugitive methane
24 emissions for beneficial use, such as gener-
25 ating electrical power, producing usable

1 heat, transporting the methane to market,
2 or transforming the fugitive methane emis-
3 sions into a different marketable material;

4 (ii) to destroy the fugitive methane
5 emissions; or

6 (iii) to employ a specific combination
7 of—

8 (I) capturing the fugitive meth-
9 ane emissions for beneficial use; and

10 (II) destroying the fugitive meth-
11 ane emissions.

12 (D) PRIORITY.—

13 (i) IN GENERAL.—If there is more
14 than 1 qualified bid for a lease under this
15 paragraph, the Secretary shall select the
16 bid that the Secretary determines is likely
17 to most significantly advance the public in-
18 terest.

19 (ii) CONSIDERATIONS.—In deter-
20 mining the public interest under clause (i),
21 the Secretary shall take into consider-
22 ation—

23 (I) the overall decrease in the fu-
24 gitive methane emissions;

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

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

7 (E) LEASE FORM.—

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

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

19 (F) ROYALTY RATE.—The Secretary shall
20 develop a minimum bid, as the Secretary deter-
21 mines to be necessary, and royalty rate for
22 leases under this paragraph.

23 (d) SEQUESTRATION.—If, by not later than 4 years
24 after the date of completion of the inventory under sub-
25 section (b), any significant fugitive methane emissions are

1 not leased under subsection (c)(3), the Secretary shall,
2 subject to the availability of appropriations and in accord-
3 ance with applicable law, take all reasonable measures—

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

6 (2) to cap those fugitive methane emissions at
7 the source in any case in which the cap will result
8 in the long-term sequestration of all or a significant
9 portion of the fugitive methane emissions; or

10 (3) to destroy the fugitive methane emissions, if
11 incentivizing leases under paragraph (1) or seques-
12 tration under paragraph (2) is not feasible, with pri-
13 ority for locations that destroy the greatest quantity
14 of fugitive methane emissions at the lowest cost.

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

21 (1) the economic and environmental impacts of
22 the pilot program, including information on in-
23 creased royalties and estimates of avoided green-
24 house gas emissions; and

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

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

9 (B) the leasing of natural methane seeps
10 under the activities authorized pursuant to sub-
11 section (c)(3).

12 **SEC. 5306. EFFECT.**

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

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

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

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

4 **TITLE IV—CURECANTI**
5 **NATIONAL RECREATION AREA**

6 **SEC. 5401. DEFINITIONS.**

7 In this title:

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

12 (2) **NATIONAL RECREATION AREA.**—The term
13 “National Recreation Area” means the Curecanti
14 National Recreation Area established by section
15 5402(a).

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

18 **SEC. 5402. CURECANTI NATIONAL RECREATION AREA.**

19 (a) **ESTABLISHMENT.**—Effective beginning on the
20 earlier of the date on which the Secretary approves a re-
21 quest under subsection (c)(2)(B)(i)(I) and the date that
22 is 1 year after the date of enactment of this Act, there
23 shall be established as a unit of the National Park System
24 the Curecanti National Recreation Area, in accordance
25 with this Act, consisting of approximately 50,300 acres of

1 land in the State, as generally depicted on the map as
2 “Curecanti National Recreation Area Proposed Bound-
3 ary”.

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

7 (c) ADMINISTRATION.—

8 (1) IN GENERAL.—The Secretary shall admin-
9 ister the National Recreation Area in accordance
10 with—

11 (A) this title; and

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

18 (2) DAM, POWER PLANT, AND RESERVOIR MAN-
19 AGEMENT AND OPERATIONS.—

20 (A) IN GENERAL.—Nothing in this title af-
21 fects or interferes with the authority of the Sec-
22 retary—

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

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

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

10 (B) RECLAMATION LAND.—

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

1 (I) approve, approve with modi-
2 fications, or disapprove the request;
3 and

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

12 (ii) TRANSFER OF LAND.—

13 (I) IN GENERAL.—Administrative
14 jurisdiction over the land identified on
15 the map as “Lands withdrawn or ac-
16 quired for Bureau of Reclamation
17 projects”, as modified pursuant to
18 clause (i)(II), if applicable, shall be
19 transferred from the Commissioner of
20 Reclamation to the Director of the
21 National Park Service by not later
22 than the date that is 1 year after the
23 date of enactment of this Act.

