

111TH CONGRESS
2^D SESSION

H. R. _____

To designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, to designate the Red Table Mountain, Pisgah Mountain, Castle Peak, Tenmile, and Hoosier Ridge Special Management Areas, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. POLIS of Colorado introduced the following bill, which was referred to the Committee on _____

A BILL

To designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, to designate the Red Table Mountain, Pisgah Mountain, Castle Peak, Tenmile, and Hoosier Ridge Special Management Areas, 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 “Eagle and Summit
5 County Wilderness Preservation Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) SECRETARY CONCERNED.—The term “Sec-
2 retary concerned” means—

3 (A) the Secretary of Agriculture, with re-
4 spect to National Forest System land; and

5 (B) the Secretary of the Interior, with re-
6 spect to public land administered by the Sec-
7 retary of the Interior through the Bureau of
8 Land Management.

9 (2) WILDERNESS AREA.—The term “wilderness
10 area” means each wilderness area designated, or
11 area of National Forest System land incorporated in
12 an existing wilderness area, by the amendments
13 made by section 3(a).

14 **SEC. 3. DESIGNATION OF ADDITIONAL WILDERNESS IN THE**
15 **STATE OF COLORADO.**

16 (a) DESIGNATION.—Section 2(a) of the Colorado Wil-
17 derness Act of 1993 (Public Law 103–77; 107 Stat. 756;
18 16 U.S.C. 1132 note) is amended—

19 (1) in paragraph (18), by striking “1993,” and
20 inserting “1993, and certain lands in the Acorn
21 Creek/Ute Pass and Ptarmigan A areas of the White
22 River National Forest which comprise approximately
23 6.190 acres, as depicted on a map entitled ‘Addi-
24 tions to Ptarmigan Peak Wilderness Proposal’ and
25 dated _____,”; and

1 (2) by adding at the end the following new
2 paragraphs:

3 “(22) Certain lands in the White River Na-
4 tional Forest which comprise approximately 4,440
5 acres, as depicted on a map entitled ‘Hoosier Ridge
6 Proposal’ and dated _____, and which
7 shall be known as the Hoosier Ridge Wilderness.

8 “(23) Certain lands in the White River Na-
9 tional Forest which comprise approximately 6.180
10 acres, as depicted on a map entitled ‘Porcupine
11 Gulch Wilderness Proposal’ and dated
12 _____, and which shall be known as the
13 Porcupine Gulch Wilderness.

14 “(24) Certain lands in the White River Na-
15 tional Forest which comprise approximately 6,900
16 acres, as depicted on a map entitled ‘Adam Moun-
17 tain Wilderness Proposal’ and dated
18 _____, and which shall be known as the
19 Adam Mountain Wilderness.

20 “(25) Certain lands in the White River Na-
21 tional Forest which comprise approximately 3,770
22 acres, as depicted on a map entitled ‘Tenmile Pro-
23 posal’ and dated _____, and which shall
24 be known as the Tenmile Wilderness.

1 “(26) Certain lands in the White River Na-
2 tional Forest which comprise approximately 8,960
3 acres, as depicted on a map entitled ‘Williams Fork
4 Wilderness Proposal’ and dated _____,
5 and which shall be known as the Williams Fork Wil-
6 derness.

7 “(27) Certain public lands administered by the
8 Colorado River Valley Field Office of the Bureau of
9 Land Management which comprise approximately
10 14,670 acres, as depicted on a map entitled ‘Bull
11 Gulch Wilderness Proposal’ and dated
12 _____, and which shall be known as
13 the Bull Gulch Wilderness.

14 “(28) Certain lands administered by the Colo-
15 rado River Valley Field Office of the Bureau of
16 Land Management which comprise approximately
17 12,080 acres, as depicted on a map entitled ‘Castle
18 Peak Proposal’ and dated _____, and
19 which shall be known as the Castle Peak Wilderness.

