

Calendar No. 632

113TH CONGRESS }
2d Session }

SENATE

{ REPORT
113-292

HERMOSA CREEK WATERSHED PROTECTION ACT

DECEMBER 10, 2014.—Ordered to be printed

Ms. LANDRIEU, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 841]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 841) to designate certain Federal land in the San Juan National Forest in the State of Colorado as wilderness, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Hermosa Creek Watershed Protection Act of 2014”.

SEC. 2. DEFINITIONS.

In this Act:

- (1) CITY.—The term “City” means the city of Durango, Colorado.
- (2) COUNTY.—The term “County” means La Plata County, Colorado.
- (3) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.
- (4) SPECIAL MANAGEMENT AREA.—The term “Special Management Area” means the Hermosa Creek Special Management Area designated by section 3(a).
- (5) STATE.—The term “State” means the State of Colorado.

SEC. 3. DESIGNATION OF HERMOSA CREEK SPECIAL MANAGEMENT AREA.

(a) DESIGNATION.—Subject to valid existing rights, certain Federal land in the San Juan National Forest comprising approximately 70,650 acres, as generally depicted on the map entitled “Proposed Hermosa Creek Special Management Area and Proposed Hermosa Creek Wilderness Area” and dated November 12, 2014, is designated as the “Hermosa Creek Special Management Area”.

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

(c) ADMINISTRATION.—

- (1) IN GENERAL.—The Secretary shall administer the Special Management Area—
- (A) in a manner that conserves, protects, and manages the resources of the Special Management Area described in subsection (b); and
 - (B) in accordance with—
 - (i) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);
 - (ii) this Act; and
 - (iii) any other applicable laws.
- (2) USES.—
- (A) IN GENERAL.—The Secretary shall allow only such uses of the Special Management Area as the Secretary determines would further the purposes described in subsection (b).
 - (B) MOTORIZED AND MECHANIZED VEHICLES.—
 - (i) IN GENERAL.—Except as provided in clause (ii) and as needed for administrative purposes or to respond to an emergency, the use of motorized or mechanized vehicles in the Special Management Area shall be permitted only on roads and trails designated by the Secretary for use by those vehicles.
 - (ii) OVERSNOW VEHICLES.—The Secretary shall authorize the use of snowmobiles and other oversnow vehicles within the Special Management Area—
 - (I) when there exists adequate snow coverage; and
 - (II) subject to such terms and conditions as the Secretary may require.
 - (C) GRAZING.—The Secretary shall permit grazing within the Special Management Area, if established before the date of enactment of this Act, subject to all applicable laws (including regulations) and Executive orders.
 - (D) PROHIBITED ACTIVITIES.—Within the area of the Special Management Area identified as “East Hermosa Area” on the map entitled “Proposed Hermosa Creek Special Management Area and Proposed Hermosa Creek Wilderness Area” and dated November 12, 2014, the following activities shall be prohibited:
 - (i) New permanent or temporary road construction or the renovation of existing nonsystem roads, except as allowed under the final rule entitled “Special Areas; Roadless Area Conservation; Applicability to the National Forests in Colorado” (77 Fed. Reg. 39576 (July 3, 2012)).
 - (ii) Projects undertaken for the purpose of harvesting commercial timber (other than activities relating to the harvest of merchantable products that are byproducts of activities conducted for ecological restoration or to further the purposes described in this Act).
- (d) STATE AND FEDERAL WATER MANAGEMENT.—Nothing in this section affects the potential for development, operation, or maintenance of a water storage reservoir at the site in the Special Management Area that is identified in—
- (1) pages 17 through 20 of the Statewide Water Supply Initiative studies prepared by the Colorado Water Conservation Board and issued by the State in November 2004; and
 - (2) page 27 of the Colorado Dam Site Inventory prepared by the Colorado Water Conservation Board and dated August 1996.
- (e) WITHDRAWAL.—
- (1) IN GENERAL.—Subject to valid rights in existence on the date of enactment of this Act and except as provided in paragraph (2), the Federal land within the Special Management Area is withdrawn from—
 - (A) all forms of entry, appropriation, and disposal under the public land laws;
 - (B) location, entry, and patent under the mining laws; and
 - (C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.
 - (2) EXCEPTION.—The withdrawal under paragraph (1) shall not apply to the areas identified as parcels A and B on the map entitled “Proposed Hermosa Creek Special Management Area and Proposed Hermosa Creek Wilderness Area” and dated November 12, 2014.
- (f) WINTER SKIING AND RELATED WINTER ACTIVITIES.—Nothing in this section alters or limits—
- (1) a permit held by a ski area;
 - (2) the implementation of the activities governed by a ski area permit; or
 - (3) the authority of the Secretary to modify or expand an existing ski area permit.

