

115TH CONGRESS
2D SESSION

S. 2337

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

IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2018

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

A BILL

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

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Continental Divide Recreation, Wilderness and Camp
6 Hale Legacy Act”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

- Sec. 3. Colorado Wilderness additions.
 Sec. 4. Williams Fork Wilderness, White River National Forest, Colorado.
 Sec. 5. Tenmile Recreation Management Area, White River National Forest, Colorado.
 Sec. 6. Porcupine Gulch Wildlife Conservation Area, White River National Forest, Colorado.
 Sec. 7. Williams Fork Wildlife Conservation Area, White River National Forest, Colorado.
 Sec. 8. Camp Hale National Historic Landscape, White River National Forest, Colorado.
 Sec. 9. Rocky Mountain National Park Wilderness boundary adjustment.
 Sec. 10. Bolts Ditch access and use.
 Sec. 11. Arapaho National Forest boundary adjustment.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

5 (2) STATE.—The term “State” means the State
 6 of Colorado.

7 **SEC. 3. COLORADO WILDERNESS ADDITIONS.**

8 (a) DESIGNATION.—Section 2(a) of the Colorado Wil-
 9 derness Act of 1993 (16 U.S.C. 1132 note; Public Law
 10 103–77) is amended—

11 (1) in paragraph (18), by striking “1993,” and
 12 inserting “1993, and certain Federal land within the
 13 White River National Forest that comprises approxi-
 14 mately 6,875 acres, as generally depicted as ‘Pro-
 15 posed Ptarmigan Peak Wilderness Additions’ on the
 16 map entitled ‘Proposed Ptarmigan Peak Wilderness
 17 Additions’ and dated January 23, 2018,”; and

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

1 “(23) HOLY CROSS WILDERNESS ADDITION.—
2 Certain Federal land within the White River Na-
3 tional Forest that comprises approximately 3,902
4 acres, as generally depicted as ‘Proposed No Name
5 Wilderness Addition’ on the map entitled ‘Holy
6 Cross Wilderness Addition Proposal’ and dated Jan-
7 uary 23, 2018, which shall be incorporated into and
8 managed as part of the Holy Cross Wilderness des-
9 ignated by section 102(a)(5) of Public Law 96–560
10 (94 Stat. 3266).

11 “(24) HOOSIER RIDGE WILDERNESS.—Certain
12 Federal land within the White River National Forest
13 that comprises approximately 5,235 acres, as gen-
14 erally depicted on the map entitled ‘Tenmile Pro-
15 posal’ and dated January 23, 2018, which shall be
16 known as the ‘Hoosier Ridge Wilderness’.

17 “(25) TENMILE WILDERNESS.—Certain Federal
18 land within the White River National Forest that
19 comprises approximately 7,606 acres, as generally
20 depicted as ‘Proposed Tenmile Wilderness’ on the
21 map entitled ‘Tenmile Proposal’ and dated January
22 23, 2018, which shall be known as the ‘Tenmile Wil-
23 derness’.

24 “(26) EAGLES NEST WILDERNESS ADDI-
25 TIONS.—Certain Federal land within the White

1 River National Forest that comprises approximately
2 9,419 acres, as generally depicted as ‘Proposed
3 Freeman Creek Wilderness Addition’ and ‘Proposed
4 Spraddle Creek Wilderness Addition’ on the map en-
5 titled ‘Eagles Nest Wilderness Additions Proposal’
6 and dated January 23, 2018, which shall be incor-
7 porated into and managed as part of the Eagles
8 Nest Wilderness designated by Public Law 94–352
9 (90 Stat. 870).”.

10 (b) APPLICABLE LAW.—Any reference in the Wilder-
11 ness Act (16 U.S.C. 1131 et seq.) to the effective date
12 of that Act shall be considered to be a reference to the
13 effective date of the amendment made by subsection (a)
14 for purposes of administering the wilderness designated
15 under this section (referred to in this section as a “covered
16 area”).

17 (c) FIRE, INSECTS, AND DISEASES.—In accordance
18 with section 4(d)(1) of the Wilderness Act (16 U.S.C.
19 1133(d)(1)), the Secretary may take any measure in a cov-
20 ered area that the Secretary determines to be necessary
21 for the control of fire, insects, and diseases, subject to
22 such terms and conditions as the Secretary determines to
23 be appropriate.

24 (d) INCORPORATION OF ACQUIRED LAND AND IN-
25 TERESTS.—Any land or interest in land that is acquired

1 by the United States within the boundaries of a covered
2 area shall—

3 (1) become part of the covered area; and

4 (2) be managed in accordance with—

5 (A) this section; and

6 (B) any other applicable laws.

7 (e) GRAZING.—The grazing of livestock on a covered
8 area, if established before the effective date of the amend-
9 ment made by subsection (a), shall be permitted to con-
10 tinue subject to such reasonable regulations as are consid-
11 ered necessary by the Secretary, in accordance with sec-
12 tion 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)).

13 (f) NO BUFFER ZONES.—

14 (1) IN GENERAL.—Congress does not intend for
15 the designation under this section of Federal land as
16 wilderness to create a protective perimeter or buffer
17 zone around the covered area.