24 (II) ACCESS TO TRANSFERRED
25 LAND.—

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

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

22 (3) MANAGEMENT AGREEMENTS.—

23 (A) IN GENERAL.—The Secretary may
24 enter into management agreements, or modify
25 management agreements in existence on the

1 date of enactment of this Act, relating to the
2 authority of the Director of the National Park
3 Service, the Commissioner of Reclamation, the
4 Director of the Bureau of Land Management,
5 or the Chief of the Forest Service to manage
6 Federal land within or adjacent to the boundary
7 of the National Recreation Area.

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

15 (4) RECREATIONAL ACTIVITIES.—

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

22 (B) CLOSURES; DESIGNATED ZONES.—

23 (i) IN GENERAL.—The Secretary, act-
24 ing through the Superintendent of the Na-
25 tional Recreation Area, may designate

1 zones in which, and establish periods dur-
2 ing which, no boating, hunting, or fishing
3 shall be permitted in the National Recre-
4 ation Area under subparagraph (A) for
5 reasons of public safety, administration, or
6 compliance with applicable laws.

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

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

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

20 (5) LANDOWNER ASSISTANCE.—On the written
21 request of an individual that owns private land lo-
22 cated within the area generally depicted as “Con-
23 servation Opportunity Area” on the map entitled
24 “Preferred Alternative” in the document entitled
25 “Report to Congress: Curecanti Special Resource

1 Study’ and dated June 2009, the Secretary may
2 work in partnership with the individual to enhance
3 the long-term conservation of natural, cultural, rec-
4 reational, and scenic resources in and around the
5 National Recreation Area—

6 (A) by acquiring all or a portion of the pri-
7 vate land or interests in private land within the
8 Conservation Opportunity Area by purchase, ex-
9 change, or donation, in accordance with section
10 5403;

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

13 (C) through available grant programs; and

14 (D) by supporting conservation easement
15 opportunities.

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

19 (A) become part of the National Recre-
20 ation Area; and

21 (B) be managed in accordance with this
22 title.

23 (7) WITHDRAWAL.—Subject to valid existing
24 rights, all Federal land within the National Recre-

1 ation Area, including land acquired pursuant to this
2 section, is withdrawn from—

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

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

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

9 (8) GRAZING.—

10 (A) STATE LAND SUBJECT TO A STATE
11 GRAZING LEASE.—

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

22 (ii) ACCESS.—A lessee of State land
23 may continue to use established routes
24 within the National Recreation Area to ac-
25 cess State land for purposes of admin-

1 istering the lease if the use was permitted
2 before the date of enactment of this Act,
3 subject to such terms and conditions as the
4 Secretary may require.

5 (B) STATE AND PRIVATE LAND.—The Sec-
6 retary may, in accordance with applicable laws,
7 authorize grazing on land acquired from the
8 State or private landowners under section 5403,
9 if grazing was established before the date of ac-
10 quisition.

11 (C) PRIVATE LAND.—On private land ac-
12 quired under section 5403 for the National
13 Recreation Area on which authorized grazing is
14 occurring before the date of enactment of this
15 Act, the Secretary, in consultation with the les-
16 see, may allow the continuation and renewal of
17 grazing on the land based on the terms of ac-
18 quisition or by agreement between the Secretary
19 and the lessee, subject to applicable law (includ-
20 ing regulations).

21 (D) FEDERAL LAND.—The Secretary
22 shall—

23 (i) allow, consistent with the grazing
24 leases, uses, and practices in effect as of
25 the date of enactment of this Act, the con-

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

16 (ii) retain all authorities to manage
17 grazing in the National Recreation Area.