(g) **VEGETATION MANAGEMENT.**—Nothing in this section prevents the Secretary from conducting vegetation management projects within the Special Management Area—

- (1) subject to—
 - (A) such reasonable regulations, policies, and practices as the Secretary determines to be appropriate; and
 - (B) all applicable laws (including regulations); and
- (2) in a manner consistent with—
 - (A) the purposes described in subsections (b) and (h); and
 - (B) this section.

(h) **WILDFIRE, INSECT, AND DISEASE MANAGEMENT.**—In accordance with this section, the Secretary may—

- (1) carry out any measures that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Special Management Area; and
- (2) coordinate those measures with the appropriate State or local agency, as the Secretary determines to be necessary.

(i) **MANAGEMENT PLAN.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term protection and management of the Special Management Area that—

- (1) takes into account public input; and
- (2) provides for recreational opportunities to occur within the Special Management Area, including skiing, biking, hiking, fishing, hunting, horseback riding, snowmobiling, motorcycle riding, off-highway vehicle use, snowshoeing, and camping.

(j) **TRAIL AND OPEN AREA SNOWMOBILE USAGE.**—Nothing in this section affects the use or status of trails authorized for motorized or mechanized vehicle or open area snowmobile use on the date of enactment of this Act.

(k) **STATE WATER RIGHTS.**—Nothing in this section affects access to, use of, or allocation of any absolute or conditional water right that is—

- (1) decreed under the laws of the State; and
- (2) in existence on the date of enactment of this Act.

SEC. 4. HERMOSA CREEK WILDERNESS.

(a) **DESIGNATION OF WILDERNESS.**—Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; 107 Stat. 756; 114 Stat. 1955; 116 Stat. 1055) is amended by adding at the end the following:

“(22) Certain land within the San Juan National Forest that comprises approximately 37,236 acres, as generally depicted on the map entitled ‘Proposed Hermosa Creek Special Management Area and Proposed Hermosa Creek Wilderness Area’ and dated November 12, 2014, which shall be known as the ‘Hermosa Creek Wilderness’.”.

(b) **EFFECTIVE DATE.**—Any reference contained in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act for purposes of administering the wilderness area designated by section 2(a)(22) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; 107 Stat. 756; 114 Stat. 1955; 116 Stat. 1055) (as added by subsection (a)).

(c) **FIRE, INSECTS, AND DISEASES.**—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), within the wilderness areas designated by section 2(a)(22) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; 107 Stat. 756; 114 Stat. 1955; 116 Stat. 1055) (as added by subsection (a)), the Secretary may carry out any measure that the Secretary determines to be necessary to control fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

SEC. 5. DURANGO AREA MINERAL WITHDRAWAL.

(a) **WITHDRAWAL.**—Subject to valid existing rights, the land and mineral interests described in subsection (b) are withdrawn from all forms of—

- (1) entry, appropriation, and disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) disposition under all laws relating to mineral leasing, geothermal leasing, or mineral materials.

(b) **DESCRIPTION OF LAND AND MINERAL INTERESTS.**—The land and mineral interests referred to in subsection (a) are the Federal land and mineral interests generally depicted within the areas designated as “Withdrawal Areas” on the map entitled “Perins Peak & Animas City Mountain, Horse Gulch and Lake Nighthorse Mineral Withdrawal” and dated April 5, 2013.