18 (2) OUTSIDE ACTIVITIES.—The fact that non-
19 wilderness activities or uses can be seen or heard
20 from within a covered area shall not preclude the ac-
21 tivities or uses up to the boundary of the covered
22 area.

23 (g) COORDINATION.—For purposes of administering
24 the Federal land designated as wilderness by paragraph
25 (26) of section 2(a) of the Colorado Wilderness Act of

1 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as
2 added by subsection (a)), the Secretary shall, as deter-
3 mined to be appropriate for the protection of watersheds,
4 coordinate the activities of the Secretary in response to
5 fires and flooding events with interested State and local
6 agencies, including operations using aircraft or mecha-
7 nized equipment.

8 (h) MILITARY OVERFLIGHTS.—Nothing in this sec-
9 tion restricts or precludes—

10 (1) any low-level overflight of military aircraft
11 over a covered area, including military overflights
12 that can be seen, heard, or detected within the cov-
13 ered area;

14 (2) flight testing or evaluation over a covered
15 area; or

16 (3) the use or establishment of—

17 (A) new units of special use airspace over
18 a covered area; or

19 (B) any military flight training or trans-
20 portation over a covered area.

21 (i) EFFECTIVE DATE.—The amendment made by
22 subsection (a) shall take effect on the earlier of—

23 (1) the date that is 180 days after the date of
24 enactment of this Act; and

1 (2) the date on which the Secretary of Defense
2 submits to the appropriate committees of Congress
3 a certification that policies and procedures are in
4 place to ensure the continuation of military over-
5 flights over each covered area, as described in sub-
6 section (h).

7 **SEC. 4. WILLIAMS FORK WILDERNESS, WHITE RIVER NA-**
8 **TIONAL FOREST, COLORADO.**

9 (a) DESIGNATION.—In furtherance of the purposes of
10 the Wilderness Act (16 U.S.C. 1131 et seq.), certain Fed-
11 eral land in the White River National Forest, comprising
12 approximately 8,192 acres and generally depicted as “Pro-
13 posed Williams Fork Wilderness” on the map entitled
14 “Williams Fork Proposal” and dated January 23, 2018,
15 is designated as a potential wilderness area.

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

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

22 (2) this section.

23 (c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

24 (1) IN GENERAL.—Not later than 3 years after
25 the date of enactment of this Act, in accordance

1 with applicable law (including regulations), the Sec-
2 retary shall publish a determination regarding
3 whether to authorize livestock grazing or other use
4 by livestock on the vacant allotments known as—

5 (A) the Big Hole Allotment; and

6 (B) the Blue Ridge Allotment.

7 (2) MODIFICATION OF ALLOTMENTS.—In pub-
8 lishing a determination pursuant to paragraph (1),
9 the Secretary may modify or combine the vacant al-
10 lotments referred to in that paragraph.

11 (3) PERMIT OR OTHER AUTHORIZATION.—Not
12 later than 1 year after the date on which a deter-
13 mination of the Secretary to authorize livestock
14 grazing or other use by livestock is published under
15 paragraph (1), if applicable, the Secretary shall
16 grant a permit or other authorization for such live-
17 stock grazing or other use.

18 (d) RANGE IMPROVEMENTS.—

19 (1) IN GENERAL.—If the Secretary permits live-
20 stock grazing or other use by livestock on the poten-
21 tial wilderness area under subsection (c), the Sec-
22 retary, or a third party authorized by the Secretary,
23 may use any motorized or mechanized transport or
24 equipment for purposes of constructing or rehabili-
25 tating such range improvements as are necessary to

1 obtain appropriate livestock management objectives
2 (including habitat and watershed restoration).

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

8 (e) DESIGNATION AS WILDERNESS.—

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

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

16 (B) on the earliest of—

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

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

24 (iii) the effective date of a determina-
25 tion of the Secretary not to authorize live-

1 stock grazing or other use by livestock
2 under subsection (c)(1).

3 (2) ADMINISTRATION.—Subject to valid existing
4 rights, the Secretary shall manage the Williams
5 Fork Wilderness in accordance with the Colorado
6 Wilderness Act of 1993 (16 U.S.C. 1132 note; Pub-
7 lic Law 103–77).

8 (f) NO BUFFER ZONES.—

9 (1) IN GENERAL.—Congress does not intend for
10 the designation by this section of the potential wil-
11 derness area under subsection (a), or the Williams
12 Fork Wilderness under subsection (e), to create a
13 protective perimeter or buffer zone around the po-
14 tential wilderness area or wilderness area, respec-
15 tively.

16 (2) OUTSIDE ACTIVITIES.—The fact that non-
17 wilderness activities or uses can be seen or heard
18 from within the potential wilderness area or wilder-
19 ness area designated by this section, shall not pre-
20 clude the activities or uses up to the boundary of the
21 potential wilderness area or wilderness area, respec-
22 tively.

