

Calendar No. 177

113TH CONGRESS
1ST SESSION

S. 341

[Report No. 113-99]

To designate certain lands in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2013

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

SEPTEMBER 10, 2013

Reported by Mr. WYDEN, with amendments

[Omit the part struck through and insert the part printed in italics]

A BILL

To designate certain lands in San Miguel, Ouray, and San Juan Counties, Colorado, as wilderness, 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.**

4 This Act may be cited as the “San Juan Mountains
5 Wilderness Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

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

5 (A) land designated as wilderness under
6 paragraphs (20) through (22) of section 2(a) of
7 the Colorado Wilderness Act of 1993 (16
8 U.S.C. 1132 note; Public Law 103–77; 107
9 Stat. 756); and

10 (B) land in the Special Management Area.

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

13 (3) SPECIAL MANAGEMENT AREA.—The term
14 “Special Management Area” means the Sheep
15 Mountain Special Management Area designated by
16 section 4(a).

17 (4) STATE.—The term “State” means the State
18 of Colorado.

19 **SEC. 3. ADDITIONS TO THE NATIONAL WILDERNESS PRES-**
20 **ERVATION SYSTEM.**

21 Section 2(a) of the Colorado Wilderness Act of 1993
22 (16 U.S.C. 1132 note; Public Law 103–77; 107 Stat. 756)
23 is amended by adding at the end the following:

24 “(20) LIZARD HEAD WILDERNESS ADDITION.—
25 Certain Federal land in the Grand Mesa,
26 Uncompahgre, and Gunnison National Forests com-

1 prising approximately 3,350 acres, as generally de-
 2 picted on the map entitled ‘Proposed Wilson, Sun-
 3 shine, Black Face and San Bernardo Additions to
 4 the Lizard Head Wilderness’ and dated December 1,
 5 2010, which is incorporated in, and shall be adminis-
 6 tered as part of, the Lizard Head Wilderness.

7 “(21) MOUNT SNEFFELS WILDERNESS ADDI-
 8 TIONS.—

9 “(A) LIBERTY BELL AND LAST DOLLAR
 10 ADDITIONS.—Certain Federal land in the
 11 Grand Mesa, Uncompahgre, and Gunnison Na-
 12 tional Forests comprising approximately ~~8,250~~
 13 7,438 acres, as generally depicted on the map
 14 entitled ‘Proposed Liberty Bell and Last Dollar
 15 Additions to the Mt. Sneffels Wilderness’ and
 16 dated ~~December 1, 2010~~ *June 11, 2013*, which
 17 is incorporated in, and shall be administered as
 18 part of, the Mount Sneffels Wilderness.

19 “(B) WHITEHOUSE ADDITIONS.—Certain
 20 Federal land in the Grand Mesa, Uncompahgre,
 21 and Gunnison National Forests comprising ap-
 22 proximately 13,000 acres, as generally depicted
 23 on the map entitled ‘Proposed Whitehouse Ad-
 24 ditions to the Mt. Sneffels Wilderness’ and
 25 dated December 1, 2010, which is incorporated

1 in, and shall be administered as part of, the
2 Mount Sneffels Wilderness.

3 “(22) MCKENNA PEAK WILDERNESS.—Certain
4 Federal land in the State of Colorado comprising ap-
5 proximately 8,600 acres of Bureau of Land Manage-
6 ment land, as generally depicted on the map entitled
7 ‘McKenna Peak Wilderness’ and dated November
8 10, 2010, to be known as the ‘McKenna Peak Wil-
9 derness’.”.

10 **SEC. 4. SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA.**

11 (a) DESIGNATION.—Certain Federal land in the
12 Grand Mesa, Uncompahgre, and Gunnison and San Juan
13 National Forests comprising approximately 21,620 acres
14 as generally depicted on the map entitled “Proposed Sheep
15 Mountain Special Management Area” and dated Decem-
16 ber 2, 2010, is designated as the “Sheep Mountain Special
17 Management Area”.

18 (b) PURPOSE.—The purpose of the Special Manage-
19 ment Area 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 Area.

25 (c) MANAGEMENT.—

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

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

6 (B) maintains or improves the wilderness
7 character of the Special Management Area and
8 the suitability of the Special Management Area
9 for potential inclusion in the National Wilder-
10 ness Preservation System; and

11 (C) is in accordance with—

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

14 (ii) this Act; and

15 (iii) any other applicable laws.

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

18 (A) Permanent roads.

19 (B) Except as necessary to meet the min-
20 imum requirements for the administration of
21 the Federal land and to protect public health
22 and safety—

23 (i) the use of motor vehicles, motor-
24 ized equipment, or mechanical transport

1 (other than provided in paragraph (3));

2 and

3 (ii) the establishment of temporary

4 roads.

5 (3) AUTHORIZED ACTIVITIES.—

6 (A) IN GENERAL.—The Secretary may
 7 allow any activities (including helicopter access
 8 for recreation and maintenance) that have been
 9 authorized by permit or license as of the date
 10 of enactment of this Act to continue within the
 11 Special Management Area, subject to such
 12 terms and conditions as the Secretary may re-
 13 quire.