(c) **PUBLIC PURPOSE CONVEYANCE.**—Notwithstanding subsection (a), the Secretary of the Interior may convey any portion of the land described in subsection (b) that

is administered by the Bureau of Land Management to the City, the County, or the State—

- (1) pursuant to the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.); or
- (2) by exchange in accordance with applicable laws (including regulations).

SEC. 6. CONVEYANCE OF BUREAU OF LAND MANAGEMENT LAND TO COUNTY.

(a) **IN GENERAL.**—On the expiration of the permit numbered COC 64651 (09) and dated February 24, 2009, on request and agreement of the County, the Secretary of the Interior shall convey to the County, without consideration and subject to valid existing rights, all right, title, and interest of the United States in and to the land described in subsection (b), subject to—

- (1) subsection (c);
- (2) the condition that the County shall pay all administrative and other costs associated with the conveyance; and
- (3) such other terms and conditions as the Secretary of the Interior determines to be necessary.

(b) **DESCRIPTION OF LAND.**—The land referred to in subsection (a) consists of approximately 82 acres of land managed by the Bureau of Land Management, Tres Rios District, Colorado, as generally depicted on the map entitled “La Plata County Grandview Conveyance” and dated May 5, 2014.

(c) **USE OF CONVEYED LAND.**—The Federal land conveyed pursuant to this section may be used by the County for any public purpose, in accordance with the Act of June 14, 1926 (commonly known as the “Recreation and Public Purposes Act”) (43 U.S.C. 869 et seq.).

(d) **REVERSION.**—If the County ceases to use a parcel of the Federal land conveyed pursuant to this section in accordance with subsection (a), title to the parcel shall revert to the Secretary of the Interior, at the option of the Secretary of the Interior.

SEC. 7. MOLAS PASS RECREATION AREA; WILDERNESS STUDY AREA RELEASE; WILDERNESS STUDY AREA TRANSFER OF ADMINISTRATIVE JURISDICTION.

(a) **MOLAS PASS RECREATION AREA.**—

(1) **DESIGNATION.**—The approximately 461 acres of land in San Juan County, Colorado, that is generally depicted as “Molas Pass Recreation Area” on the map entitled “Molas Pass Recreation Area and Molas Pass Wilderness Study Area” and dated November 13, 2014, is designated as the “Molas Pass Recreation Area”.

(2) **USE OF SNOWMOBILES.**—The use of snowmobiles shall be authorized in the Molas Pass Recreation Area—

- (A) during periods of adequate snow coverage;
- (B) in accordance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable laws (including regulations);
- (C) on designated trails for winter motorized travel and grooming;
- (D) in designated areas for open area motorized travel; and
- (E) subject to such terms and conditions as the Secretary may require.

(3) **OTHER RECREATIONAL OPPORTUNITIES.**—In addition to the uses authorized under paragraph (2), the Secretary may authorize other recreational uses in the Molas Pass Recreation Area.

(b) **MOLAS PASS WILDERNESS STUDY AREA.**—

(1) **TRANSFER OF ADMINISTRATIVE JURISDICTION.**—Administrative jurisdiction over the Federal land generally depicted as “Molas Pass Wilderness Study Area” on the map entitled “Molas Pass Recreation Area and Molas Pass Wilderness Study Area”, and dated November 13, 2014, is transferred from the Bureau of Land Management to the Forest Service.

(2) **ADMINISTRATION.**—The Federal land described in paragraph (1) shall—

- (A) be known as the “Molas Pass Wilderness Study Area”; and
- (B) be administered by the Secretary, so as to maintain the wilderness character and potential of the Federal land for inclusion in the National Wilderness Preservation System.

(c) **RELEASE.**—

(1) **FINDING.**—Congress finds that the land described in paragraph (3) has been adequately studied for wilderness designation under section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782).

(2) **RELEASE.**—Effective beginning on the date of enactment of this Act, the land described in paragraph (3)—

- (A) shall not be subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c));
- (B) shall be managed in accordance with land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and

(C) shall not be subject to Secretarial Order 3310 issued on December 22, 2010.