23 (g) MILITARY OVERFLIGHTS.—Nothing in this sec-
24 tion restricts or precludes, with respect to the potential

1 wilderness area under subsection (a), or the Williams Fork
2 Wilderness under subsection (e)—

3 (1) any low-level overflight of military aircraft
4 over the area, including military overflights that can
5 be seen, heard, or detected within the area;

6 (2) flight testing or evaluation over the area; or

7 (3) the use or establishment of—

8 (A) new units of special use airspace over
9 the area; or

10 (B) any military flight training or trans-
11 portation over the area.

12 **SEC. 5. TENMILE RECREATION MANAGEMENT AREA, WHITE**
13 **RIVER NATIONAL FOREST, COLORADO.**

14 (a) DESIGNATION.—Subject to valid existing rights,
15 the approximately 16,996 acres of Federal land in the
16 White River National Forest in the State depicted as
17 “Proposed Tenmile Recreation Management Area” on the
18 map entitled “Tenmile Proposal” and dated January 23,
19 2018, are designated as the “Tenmile Recreation Manage-
20 ment Area” (referred to in this section as the “Recreation
21 Management Area”).

22 (b) PURPOSES.—The purposes of the Recreation
23 Management Area are to conserve, protect, and enhance
24 for the benefit and enjoyment of present and future gen-

1 erations the recreational, scenic, watershed, habitat, and
2 ecological resources of the Recreation Management Area.

3 (c) MANAGEMENT.—

4 (1) IN GENERAL.—The Secretary shall manage
5 the Recreation Management Area—

6 (A) in a manner that conserves, protects,
7 and enhances—

8 (i) the purposes of the Recreation
9 Management Area described in subsection
10 (b); and

11 (ii) recreation opportunities, including
12 mountain biking, hiking, fishing, horseback
13 riding, snowshoeing, climbing, skiing,
14 camping, and hunting; and

15 (B) in accordance with—

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

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

21 (iii) this section.

22 (2) USES.—

23 (A) IN GENERAL.—The Secretary shall
24 only allow such uses of the Recreation Manage-
25 ment Area that the Secretary determines would

1 further the purposes described in subsection
2 (b).

3 (B) VEHICLES.—

4 (i) IN GENERAL.—Except as provided
5 in clause (iii), the use of motorized vehicles
6 in the Recreation Management Area shall
7 be limited to the roads, vehicle classes, and
8 periods authorized for motorized vehicle
9 use on the date of enactment of this Act.

10 (ii) NEW OR TEMPORARY ROADS.—
11 Except as provided in clause (iii), no new
12 or temporary roads shall be constructed in
13 the Recreation Management Area.

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

16 (I) rerouting or closing an exist-
17 ing road or trail to protect natural re-
18 sources from degradation, as deter-
19 mined to be appropriate by the Sec-
20 retary;

21 (II) authorizing the use of motor-
22 ized vehicles for administrative pur-
23 poses or roadside camping;

24 (III) constructing temporary
25 roads or permitting the use of motor-

1 ized vehicles to carry out pre- or post-
2 fire watershed protection projects;

3 (IV) authorizing the use of mo-
4 torized vehicles to carry out activities
5 described in subsection (g), (h)(1), or
6 (i); and

7 (V) responding to an emergency.

8 (C) COMMERCIAL TIMBER.—

9 (i) IN GENERAL.—No projects shall be
10 undertaken for the purpose of harvesting
11 commercial timber in the Recreation Man-
12 agement Area.

13 (ii) LIMITATION.—Nothing in clause
14 (i) prevents the Secretary from harvesting
15 or selling merchantable products that are
16 byproducts of activities authorized under
17 this section.

18 (d) MAPS AND LEGAL DESCRIPTIONS.—

19 (1) FILING.—As soon as practicable after the
20 date of enactment of this Act, the Secretary shall
21 prepare a map and legal description of the Recre-
22 ation Management Area.

23 (2) FORCE OF LAW.—The map and legal de-
24 scription prepared under paragraph (1) shall have
25 the same force and effect as if included in this Act,

1 except that the Secretary may correct typographical
2 errors in the map and legal description.

3 (3) PUBLIC AVAILABILITY.—The map and legal
4 description prepared under paragraph (1) shall be
5 on file and available for public inspection in the ap-
6 propriate office of the Secretary.

7 (4) AIRSPACE MAPPING.—The Administrator of
8 the Federal Aviation Administration may not iden-
9 tify the Recreation Management Area on a Federal
10 Aviation Administration aeronautical chart.

11 (e) WITHDRAWAL.—Subject to valid rights in exist-
12 ence on the date of enactment of this Act, the Federal
13 land in the Recreation Management Area is withdrawn
14 from—

15 (1) all forms of entry, appropriation, and dis-
16 posal under the 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 (f) INCORPORATION OF ACQUIRED LAND AND INTER-
22 ESTS.—Any land or interest in land that is acquired by
23 the United States within the boundaries of the Recreation
24 Management Area shall—

1 (1) become part of the Recreation Management
2 Area; and

3 (2) be managed in accordance with—

4 (A) this section; and

5 (B) any other applicable laws.