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

19 (d) APPLICABLE LAW.—Water and water rights in
 20 the Special Management Area shall be administered in ac-
 21 cordance with section 8 of the Colorado Wilderness Act
 22 of 1993 (Public Law 103–77; 107 Stat. 762), except
 23 that—

24 (1) any reference in that section to “the lands
 25 designated as wilderness by this Act”, “the Piedra,

1 Roubideau, and Tabeguache areas identified in sec-
 2 tion 9 of this Act, or the Bowen Gulch Protection
 3 Area or the Fossil Ridge Recreation Management
 4 Area identified in sections 5 and 6 of this Act”, or
 5 “the areas described in sections 2, 5, 6, and 9 of
 6 this Act” shall be considered to be a reference to the
 7 “the Special Management Area”; and

8 (2) any reference in that section to “this Act”
 9 shall be considered to be a reference to “the San
 10 Juan Mountains Wilderness Act”.

11 **SEC. 5. ADMINISTRATIVE PROVISIONS.**

12 (a) **AUTHORIZED EVENTS.**—The Secretary may con-
 13 tinue to authorize the competitive running event permitted
 14 since 1992 in the vicinity of the Special Management
 15 Area, *the Liberty Bell East Special Management Area*, and
 16 the Liberty Bell addition to the Mount Sneffels Wilderness
 17 designated by section 2(a)(21) of the Colorado Wilderness
 18 Act of 1993 (as added by section 3) in a manner compat-
 19 ible with the preservation of the areas as wilderness.

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

23 (c) **NO BUFFER ZONES.**—

1 (1) IN GENERAL.—Nothing in this Act creates
2 a protective perimeter or buffer zone around covered
3 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 conduct of
8 the activity or use outside the boundary of the cov-
9 ered land.

10 (d) MAPS AND LEGAL DESCRIPTIONS.—

11 (1) IN GENERAL.—As soon as practicable after
12 the date of enactment of this Act, the Secretary or
13 the Secretary of the Interior, as appropriate, shall
14 file a map and a legal description of each wilderness
15 area designated by paragraphs (20) through (22) of
16 section 2(a) of the Colorado Wilderness Act of 1993
17 (as added by section 3) and the Special Management
18 Area with—

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

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

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

1 cept that the Secretary or the Secretary of the Inte-
2 rior, as appropriate, may correct clerical and typo-
3 graphical errors in each map and legal description.

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

9 (e) ACQUISITION OF LAND.—

10 (1) IN GENERAL.—The Secretary or the Sec-
11 retary of the Interior, as appropriate, may acquire
12 any land or interest in land within the boundaries of
13 the Special Management Area or the wilderness des-
14 ignated under paragraphs (20) through (22) of sec-
15 tion 2(a) of the Colorado Wilderness Act of 1993 (as
16 added by section 3) only through exchange, dona-
17 tion, or purchase from a willing seller.

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

23 (f) GRAZING.—The grazing of livestock on covered
24 land, if established before the date of enactment of this
25 Act, shall be permitted to continue subject to such reason-

1 able regulations as are considered necessary by the Sec-
2 retary with jurisdiction over the covered land, in accord-
3 ance with—

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

6 (2) the guidelines set forth in Appendix A of
7 the report of the Committee on Interior and Insular
8 Affairs of the House of Representatives accom-
9 panying H.R. 2570 of the 101st Congress (H. Rept.
10 101–405) and H.R. 5487 of the 96th Congress (H.
11 Rept. 96–617).

12 (g) WITHDRAWAL.—Subject to valid rights in exist-
13 ence on the date of enactment of this Act, the covered
14 land, ~~and~~ the approximately 6,600 acres generally de-
15 picted on the map entitled “Proposed Naturita Canyon
16 Mineral Withdrawal Area” and dated January 26, 2010,
17 *and the approximately 774 acres generally depicted on the*
18 *map entitled “Proposed Liberty Bell East Special Manage-*
19 *ment Area” and dated June 11, 2013, 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 (h) *PROHIBITION ON MOTORIZED AND MECHANIZED*
2 *TRAVEL IN THE LIBERTY BELL EAST SPECIAL MANAGE-*
3 *MENT AREA.—Except as necessary to meet the minimum*
4 *requirements for the administration of the covered land and*
5 *to protect public health and safety, the use of motor vehicles,*
6 *motorized equipment, or mechanical transport shall be pro-*
7 *hibited in the approximately 774 acres generally depicted*
8 *on the map entitled “Proposed Liberty Bell East Special*
9 *Management Area” and dated June 11, 2013.*

10 **SEC. 6. TECHNICAL CORRECTION.**

11 Subtitle E of title II of Public Law 111–11 (16
12 U.S.C. 460zzz et seq.) is amended—

13 (1) by redesignating section 2408 (16 U.S.C.
14 460zzz–7) as section 2409; and

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

17 **“SEC. 2408. RELEASE.**

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

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

4 “(1) is no longer subject to section 603(c) of
5 the Federal Land Policy and Management Act of
6 1976 (43 U.S.C. 1782(c)); and

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

Calendar No. 177

113TH CONGRESS
1ST Session

S. 341

[Report No. 113-99]

A BILL

To designate certain lands in San Miguel, Ouray,
and San Juan Counties, Colorado, as wilderness,
and for other purposes.

SEPTEMBER 10, 2013

Reported with amendments