(3) DESCRIPTION OF LAND.—The land referred to in paragraphs (1) and (2) is the approximately 461 acres located in the West Needles Contiguous Wilderness Study Area of San Juan County, Colorado, that is generally depicted as “Molas Pass Recreation Area” on the map entitled “Molas Pass Recreation Area and Molas Pass Wilderness Study Area” and dated November 13, 2014.

SEC. 8. GENERAL PROVISIONS.

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

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary or the Secretary of the Interior, as appropriate, shall prepare maps and legal descriptions of—

- (A) the Special Management Area;
- (B) the wilderness area designated by the amendment made by section 4(a);
- (C) the withdrawal pursuant to section 5;
- (D) the conveyance pursuant to section 6;
- (E) the recreation area designated by section 7(a); and
- (F) the wilderness study area designated by section (7)(b)(2).

(2) FORCE OF LAW.—The maps and legal descriptions prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary concerned may correct any clerical or typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and the Bureau of Land Management.

(c) ADJACENT MANAGEMENT.—

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

- (A) the Special Management Area; or
- (B) the wilderness area designated by an amendment made by section 4(a).

(2) NONWILDERNESS ACTIVITIES.—The fact that a nonwilderness activity or use can be seen or heard from areas within the wilderness area designated by an amendment made by section 4(a) shall not preclude the conduct of the activity or use outside the boundary of the wilderness area.

(d) MILITARY OVERFLIGHTS.—Nothing in this Act restricts or precludes—

- (1) any low-level overflight of military aircraft over an area designated as a wilderness area under an amendment made by this Act, including military overflights that can be seen, heard, or detected within the wilderness area;
- (2) flight testing or evaluation; or
- (3) the designation or establishment of—
 - (A) new units of special use airspace; or
 - (B) any military flight training route over a wilderness area described in paragraph (1).

PURPOSE

The purposes of S. 841 are to designate certain Federal land in the San Juan National Forest in the State of Colorado as wilderness, to designate the Hermosa Creek Watershed Protection Area, to designate the Hermosa Creek Special Management Area, to withdraw certain Federal land from the mining laws, and to convey certain Federal land to La Plata County.

BACKGROUND AND NEED

Southwestern Colorado is home to a set of unique valleys and streams known locally as Hermosa Creek. The area is known for its beauty, magnificent vistas, wildlife, and for job-creating activity that generates income for local communities. For example, the area supports outstanding hunting opportunities and provides some of the best backcountry elk habitat in the State of Colorado.

Recognizing the need to protect and preserve the watershed for the enjoyment of future generations, a diverse group of residents came together in 2008 to form the Hermosa Creek Workgroup and discuss the future management of the area. Members of the Workgroup included the Colorado Department of Natural Resources, the San Juan Citizens Alliance, the Southern Ute Indian Tribe, the Southwestern Water Conservation District, the Nature Conservancy, The Wilderness Society, Trout Unlimited, and others. Following 22 months of negotiations, the Workgroup came to an agreement on a blueprint to govern future management of the watershed. Released in February 2010, the Hermosa Creek Workgroup Final Report recommended that “special federal legislation be developed, introduced, and hopefully passed” to protect the area.

LEGISLATIVE HISTORY

S. 841 was introduced by Senators Bennet and Udall of Colorado on April 25, 2013. The Subcommittee on Public Lands, Forests and Mining held a hearing on S. 841 on November 20, 2013 (S. Hrg. 113–342). The Committee on Energy and Natural Resources ordered the measure reported favorably with an amendment in the nature of a substitute on November 13, 2014.

Representative Tipton introduced similar legislation, H.R. 1839, in the House of Representatives on May 8, 2013. Senators Bennet and Udall of Colorado introduced similar legislation in the 112th Congress, S. 3400, on July 18, 2012.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on November 13, 2014, by a voice vote of a quorum present, recommends that the Senate pass S. 841, if amended as described herein.