6 (g) FIRE, INSECTS, AND DISEASES.—The Secretary
7 may take any measure, in accordance with applicable laws
8 (including regulations), that the Secretary determines to
9 be necessary to prevent, control, and mitigate fire, insects,
10 and diseases in the Recreation Management Area, subject
11 to such terms and conditions as the Secretary determines
12 to be appropriate.

13 (h) WATER.—

14 (1) EFFECT ON WATER MANAGEMENT INFRA-
15 STRUCTURE.—Nothing in this section affects the
16 construction, repair, reconstruction, replacement, op-
17 eration, maintenance, or renovation of water man-
18 agement infrastructure in existence on the date of
19 enactment of this Act or any future infrastructure
20 necessary for the development or exercise of water
21 rights decreed before the date of enactment of this
22 Act within the Recreation Management Area.

23 (2) APPLICABLE LAW.—Section 3(e) of the
24 James Peak Wilderness and Protection Area Act

1 (Public Law 107–216; 116 Stat. 1058) shall apply
2 to the Recreation Management Area.

3 (i) REGIONAL TRANSPORTATION PROJECTS.—Noth-
4 ing in this section precludes the Secretary from author-
5 izing, in accordance with applicable laws (including regula-
6 tions), the use or lease of Federal land within the Recre-
7 ation Management Area for—

8 (1) regional transportation projects, including
9 highway widening or realignment and construction
10 of multimodal transportation systems; and

11 (2) infrastructure, activities, or safety measures
12 associated with the implementation or use of facili-
13 ties constructed under paragraph (1).

14 (j) APPLICABLE LAW.—Nothing in this section af-
15 fects the designation of the Federal land within the Recre-
16 ation Management Area for purposes of—

17 (1) section 303 of title 49, United States Code;
18 and

19 (2) section 138 of title 23, United States Code.

20 (k) PERMITS.—Nothing in this section alters or lim-
21 its—

22 (1) a permit held by a ski area or other entity;
23 or

24 (2) the acceptance, review, or implementation of
25 associated activities or facilities proposed or author-

1 ized by law or permit outside of the Recreation Man-
2 agement Area.

3 (l) MILITARY OVERFLIGHTS.—Nothing in this sec-
4 tion restricts or precludes—

5 (1) any low-level overflight of military aircraft
6 over the Recreation Management Area, including
7 military overflights that can be seen, heard, or de-
8 tected within the Recreation Management Area;

9 (2) flight testing or evaluation over the Recre-
10 ation Management Area; or

11 (3) the use or establishment of—

12 (A) new units of special use airspace over
13 the Recreation Management Area; or

14 (B) any military flight training or trans-
15 portation over the Recreation Management
16 Area.

17 (m) FISH AND WILDLIFE.—Nothing in this section
18 affects the jurisdiction or responsibilities of the State with
19 respect to fish and wildlife in the State, including hunting
20 and fishing.

21 (n) NO BUFFER ZONES.—Nothing in this section cre-
22 ates a protective perimeter or buffer zone around the
23 Recreation Management Area.

1 **SEC. 6. PORCUPINE GULCH WILDLIFE CONSERVATION**
2 **AREA, WHITE RIVER NATIONAL FOREST, COL-**
3 **ORADO.**

4 (a) DESIGNATION.—Subject to valid existing rights,
5 the approximately 8,176 acres of Federal land located in
6 the White River National Forest, as generally depicted on
7 the map entitled “Porcupine Gulch Wildlife Conservation
8 Area Proposal” and dated January 23, 2018, 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 that 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 (h), no new or temporary roads
6 shall be constructed within the Wildlife
7 Conservation 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 (g) or (h); or

22 (IV) responding to an emergency.

23 (D) COMMERCIAL TIMBER.—

24 (i) IN GENERAL.—No projects shall be
25 undertaken for the purpose of harvesting

1 commercial timber in the Wildlife Con-
2 servation Area.

3 (ii) LIMITATION.—Nothing in clause
4 (i) prevents the Secretary from harvesting
5 or selling merchantable products that are
6 byproducts of activities authorized under
7 this section.

8 (d) MAP AND LEGAL DESCRIPTION.—

9 (1) FILING.—As soon as practicable after the
10 date of enactment of this Act, the Secretary shall
11 prepare a map and legal description of the Wildlife
12 Conservation Area.

13 (2) FORCE OF LAW.—The map and legal de-
14 scription prepared under paragraph (1) shall have
15 the same force and effect as if included in this Act,
16 except that the Secretary may correct typographical
17 errors in the map and legal description.

18 (3) PUBLIC AVAILABILITY.—The map and legal
19 description prepared under paragraph (1) shall be
20 on file and available for public inspection in the ap-
21 propriate office of the Secretary.

22 (4) AIRSPACE MAPPING.—The Administrator of
23 the Federal Aviation Administration may not iden-
24 tify the Wildlife Conservation Area on a Federal
25 Aviation Administration aeronautical chart.