20 “(29) Certain lands in the No Name, West
21 Lake Creek, and Woods Lake areas of the White
22 River National Forest which comprise approximately
23 15,250 acres, as depicted on a map entitled ‘Addi-
24 tions to Holy Cross Wilderness Proposal’ and dated
25 _____, and which are hereby incor-

1 porated in and shall be deemed to be a part of the
2 Holy Cross Wilderness designated by section
3 102(a)(5) of Public Law 96–560 (94 Stat. 3266).

4 “(30) Certain lands in the Freeman Creek and
5 Spraddle Creek areas of the White River National
6 Forest which comprise approximately 10,280 acres,
7 as depicted on a map entitled ‘Additions to Eagles
8 Nest Wilderness Proposal’ and dated
9 _____, and which are hereby incor-
10 porated in and shall be deemed to be a part of the
11 Eagles Nest Wilderness designated by the first sec-
12 tion of Public Law 94–352 (90 Stat. 870).”.

13 (b) MAPS AND LEGAL DESCRIPTIONS.—

14 (1) FILING.—As soon as practicable after the
15 date of enactment of this Act, the Secretary con-
16 cerned shall file a map and a legal description of
17 each wilderness area with—

18 (A) the Committee on Energy and Natural
19 Resources of the Senate; and

20 (B) the Committee on Natural Resources
21 of the House of Representatives.

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

1 cept that the Secretary concerned may correct typo-
2 graphical errors in the maps and legal descriptions.

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

8 (c) ADMINISTRATION.—Subject to valid existing
9 rights, the wilderness areas shall be administered by the
10 Secretary concerned in accordance with this section, Pub-
11 lic Law 103–77, and the Wilderness Act (16 U.S.C. 1131
12 et seq.), except that—

13 (1) any reference in the Wilderness Act to the
14 effective date of that Act shall be considered to be
15 a reference to the date of the enactment of this Act;
16 and

17 (2) any reference in the Wilderness Act to the
18 Secretary of Agriculture shall be considered to be a
19 reference to the Secretary concerned.

20 (d) FIRE MANAGEMENT AND RELATED ACTIVI-
21 TIES.—

22 (1) AUTHORITY.—The Secretary concerned may
23 take such measures in a wilderness area as are nec-
24 essary for the control of fire, insects, and diseases
25 in accordance with section 4(d)(1) of the Wilderness

1 Act (16 U.S.C. 1133(d)(1)) and House Report 98–
2 40 of the 98th Congress.

3 (2) FUNDING PRIORITIES.—Nothing in this sec-
4 tion limits funding for fire and fuels management in
5 the wilderness areas.

6 (3) REVISION AND DEVELOPMENT OF LOCAL
7 FIRE MANAGEMENT PLANS.—As soon as practicable
8 after the date of enactment of this Act, the Sec-
9 retary concerned shall amend the local fire manage-
10 ment plans that apply to the wilderness areas.

11 (4) ADMINISTRATION.—Consistent with para-
12 graph (1) and other applicable Federal law, to en-
13 sure a timely and efficient response to fire emer-
14 gencies in the wilderness areas, the Secretary con-
15 cerned shall—

16 (A) not later than 1 year after the date of
17 enactment of this Act, establish agency ap-
18 proval procedures (including appropriate delega-
19 tions of authority to the Forest Supervisor, Dis-
20 trict Manager, or other agency officials) for re-
21 sponding to fire emergencies; and

22 (B) enter into agreements with the State
23 of Colorado or local firefighting agencies.

24 (e) USE OF HORSES.—Subject to any terms and con-
25 ditions determined to be necessary by the Secretary con-

1 cerned, nothing in this section precludes horseback riding
2 in, or the entry of recreational or commercial saddle or
3 pack stock into, a wilderness area in accordance with the
4 Wilderness Act (16 U.S.C. 1131).