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

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

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

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

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

5 (B) affects any vested absolute or decreed
6 conditional water right in existence on the date
7 of enactment of this Act, including any water
8 right held by the United States;

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

11 (D) shall be considered to be a relinquish-
12 ment or reduction of any water right reserved
13 or appropriated by the United States in the
14 State on or before the date of enactment of this
15 Act; or

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

19 (10) FISHING EASEMENTS.—

20 (A) IN GENERAL.—Nothing in this title di-
21 minishes or alters the fish and wildlife program
22 for the Aspinall Unit developed under section 8
23 of the Act of April 11, 1956 (commonly known
24 as the “Colorado River Storage Project Act”)
25 (70 Stat. 110, chapter 203; 43 U.S.C. 620g),

1 by the United States Fish and Wildlife Service,
2 the Bureau of Reclamation, and the Colorado
3 Division of Wildlife (including any successor in
4 interest to that division) that provides for the
5 acquisition of public access fishing easements as
6 mitigation for the Aspinall Unit (referred to in
7 this paragraph as the “program”).

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

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

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

7 (d) TRIBAL RIGHTS AND USES.—

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

10 (2) TRADITIONAL TRIBAL USES.—Subject to
11 any terms and conditions as the Secretary deter-
12 mines to be necessary and in accordance with appli-
13 cable law, the Secretary shall allow for the continued
14 use of the National Recreation Area by members of
15 Indian Tribes—

16 (A) for traditional ceremonies; and

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

19 **SEC. 5403. ACQUISITION OF LAND; BOUNDARY MANAGE-**
20 **MENT.**

21 (a) ACQUISITION.—

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

25 (2) MANNER OF ACQUISITION.—

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

- 4 (i) donation;
5 (ii) purchase from willing sellers with
6 donated or appropriated funds;
7 (iii) transfer from another Federal
8 agency; or
9 (iv) exchange.

10 (B) STATE LAND.—Land or interests in
11 land owned by the State or a political subdivi-
12 sion of the State may only be acquired by pur-
13 chase, donation, or exchange.

14 (b) TRANSFER OF ADMINISTRATIVE JURISDIC-
15 TION.—

16 (1) FOREST SERVICE LAND.—

17 (A) IN GENERAL.—Administrative jurisdic-
18 tion over the approximately 2,500 acres of land
19 identified on the map as “U.S. Forest Service
20 proposed transfer to the National Park Service”
21 is transferred to the Secretary, to be adminis-
22 tered by the Director of the National Park
23 Service as part of the National Recreation
24 Area.

1 (B) BOUNDARY ADJUSTMENT.—The
2 boundary of the Gunnison National Forest shall
3 be adjusted to exclude the land transferred to
4 the Secretary under subparagraph (A).

5 (2) BUREAU OF LAND MANAGEMENT LAND.—
6 Administrative jurisdiction over the approximately
7 6,100 acres of land identified on the map as “Bu-
8 reau of Land Management proposed transfer to Na-
9 tional Park Service” is transferred from the Director
10 of the Bureau of Land Management to the Director
11 of the National Park Service, to be administered as
12 part of the National Recreation Area.

13 (3) WITHDRAWAL.—Administrative jurisdiction
14 over the land identified on the map as “Proposed for
15 transfer to the Bureau of Land Management, sub-
16 ject to the revocation of Bureau of Reclamation
17 withdrawal” shall be transferred to the Director of
18 the Bureau of Land Management on relinquishment
19 of the land by the Bureau of Reclamation and rev-
20 ocation by the Bureau of Land Management of any
21 withdrawal as may be necessary.

22 (c) POTENTIAL LAND EXCHANGE.—

23 (1) IN GENERAL.—The withdrawal for reclama-
24 tion purposes of the land identified on the map as
25 “Potential exchange lands” shall be relinquished by

1 the Commissioner of Reclamation and revoked by
2 the Director of the Bureau of Land Management
3 and the land shall be transferred to the National
4 Park Service.

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

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

10 (i) subject to a conservation easement
11 remaining on the transferred land, to pro-
12 tect the scenic resources of the transferred
13 land; and

14 (ii) in accordance with the laws (in-
15 cluding regulations) and policies governing
16 National Park Service land exchanges; and

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

20 (d) ADDITION TO NATIONAL RECREATION AREA.—
21 Any land within the boundary of the National Recreation
22 Area that is acquired by the United States shall be added
23 to, and managed as a part of, the National Recreation
24 Area.

1 **SEC. 5404. GENERAL MANAGEMENT PLAN.**

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

8 **SEC. 5405. BOUNDARY SURVEY.**

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