1 (e) WITHDRAWAL.—Subject to valid rights in exist-
2 ence on the date of enactment of this Act, the Federal
3 land within the Wildlife Conservation Area is withdrawn
4 from—

5 (1) all forms of entry, appropriation, and dis-
6 posal under the public land laws;

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

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

11 (f) INCORPORATION OF ACQUIRED LAND AND INTER-
12 ESTS.—Any land or interest in land that is acquired by
13 the United States in the boundaries of the Wildlife Con-
14 servation Area shall—

15 (1) become part of the Wildlife Conservation
16 Area; and

17 (2) be managed in accordance with—

18 (A) this section; and

19 (B) any other applicable laws.

20 (g) FIRE, INSECTS, AND DISEASES.—The Secretary
21 may take any measure, in accordance with applicable laws
22 (including regulations), that the Secretary determines to
23 be necessary to prevent, control, and mitigate fire, insects,
24 and diseases in the Wildlife Conservation Area, subject to

1 such terms and conditions as the Secretary determines to
2 be appropriate.

3 (h) REGIONAL TRANSPORTATION PROJECTS.—Noth-
4 ing in this section precludes the Secretary from author-
5 izing, in accordance with applicable laws (including regula-
6 tions), the use or leasing of Federal land within the Wild-
7 life Conservation Area for—

8 (1) regional transportation projects, including—

9 (A) highway widening or realignment; and

10 (B) construction of multimodal transpor-
11 tation systems; and

12 (2) infrastructure, activities, or safety measures
13 associated with the implementation or use of trans-
14 portation infrastructure facilities.

15 (i) APPLICABLE LAW.—Nothing in this section af-
16 fects the designation of the Federal land within the Wild-
17 life Conservation Area for purposes of—

18 (1) section 303 of title 49, United States Code;

19 and

20 (2) section 138 of title 23, United States Code.

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

24 (k) MILITARY OVERFLIGHTS.—Nothing in this sec-
25 tion restricts or precludes—

1 (1) any low-level overflight of military aircraft
2 over the Wildlife Conservation Area, including mili-
3 tary overflights that can be seen, heard, or detected
4 within the Wildlife Conservation Area;

5 (2) flight testing or evaluation over the Wildlife
6 Conservation Area; or

7 (3) the use or establishment of—

8 (A) new units of special use airspace over
9 the Wildlife Conservation Area; or

10 (B) any military flight training or trans-
11 portation over the Wildlife Conservation Area.

12 (l) FISH AND WILDLIFE.—Nothing in this section af-
13 fects the jurisdiction or responsibilities of the State with
14 respect to fish and wildlife in the State, including hunting
15 and fishing.

16 (m) NO BUFFER ZONES.—Nothing in this section
17 creates a protective perimeter or buffer zone around the
18 Wildlife Conservation Area.

19 **SEC. 7. WILLIAMS FORK WILDLIFE CONSERVATION AREA,**
20 **WHITE RIVER NATIONAL FOREST, COLO-**
21 **RADO.**

22 (a) DESIGNATION.—Subject to valid existing rights,
23 the approximately 3,492 acres of Federal land in the
24 White River National Forest in the State, as generally de-
25 picted on the map entitled “Williams Fork Proposal” and

1 dated January 23, 2018, are designated as the “Williams
2 Fork Wildlife Conservation Area” (referred to in this sec-
3 tion as the “Wildlife Conservation Area”).

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

9 (c) MANAGEMENT.—

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

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

15 (B) in accordance with—

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

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

21 (iii) this section.

22 (2) USES.—

23 (A) IN GENERAL.—The Secretary shall
24 only allow such uses of the Wildlife Conserva-
25 tion Area that the Secretary determines would

1 further the purposes described in subsection
2 (b).

3 (B) MOTORIZED VEHICLES.—

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

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

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

14 (I) authorizing the use of motor-
15 ized vehicles for administrative pur-
16 poses;

17 (II) authorizing the use of motor-
18 ized vehicles to carry out activities de-
19 scribed in subsection (g); or

20 (III) responding to an emer-
21 gency.

22 (C) BICYCLES.—The use of bicycles in the
23 Wildlife Conservation Area shall be limited to
24 designated roads and trails.

25 (D) COMMERCIAL TIMBER.—

1 (i) IN GENERAL.—No projects shall be
2 undertaken for the purpose of harvesting
3 commercial timber in the Wildlife Con-
4 servation Area.

5 (ii) LIMITATION.—Nothing in clause
6 (i) prevents the Secretary from harvesting
7 or selling merchantable products that are
8 byproducts of activities authorized under
9 this section.

10 (E) GRAZING.—The laws (including regu-
11 lations) and policies followed by the Secretary
12 in issuing and administering grazing permits or
13 leases on land under the jurisdiction of the Sec-
14 retary shall continue to apply with regard to
15 the land in the Wildlife Conservation Area, con-
16 sistent with the purposes described in sub-
17 section (b).

18 (d) MAP AND LEGAL DESCRIPTION.—

19 (1) FILING.—As soon as practicable after the
20 date of enactment of this Act, the Secretary shall
21 prepare a map and legal description of the Wildlife
22 Conservation Area.

