

**Interim Management Policy
Dominguez-Escalante National Conservation Area and
Dominguez Canyon Wilderness**



**Prepared for the Bureau of Land Management
Department of Interior**

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Introduction

The Dominguez-Escalante National Conservation Area (NCA) and Dominguez Canyon Wilderness were established by the Omnibus Public Lands Management Act (Public Law 111-11) on March 30, 2009. The Dominguez-Canyon Wilderness, which is within the NCA Boundary, is designated as wilderness and as a component of the National Wilderness Preservation System will be managed in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) as well as other Bureau of Land Management (BLM) wilderness guidance and policy. The NCA will be managed in accordance with its designating legislation as well as all other pertinent federal guidance.

As established by the Omnibus Act, the purposes of the NCA are to conserve and protect for the benefit and enjoyment of present and future generations—

1. The unique and important resources and values of the land, including the geological, cultural, archaeological, paleontological, natural, scientific, recreational, wilderness, wildlife, riparian, historical, educational, and scenic resources of the public land; and
2. The water resources of area streams, based on seasonally available flows that are necessary to support aquatic, riparian, and terrestrial species and communities.

To fulfill these purposes, the NCA, which crosses two BLM administrative boundaries, will be managed as a single unit with one Manager. The following direction was developed to supplement the existing management plans¹ until long-term comprehensive management guidance is developed through the NCA Resource Management Planning (RMP) process and, where applicable, the Wilderness and Travel Management Planning processes. These interim guidelines are not all-inclusive and will be read in combination with the legislation when making commitments and decisions to ensure that long-range management is understood before such commitments are made:

- Before making any new authorizations, especially those that would result in long-term uses occurring on federal lands, the BLM will consider if they will inhibit the ability of the NCA management staff to implement any of the alternatives being developed through the RMP process. For activities that would potentially be managed differently under various RMP alternatives, decisions should be deferred until the RMP is completed.
- Where possible, existing management policies, designations, and allocations established by existing RMPs will be maintained. However, changes in management direction may be necessary to comply with the legislation and protect the resources cited within the purposes of the legislation.

¹ The area is currently managed under the 1987 Grand Junction Resource Area RMP and the 1989 Uncompahgre Basin RMP.

- The public will be provided with prompt and accessible information regarding the use of federal lands within the NCA.
- Coordination with other federal, local, state, and tribal governments/agencies will occur under existing agreements as well as any new arrangements deemed necessary, to disseminate and exchange information and cooperate in management actions, consistent with all applicable legal authorities and other directives.
- All applications, proposals, and future use requests that were pending when the legislation was issued, will be subject to the terms of the legislation, including its recognition of valid existing rights, and other management directives and decisions.

Discussion of Specific Activities

In general, actions that are not precluded by legislation and which do not conflict with the established purposes of the NCA and Wilderness may continue. Activities would be restricted only where (1) the BLM, as required by existing law, identifies places where such uses ought to be restricted or prohibited as necessary to protect the federal lands and resources, including the resources cited as the purposes for which the NCA and Wilderness were established; or (2) where the BLM finds a clear threat from such a use to the federal lands and resources, including the resources cited as the purposes for which the NCA and Wilderness were established, and the circumstances call for swift protective action.

Animal Damage Control²: Coordinate closely with Colorado Department of Wildlife (CDOW) and Animal and Plant Health Inspection Service (APHIS) on animal damage control proposals.

Collection of Natural Materials (Including Paleontological Resources, Rocks, and Vegetative Materials): The collection of objects, including vegetation or “wildings”, paleontological resources, or rock specimens will not be permitted, except where intended for legitimate scientific uses or Native American spiritual or traditional uses, for which documentation is provided to the satisfaction of the responsible management official.

Facilities and Roads: Maintenance of existing facilities may be authorized, subject to compliance with current policies and practices, provided legislated resources are protected. The following recreational facilities were proposed prior to designation and may be completed; generally, no other new facilities will be authorized unless immediate action is required to protect conservation area resources or improve public safety:

² Animal Damage Control includes the category of predator damage management, typically focused on depredations on livestock, achieving population management objectives for native wildlife species, minimizing damage to property, including agriculture, to suppress wild animal-borne diseases, to protect public safety, and to protect Federally and State-listed threatened and endangered species.

- Cactus Park Trailhead improvements with one section of new trail to provide access to the wilderness (to minimize resource damage that would occur from route finding)
- Bridgeport alternative access (designed to improve public safety)

Roads: Pending development of an approved travel management plan, road improvements will be limited to maintenance necessary to correct conditions that are unsafe, hazardous, or which are resulting in resource degradation

Signs and Interpretation: Signs at the NCA's boundaries should be established. Other relevant information may be posted as needed. Actions should be initiated to interpret the resources and values and provide environmental education to visitors on important topics (i.e., visitor safety, resource protection, and other objects and values for which the NCA was designated). In signing routes, care should be taken to avoid giving the public the perception that routes are being "designated" as open; thus, existing roads should not be signed as open (e.g., consider only signing closures).

Livestock Grazing: Where applicable and consistent with the designation, livestock grazing within the NCA will continue pursuant to the terms of permits and leases. Appropriate grazing management practices (as in all properly managed grazing pastures) will be followed to protect rangeland resources. Implementation of standards and guidelines for rangeland improvement will continue. Actions should be taken to assist permittees in assuring compliance with existing requirements. Enforcement actions against trespassers or other violators continue to be authorized under policy.

