

104TH CONGRESS
1ST SESSION

S. 1424

To redesignate the Black Canyon of the Gunnison National Monument as a national park, to establish the Gunnison Gorge National Conservation Area, to establish the Curecanti National Recreation Area, to establish the Black Canyon of the Gunnison National Park Complex, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 1995

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

A BILL

To redesignate the Black Canyon of the Gunnison National Monument as a national park, to establish the Gunnison Gorge National Conservation Area, to establish the Curecanti National Recreation Area, to establish the Black Canyon of the Gunnison National Park Complex, 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 “Black Canyon National
5 Park Complex Act of 1996”.

1 **SEC. 2. ESTABLISHMENT OF BLACK CANYON OF THE GUN-**
2 **NISON NATIONAL PARK.**

3 (a) There is hereby established the Black Canyon of
4 the Gunnison National Park (hereinafter referred to as
5 the “park”) in the State of Colorado. The Black Canyon
6 National Monument is abolished as such, and all lands and
7 interest therein are hereby incorporated within and made
8 part of the Black Canyon of the Gunnison National Park.
9 Any reference to the Black Canyon of the Gunnison Na-
10 tional Monument shall be deemed a reference to Black
11 Canyon of the Gunnison National Park, and any funds
12 available for the purposes of the monument shall be avail-
13 able for purposes of the park.

14 (b) The Secretary of the Interior (hereinafter referred
15 to as the “Secretary”) acting through the Director of the
16 National Park Service shall manage the park, subject to
17 valid existing rights, in accordance with this Act and under
18 the provisions of law generally applicable to units of the
19 National Park System including but not limited to the Act
20 of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1 et seq.),
21 the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461
22 et seq.), and other applicable provisions of law.

23 **SEC. 3. ESTABLISHMENT OF THE GUNNISON GORGE NA-**
24 **TIONAL CONSERVATION AREA.**

25 (a) There is hereby established the Gunnison Gorge
26 National Conservation Area (hereafter referred to as the

1 “conservation area”) in the State of Colorado, consisting
2 of approximately 64,139 acres as generally depicted on the
3 map entitled “Black Canyon of the Gunnison National
4 Park Complex—Map No. 2, dated 10/27/95” (hereinafter
5 referred to as the “map”).

6 (b) The Secretary, acting through the Director of the
7 Bureau of land management, shall manage the conserva-
8 tion area, subject to valid existing rights, in accordance
9 with this Act, the Federal Land Management and Policy
10 Act of 1976, and other applicable provisions of law.

11 (c) In addition to the use of motorized vehicles on
12 established roadways, the use of motorized vehicles in the
13 conservation area shall be allowed to the extent compat-
14 ible, in accordance with existing off-highway vehicle des-
15 ignations as described in the current, approved manage-
16 ment plan, or as part of the management plan prepared
17 pursuant to this Act.

18 (d) Within four years following the date of enactment
19 of this Act, the Secretary shall develop and transmit to
20 the Committee on Energy and Natural Resources of the
21 United States Senate and to the Committee on Resources
22 of the United States House of Representatives a com-
23 prehensive plan for the long-range protection and manage-
24 ment of the conservation area. The plan shall describe the
25 appropriate uses and management of the conservation

1 area consistent with the provisions of this Act. The plan
2 may incorporate appropriate decisions contained in any
3 current management or activity plan for the area. The
4 plan may also incorporate appropriate wildlife habitat
5 management or other plans that have been prepared for
6 the lands within or adjacent to the conservation area, and
7 shall be prepared in close consultation with appropriate
8 agencies of the State of Colorado and shall use informa-
9 tion developed in previous studies of the lands within or
10 adjacent to the conservation area.

11 **SEC. 4. ESTABLISHMENT OF THE CURECANTI NATIONAL**
12 **RECREATION AREA, AND THE DENVER AND**
13 **RIO GRANDE RAILROAD NATIONAL HISTORIC**
14 **SITE.**

15 (a) There is hereby established, the Curecanti Na-
16 tional Recreation Area (hereinafter referred to as the
17 “recreation area” in the State of Colorado. The recreation
18 area shall consist of the lands and water within the area
19 designated “Curecanti National Recreation Area” as de-
20 picted on the map.

21 (b) The Secretary, acting through the Director of the
22 National Park Service shall manage the recreation area,
23 subject to valid existing rights, in accordance with this Act
24 and under provisions of law generally applicable to units
25 of the National Park System including but not limited to

1 the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1
2 et seq.), and the Act of August 21, 1935 (49 Stat. 666;
3 16 U.S.C. 461 et seq.), and other applicable provisions
4 of law, except as otherwise provided in this section.

5 (c) The establishment of the recreation area under
6 subsection (a) shall not affect or interfere with the validity
7 of withdrawals made before the date of enactment of this
8 Act for reclamation or power purposes. Operation of im-
9 provements on and the management of lands occupied by
10 dams, structures, or other facilities subject to the Colorado
11 River Storage Project Act of 1956 (42 U.S.C. 620 et seq.)
12 shall be the responsibility of the Secretary, acting through
13 the Commissioner of the Bureau of Reclamation. Such
14 lands shall be delineated through a joint agreement among
15 the Bureau of Reclamation, the National Park Service,
16 and all associated entities. The Secretary may enter into
17 additional agreements which address sharing of jurisdic-
18 tion and authorities on the delineated lands. All lands
19 within the recreation area which have been withdrawn or
20 acquired by the United States for reclamation purposes
21 shall remain subject to the purposes and uses established
22 under the Colorado River Storage Project Act of 1956 (42
23 U.S.C. 620 et seq.). The Secretary may exclude any area
24 from the recreation area for reclamation or power pur-

1 poses upon determining that it is in the national interest
2 to do so.