23 (2) FORCE OF LAW.—The map and legal de-
24 scription prepared under paragraph (1) shall have
25 the same force and effect as if included in this Act,

1 except that the Secretary may correct typographical
2 errors in the map and legal description.

3 (3) PUBLIC AVAILABILITY.—The map and legal
4 description prepared under paragraph (1) shall be
5 on file and available for public inspection in the ap-
6 propriate office of the Secretary.

7 (4) AIRSPACE MAPPING.—The Administrator of
8 the Federal Aviation Administration may not iden-
9 tify the Wildlife Conservation Area on a Federal
10 Aviation Administration aeronautical chart.

11 (e) WITHDRAWAL.—Subject to valid rights in exist-
12 ence on the date of enactment of this Act, the Federal
13 land in the Wildlife Conservation Area is withdrawn
14 from—

15 (1) all forms of entry, appropriation, and dis-
16 posal under the 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 (f) INCORPORATION OF ACQUIRED LAND AND INTER-
22 ESTS.—Any land or interest in land that is acquired by
23 the United States within the boundaries of the Wildlife
24 Conservation Area shall—

1 (1) become part of the Wildlife Conservation
2 Area; and

3 (2) be managed in accordance with—

4 (A) this section; and

5 (B) any other applicable laws.

6 (g) FIRE, INSECTS, AND DISEASES.—The Secretary
7 may take any measure, in accordance with applicable laws
8 (including regulations), that the Secretary determines to
9 be necessary to prevent, control, and mitigate fire, insects,
10 and diseases in the Wildlife Conservation Area, subject to
11 such terms and conditions as the Secretary determines to
12 be appropriate.

13 (h) REGIONAL TRANSPORTATION PROJECTS.—Noth-
14 ing in this section precludes the Secretary from author-
15 izing, in accordance with applicable laws (including regula-
16 tions), the use or leasing of Federal land within the Wild-
17 life Conservation Area for—

18 (1) regional transportation projects, including—

19 (A) highway widening or realignment; and

20 (B) construction of multimodal transpor-
21 tation systems; and

22 (2) infrastructure, activities, or safety measures
23 associated with the implementation or use of trans-
24 portation infrastructure facilities.

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

4 (j) MILITARY OVERFLIGHTS.—Nothing in this sec-
5 tion restricts or precludes—

6 (1) any low-level overflight of military aircraft
7 over the Wildlife Conservation Area, including mili-
8 tary overflights that can be seen, heard, or detected
9 within the Wildlife Conservation Area;

10 (2) flight testing or evaluation over the Wildlife
11 Conservation Area; or

12 (3) the use or establishment of—

13 (A) new units of special use airspace over
14 the Wildlife Conservation Area; or

15 (B) any military flight training or trans-
16 portation over the Wildlife Conservation Area.

17 (k) FISH AND WILDLIFE.—Nothing in this section
18 affects the jurisdiction or responsibilities of the State with
19 respect to fish and wildlife in the State, including hunting
20 and fishing.

21 (l) NO BUFFER ZONES.—Nothing in this section cre-
22 ates a protective perimeter or buffer zone around the
23 Wildlife Conservation Area.

1 **SEC. 8. CAMP HALE NATIONAL HISTORIC LANDSCAPE,**
2 **WHITE RIVER NATIONAL FOREST, COLO-**
3 **RADO.**

4 (a) DESIGNATION.—Subject to valid existing rights,
5 the approximately 28,728 acres of Federal land in the
6 White River National Forest in the State depicted as
7 “Proposed Camp Hale National Historic Landscape” on
8 the map entitled “Camp Hale National Historic Land-
9 scape Proposal” and dated January 23, 2018, are des-
10 ignated the “Camp Hale National Historic Landscape”
11 (referred to in this section as the “Historic Landscape”).

12 (b) PURPOSES.—The purposes of the Historic Land-
13 scape are—

14 (1) to provide for—

15 (A) the interpretation of historic events,
16 activities, structures, and artifacts of the His-
17 toric Landscape, including with respect to the
18 role of the Historic Landscape in local, na-
19 tional, and world history;

20 (B) the historic preservation of the His-
21 toric Landscape, consistent with the designation
22 of the Historic Landscape as a national historic
23 site; and

24 (C) the other purposes of the Historic
25 Landscape;

1 (2) to provide for recreational opportunities,
2 with an emphasis on the activities related to the his-
3 toric use of the Historic Landscape, including skiing,
4 snowshoeing, snowmobiling, hiking, horseback
5 riding, climbing, and other outdoor activities;

6 (3) to conserve, protect, restore, and enhance
7 for the benefit and enjoyment of present and future
8 generations the scenic, watershed, riparian, wetland,
9 wildlife, and ecological resources of the Historic
10 Landscape; and

11 (4) to provide for the continued cleanup of
12 unexploded ordinance and legacy environmental haz-
13 ards by the Corps of Engineers, acting in partner-
14 ship with the Forest Service and the State, at the
15 Camp Hale Formerly Used Defense Site and the
16 Camp Hale historic cantonment area.