COMMITTEE AMENDMENT

During its consideration of S. 841, the Committee adopted an amendment in the nature of a substitute containing technical changes to the bill.

SECTION-BY-SECTION ANALYSIS

Section 1 provides as the “Hermosa Creek Watershed Protection Act of 2013.”

Section 2 provides Congressional findings.

Section 3 defines key terms used in the Act.

Section 4 designates 107,886 acres federal lands in San Juan National Forest in Colorado as the Hermosa Creek Watershed and Protection Area.

Section 5 designates 68,289 acres of federal lands in the San Juan National Forest as the Hermosa Creek Special Management Area.

Requires the Secretary of Agriculture to develop a management plan for the long-term protection and management of the Special Management Area.

Section 6 designates 37,236 of federal lands in the San Juan National Forest as wilderness.

Section 7 withdraws 13,086 of federal lands managed by the Bureau of Land Management (BLM) from the mining laws, subject to valid existing rights.

Section 8 directs the Secretary of the Interior, upon the expiration of a specified permit, to convey to La Plata County, Colorado, identified land managed by the BLM in the Tres Rios District in Colorado. Subsection (d) requires such land to be used only for public purposes consistent with the uses allowed under the Recreation and Public Purposes Act. Subsection (e) requires the County to pay all survey costs and other administrative costs necessary for preparing and completing patents for, and transfers of title to, such land. Subsection (f) requires the County to agree in writing to pay administrative costs associated with such conveyance, including the costs of environmental, wildlife, cultural, or historical resources studies.

Section 9 releases the West Needles Contiguous Wilderness Study Area in San Juan County, Colorado, from further study for designation as wilderness.

COST AND BUDGETARY CONSIDERATIONS

The Congressional Budget Office estimate of the costs of this measure has been requested but was not received at the time the report was filed. When the Congressional Budget Office completes its cost estimate, it will be posted on the Internet at *www.cbo.gov*.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 841.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 353, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 841, as reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The testimony provided by Steven A. Ellis from the Bureau of Land Management at the November 20, 2013, Subcommittee on Public Lands, Forests, and Mining hearing on S. 841 follows:

STATEMENT OF STEVEN A. ELLIS, ACTING DEPUTY DIRECTOR,
BUREAU OF LAND MANAGEMENT, DEPARTMENT OF
THE INTERIOR

Thank you for the opportunity to testify on S. 841, the Hermosa Creek Watershed Protection Act. The legislation primarily concerns land designations within the San Juan National Forest. The Department of the Interior defers to the Department of Agriculture on provisions pertaining to lands administered by the U.S. Forest Service. Sections 7, 8, and 9 of the bill concern lands administered by the Department of the Interior (Department). These sections would withdraw approximately 13,000 acres of BLM-managed lands from mining and mineral leasing laws; convey approximately 111 acres of BLM-managed land to La Plata County, Colorado; and release approximately 461 acres of the West Needles Contiguous Wilderness Study Area. The Department supports these sections with amendments to ensure manageability.

BACKGROUND

In southwestern Colorado, the BLM administers more than 664,000 acres of public lands through the Tres Rios Field Office. These lands provide a wide variety of uses, ranging from livestock grazing and mineral exploration to world class recreational opportunities and critical wildlife habitat. The BLM works closely with the State of Colorado, tribal governments, counties and cities, as well as local communities to ensure the sustainable management of these lands and their multiple uses.

S. 841

The following is a discussion of the bill's provisions which apply to lands managed by the Department of the Interior.

Section 7. Durango area mineral withdrawal

The area surrounding the City of Durango, Colorado, contains many popular recreation areas situated on Federal lands, including Animas Mountain and Perins Peak (8,557 acres), Lake Nighthorse (3,281 acres), and Horse Gulch (708 acres). Section 7 of S. 841 would withdraw approximately 13,000 acres across these three areas from location, entry, and patent under mining laws as well as disposition under laws relating to mineral leasing, geothermal leasing, or mineral materials. There are no active leases or mining claims in these areas, and the Department supports this withdrawal. S. 841 would also withdraw these areas from all entry, appropriation, or disposal under public land laws. To ensure the BLM retains discretionary authority to manage any potential future land transfers or conveyances of the withdrawn lands, the Department recommends deleting the withdrawal provision concerning disposal under public land laws under Section (a), Subsection (1).