5 **SEC. 4. RED TABLE MOUNTAIN, PISGAH MOUNTAIN, AND**
6 **CASTLE PEAK SPECIAL MANAGEMENT AREAS.**

7 (a) DESIGNATION OF ADDITIONAL AREAS.—Section
8 9(a) of the Colorado Wilderness Act of 1993 (Public Law
9 103–77; 107 Stat. 764) is amended by adding at the end
10 the following new paragraphs:

11 “(4) Certain lands in the White River National
12 Forest, comprising approximately 55,320 acres as
13 generally depicted on a map entitled ‘Red Table
14 Mountain Area’ and dated _____, ex-
15 cept that, with respect to these lands and consistent
16 with this section, the Secretary of Agriculture may
17 take any measures that the Secretary determines to
18 be necessary to control fire, insects, and diseases, in-
19 cluding, as the Secretary determines appropriate, the
20 coordination of those activities with the State of Col-
21 orado or a local agency.

22 “(5) Certain public lands administered by the
23 Colorado River Valley Field Office of the Bureau of
24 Land Management, comprising approximately
25 14,470 acres as generally depicted on a map entitled

1 'Pisgah Mountain Area' and dated
2 _____, except that nothing in this
3 section shall be construed to impair, impede, or
4 interfere with the construction, maintenance, oper-
5 ation, or repair of the _____ project with-
6 in the Pisgah Mountain Area.

7 “(6) Certain public lands administered by the
8 Colorado River Valley Field Office of the Bureau of
9 Land Management, comprising approximately 4,000
10 acres as generally depicted on a map entitled ‘Castle
11 Peak Area’ and dated _____.”.

12 (b) MANAGEMENT.—Section 9(b) of the Colorado
13 Wilderness Act of 1993 (Public Law 103–77; 107 Stat.
14 764) is amended—

15 (1) in paragraph (4), by striking the second
16 sentence; and

17 (2) by adding at the end the following new
18 paragraphs:

19 “(4)(A) Except as provided in subparagraph (B),
20 mechanized or motorized travel shall not be permitted in
21 areas described in subsection (a).

22 “(B)(i) The Secretary of Agriculture may permit mo-
23 torized travel on trail number 535 in the San Juan Na-
24 tional Forest during periods of adequate snow cover.

1 “(ii) the restriction on motorized travel shall not
2 change or restrict in any way the use by the Colorado
3 Army National Guard of the Red Table Mountain Area,
4 Pisgah Area, or Castle Peak Area for aviation training,
5 testing, evaluation, emergency response or other related
6 air and ground operations.

7 “(iii) The Secretary of Agriculture may permit bicycle
8 travel on trail number 1912.1 (Red Hill) to the intersec-
9 tion with trail number 1870.1 (Mount Thomas), and on
10 trail number 1870.1 (Mount Thomas) west of the intersec-
11 tion with trail number 1912.1 (Red Hill) in the White
12 River National Forest.

13 “(5)(A) Nothing in this section shall affect the use
14 by the Colorado Army National Guard of the Red Table
15 Mountain Area, Pisgah Mountain Area, or Castle Peak
16 Area for aviation training, testing, evaluation, emergency
17 response or other related air and ground operations—

18 “(i) in the manner and degree such uses were
19 authorized to occur on the date of the enactment of
20 the Eagle and Summit County Wilderness Preserva-
21 tion Act; or

22 “(ii) as authorized under future agreements be-
23 tween the Secretary of Agriculture and the Secretary
24 of the Interior, as appropriate, and the Colorado
25 Army National Guard.

1 “(B) Nothing in this section restricts or precludes,
2 or should be interpreted under any other Federal regula-
3 tion to restrict or preclude—

4 “(i) low-level overflights of military aircraft over
5 the Red Table Area, Pisgah Mountain Area, or Cas-
6 tle Peak Area, including military overflights that can
7 be seen or heard within these areas;

8 “(ii) aviation training, emergency response,
9 flight testing and evaluation; or

10 “(iii) the designation or creation of new units of
11 special use airspace, or the establishment of military
12 flight training routes, over the Red Table Mountain
13 Area, Pisgah Mountain Area, or Castle Peak Area.