17 (c) MANAGEMENT.—The Secretary shall manage the
18 Historic Landscape in accordance with—

19 (1) the purposes of the Historic Landscape de-
20 scribed in subsection (b);

21 (2) the Forest and Rangeland Renewable Re-
22 sources Planning Act of 1974 (16 U.S.C. 1600 et
23 seq.);

24 (3) division A of subtitle III of title 54, United
25 States Code;

1 (4) this section; and

2 (5) any other applicable laws (including regula-
3 tions).

4 (d) CAMP HALE RESTORATION AND ENHANCEMENT
5 PROJECT.—

6 (1) IN GENERAL.—The Secretary shall conduct
7 a restoration and enhancement project in the His-
8 toric Landscape—

9 (A) to improve aquatic, riparian, and wet-
10 land conditions in and along the Eagle River
11 and tributaries of the Eagle River;

12 (B) to maintain or improve recreation and
13 interpretive opportunities and facilities; and

14 (C) to conserve historic values in the Camp
15 Hale area.

16 (2) COORDINATION.—In carrying out the
17 project described in paragraph (1), the Secretary
18 shall coordinate with—

19 (A) the Camp Hale-Eagle River Head-
20 waters Collaborative Group;

21 (B) the National Forest Foundation;

22 (C) the Colorado Department of Public
23 Health and Environment;

24 (D) the Corps of Engineers;

1 (E) the Colorado State Historic Preserva-
2 tion Office;

3 (F) units of local government; and

4 (G) other interested organizations and
5 members of the public.

6 (e) ENVIRONMENTAL REMEDIATION.—

7 (1) IN GENERAL.—The Secretary of the Army
8 shall continue to carry out the projects and activities
9 of the Secretary of the Army in existence on the
10 date of enactment of this Act relating to cleanup
11 of—

12 (A) the Camp Hale Formerly Used De-
13 fense Site; or

14 (B) the Camp Hale historic cantonment
15 area.

16 (2) INTERAGENCY AGREEMENT.—The Secretary
17 and the Secretary of the Army shall enter into an
18 agreement to provide resources and other support as
19 necessary—

20 (A) to manage the Historic Landscape in
21 accordance with the purposes described in sub-
22 section (b);

23 (B) to provide for public health and safety
24 within the Historic Landscape; and

1 (C) to provide to the public information re-
2 garding legacy hazards with respect to areas
3 within the Historic Landscape.

4 (3) REMOVAL OF UNEXPLODED ORDNANCE.—

5 The Secretary of the Army may remove unexploded
6 ordnance (as defined in section 101(e) of title 10,
7 United States Code) from the Historic Landscape—

8 (A) on receipt of a request from the Sec-
9 retary of Agriculture; or

10 (B) as the Secretary of the Army otherwise
11 determines to be appropriate—

12 (i) in any case in which the ordnance
13 interferes with the management of the His-
14 toric Landscape; or

15 (ii) to ensure public safety.

16 (f) MAPS AND LEGAL DESCRIPTIONS.—

17 (1) FILING.—As soon as practicable after the
18 date of enactment of this Act, the Secretary shall
19 prepare a map and legal description of the Historic
20 Landscape.

21 (2) FORCE OF LAW.—The map and legal de-
22 scription prepared under paragraph (1) shall have
23 the same force and effect as if included in this Act,
24 except that the Secretary may correct any typo-
25 graphical error in the map and legal description.

1 (3) PUBLIC AVAILABILITY.—The map and legal
2 description prepared under paragraph (1) shall be
3 on file and available for public inspection in the ap-
4 propriate office of the Secretary.

5 (g) WITHDRAWAL.—Subject to valid rights in exist-
6 ence on the date of enactment of this Act, the Federal
7 land within the Historic Landscape is withdrawn from—

8 (1) all forms of entry, appropriation, and dis-
9 posal under the public land laws;

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

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

14 (h) INCORPORATION OF ACQUIRED LAND AND IN-
15 TERESTS.—Any land or interest in land that is acquired
16 by the United States within the boundaries of the Historic
17 Landscape shall—

18 (1) become part of the Historic Landscape; and

19 (2) be managed in accordance with—

20 (A) this section; and

21 (B) any other applicable laws (including
22 regulations).

23 (i) EFFECT.—Nothing in this section—

1 (1) affects State jurisdiction over any water
2 law, water right, or adjudication or administration
3 relating to any water resource;

4 (2) affects any water right in existence on or
5 after the date of enactment of this Act, or the exer-
6 cise of such a water right, including—

7 (A) a water right under an interstate
8 water compact (including full development of
9 any apportionment made in accordance with
10 such a compact);

11 (B) a water right decreed within, above,
12 below, or through the Historic Landscape;

13 (C) a water right held by the United
14 States;

15 (D) the management or operation of any
16 reservoir, including the storage, management,
17 release, or transportation of water; and

18 (E) the construction or operation of such
19 infrastructure as is determined to be necessary
20 by an individual or entity holding water rights
21 to develop and place to beneficial use those
22 rights, subject to applicable Federal, State, and
23 local law (including regulations);