Section 8. La Plata County land conveyance

Section 8 of S. 841 directs the Secretary of the Interior to convey a parcel of approximately 111 acres managed by the BLM to La Plata County for uses consistent with the Recreation and Public Purposes Act (R&PP) and subject to valid existing rights. La Plata County, in southwest Colorado, has submitted an application to the BLM for conveyance of a parcel of land under the R&PP for the purpose of developing a new multi-event and fairgrounds facility.

The R&PP Act authorizes the Secretary of the Interior to lease or convey public lands at nominal costs for recreational and public purposes, including for educational facilities. The Department generally supports appropriate legislative conveyances at no cost if the lands are to be used for purposes consistent with the R&PP Act, and if the conveyances have a reversionary clause to enforce this requirement.

The Department supports the conveyance of these lands for important public purposes. Under the bill, the County would pay all costs associated with the transaction. Currently, a gravel pit is in operation on the parcel under a mineral materials contract, and the bill would require conveyance of the land following expiration of that contract in February 2019. Since the land proposed for conveyance is currently encumbered by Federal oil and gas leases and would be conveyed without consideration, the BLM recommends all minerals be reserved to the United States. The BLM would like to work with the sponsor on a boundary modification to enhance manageability of both the conveyed parcel and the lands retained by the BLM, and avoid creating an isolated parcel remaining under BLM administration. We would also like to work with the sponsor on additional amendments to the bill language, particularly regarding the addition of a reversionary clause and conservation easement to protect cultural resources in the area.

Section 9. Release of Wilderness Study Areas

Section 9 of S. 841 provides for the release from Wilderness Study Area status of approximately 461 acres of the West Needles Contiguous Wilderness Study Area. This WSA is bordered on the west by a State Highway and on the east by the Durango-Silverton Narrow Gauge Railroad (a popular tourist route), making the remnant WSA a challenge to manage for non-impairment. In 1983, Public Law 98-141 transferred portions of the West Needles Contiguous WSA to the Forest Service, which are now part of the Weiminuche Wilderness. The remaining BLM-managed acres continue in WSA status. The area proposed for release by the legislation would leave 499 acres of BLM-managed lands in WSA status, creating interim management difficulties associated with narrow portions of WSA land, recreational use conflicts, and artificial management boundaries. This area is valued by local recreationists for many uses, including winter snowmobiling, fishing, camp-

ing, and hiking. The BLM recommends the release of the entire 960-acre West Needles Contiguous WSA. This will benefit the BLM's ongoing management of the area as well as reduce public confusion as BLM continues to manage the area for its resource values.

CONCLUSION

The Department supports sections 7, 8, and 9 and would like to work with the sponsor and the Committee on these amendments. Thank you again for the opportunity to discuss this legislation, and I would be glad to answer any questions.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 841, as ordered reported, are as follows:

COLORADO WILDERNESS ACT OF 1993

PUBLIC LAW 103-77

An Act To designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, and for other purposes.

* * * * *

SEC. 2. ADDITIONS TO THE WILDERNESS PRESERVATION SYSTEM.

(a) ADDITIONS.—The following lands in the State of Colorado are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

* * * * *

(21) Certain lands in the Arapaho/Roosevelt National Forest which comprise approximately 14,000 acres, as generally depicted on a map entitled "Proposed James Peak Wilderness", dated September 2001, and which shall be known as the James Peak Wilderness.

(22) *Certain land within the San Juan National Forest that comprises approximately 37,236 acres, as generally depicted on the map entitled "Proposed Hermosa Creek Special Management Area and Proposed Hermosa Creek Wilderness Area," and dated November 12, 2014, which shall be known as the "Hermosa Creek Wilderness."*

* * * * *