14 “(C) Nothing in this section shall create any protec-
15 tive perimeter or buffer zone around the Red Table Moun-
16 tain Area, Pisgah Mountain Area, or Castle Peak Area.

17 “(D) The fact that certain activities or uses can be
18 seen or heard from within the Red Table Mountain Area,
19 Pisgah Mountain Area, or Castle Peak Area shall not pre-
20 clude the conduct of those activities or uses outside the
21 boundary of each area.”

22 (c) CLERICAL AMENDMENT.—The heading of section
23 9 of the Colorado Wilderness Act of 1993 (Public Law
24 103–77; 107 Stat. 764) is amended to read as follows:

1 **“SEC. 9. DESIGNATION OF SPECIAL MANAGEMENT AREAS.”.**

2 **SEC. 5. TENMILE AND HOOSIER RIDGE SPECIAL MANAGE-**
3 **MENT AREAS.**

4 (a) DESIGNATION.—The following are hereby des-
5 ignated as special management areas:

6 (1) Certain Federal land located in the White
7 River National Forest, comprising approximately
8 3,240 acres, as generally depicted on the map enti-
9 tled “Tenmile Proposal” and dated
10 _____, which is designated as the
11 Tenmile Special Management Area.

12 (2) Certain Federal land located in the White
13 River National Forest, comprising approximately
14 1,780 acres, as generally depicted on the map enti-
15 tled “Hoosier Ridge Proposal” and dated
16 _____, which is designated as the Hoosier
17 Ridge Special Management Area.

18 (b) MAPS AND LEGAL DESCRIPTIONS.—

19 (1) IN GENERAL.—As soon as practicable after
20 the date of enactment of this Act, the Secretary of
21 Agriculture shall file a map and a legal description
22 of the special management areas designated by sub-
23 section (a) (referred to in this section as the “special
24 management areas”) with—

25 (A) the Committee on Energy and Natural
26 Resources of the Senate; and

1 (B) the Committee on Natural Resources
2 of the House of Representatives.

3 (2) FORCE OF LAW.—The maps and legal de-
4 scriptions filed under paragraph (1) shall have the
5 same force and effect as if included in this Act, ex-
6 cept that the Secretary may correct typographical
7 errors in the maps and legal descriptions.

8 (3) PUBLIC AVAILABILITY.—Each map and
9 legal description filed under paragraph (1) shall be
10 on file and available for public inspection in the ap-
11 propriate offices of the Forest Service.

12 (c) ADMINISTRATION.—The Secretary of Agriculture
13 shall administer the special management areas in accord-
14 ance with this section and any laws (including regulations)
15 relating to the National Forest System.

16 (d) WITHDRAWAL.—Subject to valid existing rights,
17 the Federal land in the special management areas is with-
18 drawn from all forms of—

19 (1) entry, appropriation, or disposal under the
20 public land laws;

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

23 (3) disposition under all laws pertaining to min-
24 eral and geothermal leasing or mineral materials.

1 (e) PROHIBITED USES.—The following shall be pro-
2 hibited on the Federal land within the special management
3 areas:

4 (1) Permanent roads.

5 (2) Permanent structures.

6 (3) Timber harvesting.

7 (4) Except as necessary to meet the minimum
8 requirements for the administration of the special
9 management areas and to protect public health and
10 safety—

11 (A) the use of motorized vehicles; or

12 (B) the establishment of temporary roads.

13 (f) WILDFIRE, INSECT, AND DISEASE MANAGE-
14 MENT.—Consistent with this section, the Secretary of Ag-
15 riculture may take any measures that the Secretary deter-
16 mines to be necessary to control fire, insects, and diseases,
17 including, as the Secretary determines appropriate, the co-
18 ordination of those activities with the State of Colorado
19 or local agency.