1 (3) constitutes an express or implied reservation
2 by the United States of any reserved or appropria-
3 tive water right;

4 (4) alters or limits—

5 (A) a permit held by a ski area;

6 (B) the implementation of activities gov-
7 erned by a ski area permit; or

8 (C) the authority of the Secretary to mod-
9 ify or expand an existing ski area permit;

10 (5) prevents the Secretary from closing portions
11 of the Historic Landscape for public safety, environ-
12 mental remediation, or other use in accordance with
13 applicable laws;

14 (6) modifies any obligation in existence on the
15 date of enactment of this Act relating to the remedi-
16 ation or cleanup of unexploded ordinance or legacy
17 environmental hazards located in or around the
18 Camp Hale historic cantonment area, the Camp
19 Hale Formerly Used Defense Site, or the Historic
20 Landscape, including such an obligation under—

21 (A) the Comprehensive Environmental Re-
22 sponse, Compensation, and Liability Act of
23 1980 (42 U.S.C. 9601 et seq.);

1 (B) the program for environmental res-
2 toration of formerly used defense sites under
3 section 2701 of title 10, United States Code; or

4 (C) any other provision of law (including
5 regulations); or

6 (7) affects—

7 (A) any special use permit in effect on the
8 date of enactment of this Act; or

9 (B) the renewal of a permit described in
10 subparagraph (A).

11 (j) FUNDING.—

12 (1) IN GENERAL.—There is established in the
13 general fund of the Treasury a special account, to
14 be known as the “Camp Hale Historic Preservation
15 and Restoration Fund”.

16 (2) AUTHORIZATION OF APPROPRIATIONS.—

17 There is authorized to be appropriated to the Camp
18 Hale Historic Preservation and Restoration Fund
19 \$5,000,000, to be available to the Secretary until ex-
20 pended, for activities relating to historic interpreta-
21 tion, preservation, and restoration carried out in and
22 around the Historic Landscape.

1 **SEC. 9. ROCKY MOUNTAIN NATIONAL PARK WILDERNESS**
2 **BOUNDARY ADJUSTMENT.**

3 (a) PURPOSE.—The purpose of this section is to pro-
4 vide for the ongoing maintenance and use of portions of
5 the Trail River Ranch and the associated property located
6 within Rocky Mountain National Park in Grand County,
7 Colorado.

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

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

19 **SEC. 10. BOLTS DITCH ACCESS AND USE.**

20 (a) ACCESS GRANTED.—The Secretary shall permit
21 by special use authorization nonmotorized access and use,
22 in accordance with section 293.6 of title 36, Code of Fed-
23 eral Regulations (or successor regulations), of the Bolts
24 Ditch Headgate and the Bolts Ditch within the Holy Cross
25 Wilderness, Colorado, established by section 102(a)(5)
26 Public Law 96–560 (16 U.S.C. 1132 note; 94 Stat. 3266),

1 for the purposes of the diversion of water and use, mainte-
2 nance, and repair of the ditch and headgate by the town
3 of Minturn, Colorado, a Colorado Home Rule Municipi-
4 pality.

5 (b) LOCATION OF FACILITIES.—The Bolts Ditch
6 headgate and ditch segment referred to in subsection (a)
7 are as generally depicted on the map entitled “Bolts Ditch
8 headgate and Ditch Segment” and dated November 2015.

9 **SEC. 11. ARAPAHO NATIONAL FOREST BOUNDARY ADJUST-**
10 **MENT.**

11 (a) IN GENERAL.—Subject to subsection (b), the
12 boundary of the Arapaho National Forest in the State is
13 adjusted to incorporate the approximately 92.95 acres of
14 land depicted as “The Wedge” on the map entitled “Arap-
15 aho National Forest Boundary Adjustment” and dated
16 November 6, 2013, and described as lots 3, 4, 8, and 9
17 of sec. 13, T. 4 N., R. 76 W., sixth principal meridian,
18 Colorado.

19 (b) WRITTEN PERMISSION REQUIRED.—A lot de-
20 scribed in subsection (a) may be included within the ad-
21 justed boundary of the Arapaho National Forest under
22 subsection (a) only after the Secretary obtains written per-
23 mission from one or more owners of the lot to include the
24 lot within the adjusted boundaries.

1 (c) BOWEN GULCH PROTECTION AREA.—The Sec-
2 retary shall include all Federal land within the boundary
3 described in subsection (a) in the Bowen Gulch Protection
4 Area established by section 6(a)(1) of the Colorado Wil-
5 derness Act of 1993 (16 U.S.C. 539j(a)(1)).

6 (d) LAND AND WATER CONSERVATION FUND.—For
7 purposes of section 200306(a)(2)(B)(i) of title 54, United
8 States Code, the boundaries of the Arapaho National For-
9 est, as modified under subsection (a), shall be considered
10 to be the boundaries of the Arapaho National Forest as
11 in existence on January 1, 1965.

12 (e) PUBLIC MOTORIZED USE.—Nothing in this sec-
13 tion opens privately owned land within the boundary de-
14 scribed in subsection (a) to public motorized use.

○