3 (d) The Secretary shall administer the recreation
4 area subject to all public laws, memoranda of interagency
5 agreement, memoranda of agreement and/or understand-
6 ing, including cooperative agreements, licenses, permits,
7 and contracts and right-of-way agreements currently in ef-
8 fect, and/or referenced in the Curecanti National Recre-
9 ation Area Statement for Management, dated November
10 1990.

11 (e) Within the recreation area there is hereby estab-
12 lished, subject to the provisions of this section, the Denver
13 and Rio Grande National Historic Site (hereinafter re-
14 ferred to as the “historic site”) consisting of the Denver
15 and Rio Grande rolling stock and train trestle at Cim-
16 arron, as depicted on the map. The Secretary may include
17 those portions of the historic railroad bed within the
18 boundaries of the historic site which would serve to en-
19 hance or contribute to the interpretation of the develop-
20 ment of the railroad and its role in the development of
21 western Colorado.

22 (f) Within the recreation area there is hereby estab-
23 lished, subject to the provisions of this section, the
24 Curecanti Archeological District (hereinafter referred to
25 as the “district”) as depicted on the map.

1 (g) Within one year after the enactment of this Act,
2 the Secretary shall submit a comprehensive list of laws,
3 rules, regulations, right-of way permits and agreements,
4 licensing agreements, special-use permits or other author-
5 izing documents issued by the Bureau of Reclamation, the
6 Bureau of Land Management, and the Forest Service, for
7 the use of lands within the recreation area, to the Commit-
8 tee on Energy and Natural Resources of the United States
9 Senate and to the Committee on Resources of the United
10 States House of Representatives.

11 **SEC. 5. THE ESTABLISHMENT OF THE BLACK CANYON OF**
12 **THE GUNNISON NATIONAL PARK COMPLEX.**

13 (a) There is hereby established the Black Canyon of
14 the Gunnison National Park Complex (hereinafter re-
15 ferred to as the “complex”) in the State of Colorado. The
16 complex shall include the following lands as depicted on
17 the map:

18 (1) The park.

19 (2) The conservation area.

20 (3) The recreation area.

21 (4) Those portions of lands comprising the
22 Gunnison National Forest as depicted on the map.

23 (b) The Secretary, acting through the Director of the
24 National Park Service shall manage the park, recreation
25 area, historic site and district; and acting through the Di-

1 rector of the Bureau of Land Management, shall manage
2 the conservation area in accordance with this Act, and
3 other applicable provisions of law.

4 (c) The Secretary of Agriculture, acting through the
5 Chief of the Forest Service shall manage, subject to valid
6 existing rights, those portions of the forest that have been
7 included in the complex in accordance with the laws, rules,
8 and regulations pertaining to the National Forest System
9 and this Act.

10 (d) The Secretaries shall manage the areas under
11 their jurisdiction within the complex in a consistent man-
12 ner to the maximum extent practical. Wherever possible,
13 regulations, permits, licenses, and other agreements
14 should be issued jointly. The Secretaries shall ensure that,
15 to the maximum extent practical, that personnel, equip-
16 ment, and other resources are shared among the agencies
17 and that the duplication of effort is reduced or eliminated.

18 **SEC. 6. WATER RIGHTS.**

19 Nothing in this Act, nor in any action taken pursuant
20 thereto under any other act, shall constitute an express
21 or implied reservation of water for any purpose. Nothing
22 in this Act, nor any actions taken pursuant thereto shall
23 affect any existing water rights, including, but not limited
24 to, any water rights held by the United States prior to
25 the date of enactment of this Act. Any water rights that

1 the Secretary determines are necessary for the purposes
2 of this Act shall be acquired under the procedural and sub-
3 stitutive requirements of the laws of the State of Colorado.

4 **SEC. 7. RECREATIONAL AND MULTIPLE-USE ACTIVITIES.**

5 (a) In carrying out this Act, in addition to other re-
6 lated activities that may be permitted pursuant to this
7 Act, the Secretaries shall provide for general recreation
8 and multiple use activities that are considered appropriate
9 and compatible within the areas of their respective juris-
10 diction, including, but not limited to, swimming, fishing,
11 boating, rafting, hiking, horseback riding, camping and
12 picnicking. The Secretaries shall also provide for certain
13 multiple use activities, subject to valid existing rights, in-
14 cluding grazing and the harvesting of hay; the mainte-
15 nance of roads, stock driveways, and utility rights-of-way.
16 Within the boundaries of the recreation area the Secretary
17 shall also provide for off-road vehicle use below high water
18 levels, on frozen lake surfaces, and on related designated
19 access routes; and other such uses as the Secretary may
20 deem appropriate.

21 (b) The Secretaries shall permit hunting, fishing,
22 noncommercial taking of fresh-water crustaceans, and
23 trapping on the lands and waters under the Secretaries
24 jurisdiction in accordance with applicable laws and regula-
25 tions of the United States and the State of Colorado, ex-

1 cept that the Secretaries, after consultation with the Colo-
2 rado Division of Wildlife, may issue regulations designat-
3 ing zones where and establishing periods when no hunting
4 or trapping shall be permitted for reasons of public safety,
5 administration, or public use and enjoyment. Subject to
6 valid existing rights, hunting and trapping will not be al-
7 lowed within the boundaries of the park.

8 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

9 There is hereby authorized to be appropriated such
10 sums as may be necessary to carry out this Act.

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