

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> 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.