Minerals: As established by the Omnibus Public Lands Management Act, subject to valid existing rights, all Federal land within the Conservation Area and Wilderness and all land and interests in land acquired by the United States within the Conservation Area or Wilderness are withdrawn from all forms of entry, appropriation, or disposal under the public land laws; location, entry, and patent under the mining laws; and operation of the mineral leasing, mineral materials, and geothermal leasing laws.

Recreation: Until an approved plan is in place, no additional special recreation permits for additional commercial use or competitive events should be considered, and existing permits should not be expanded. Special Recreation Permits for limited, one-day events for organized groups and educational purposes may be allowed so long as they do not affect resources and values or result in additional use allocations. For the specific recreational use of climbing, new routes in sensitive areas will be discouraged. If bolting is proposed within the wilderness, follow the criteria established in Instruction Memorandum 2007-084 or more current guidance, and using the Wilderness Management Planning process to consider these commitments concurrent with preparation of the Resource Management Plan.

Camping: Dispersed recreational camping may continue consistent with current policies and practices and the legislation.

Hunting and Fishing: Consistent with law and as stated in the legislation, hunting and fishing continue to be managed by the State of Colorado; the State’s responsibilities and authorities regarding wildlife management within the NCA, including managing fishing and hunting, are unaffected by legislation. The NCA will coordinate with the State to ensure public safety, specifically if there are areas of increased visitor use.

Off-Road Vehicles: Based on current planning decisions, travel within the majority of the NCA is limited to existing roads and trails (as documented in the travel management inventory). No areas in the NCA will be authorized for cross-country, off-road vehicular use, except for authorized administrative and emergency purposes. Temporary (and to a lesser extent, emergency) closures will be authorized as needed to protect NCA resources, consistent with guidance in IM 2010-028, or other current guidance. In general, existing roads and trails will remain open for motorized and mechanized use as currently authorized. Cultural and natural resources will be monitored where needed if damage is suspected, and temporary closures of roads and trails will be initiated prior to completion of the RMP only if resource damage is documented. Final route designations will be established in the RMP. No new roads or trails will be developed pending completion of the RMP (except for the segment authorized in Facilities, above).

Recreational Facilities: See “Facilities” section of this document for guidance related to recreational structures and developments.

Lands and Realty:

Land Tenure Adjustment: Where willing sellers/participants exist, consider land or easement acquisitions and land exchanges that will enhance the values of the NCA. If any trespass situations are identified, work to develop solutions.

Rights-of-Way: Generally, proposals for new rights-of-way should not be processed until the plan is completed.

Withdrawals: Consider revoking withdrawals within the NCA that no longer serve a purpose, such as Power Site Classifications, Power Site Reserves, Waterpower Designations, and the Bureau of Reclamation Withdrawal (Colorado 16609) that was relinquished in 1988.

Scientific, Archeological, and Historical Investigations: Scientific investigations that increase our understanding of the NCA’s resources are important; scientific uses that require additional surface disturbance may only be allowed if they would result in a high relative benefit to the purposes for which the NCA was designated and have a high likelihood surface disturbance could be successfully rehabilitated.

Surface Disturbance and Reclamation Activities under Current Permits: Surface disturbance and reclamation activities under current permits may proceed consistent with those permits. Permit

extensions will be considered subject to consistency with applicable policies, laws, legislation and resource protection needs.

Vegetation Management: Projects to control fire, insects, or disease may be undertaken in both the wilderness, subject to section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)); and the NCA, subject to the designating legislation and other applicable laws. Where other vegetation projects are considered, they should be designed to restore, enhance, or protect NCA resources. Surface disturbing projects should be considered carefully and substantial information should be presented to ensure that NCA resources would not be affected.

Fire & Fuels Management: All fire and fuels management activities and projects will be tiered to the relevant Fire Management Plans (updated annually).

Noxious Weeds or Invasive/Exotic Species: Existing noxious weed control activities should continue. Exotic species should not be introduced, unless doing so is essential to control noxious weeds or other undesirable species or stabilize soils in certain limited conditions that would protect NCA resources.

Wood & Other Vegetative Products (Forestry): Pending completion of the RMP, where commercial or personal firewood cutting has been permitted in the past, it should only be allowed when the authorized officer has made an assessment and determined that the activity would be likely to improve forest health, could be implemented in a sustainable fashion, and would not require additional off-road exploration. Christmas tree permits would continue to be granted as long as these same conditions could be met.

Water Resources:

Hydrologic Studies and Information: The BLM should continue to collect flow information on Big Dominguez Creek and Little Dominguez Creek to further document the hydrologic regime of the two creeks. BLM should explore the possibility of installing a permanent stream gage on Big Dominguez Creek, because such a gage could provide previously unavailable information on the natural hydrology of Uncompahgre Plateau streams, which would be helpful for planning and monitoring purposes. BLM should collect water quality data on perennial streams within the NCA to identify any water quality issues that should be addressed as part of the land use plan, and to address listing of streams under Section 303(d) of the Clean Water Act. The BLM should collect water quality information on springs on seeps to assist in identifying ground water source areas for springs and to identify whether there are any groundwater quality issues within the NCA.

Instream Flow Protection: The Colorado Water Conservation Board (CWCB) has made an initial appropriation of an instream flow water right to support water-dependent values along Little Dominguez Creek and Big Dominguez Creek. The water right is for all of the available flows, minus a small water development allowance for private properties located upstream and for small water developments on federal lands. BLM will cooperate with the CWCB in completing

the water right appropriation process and administering the new water right once it is decreed by the Colorado water court system. If BLM observes unauthorized water developments and diversions within these two watersheds, it shall report those incidences to the CWCB for further investigation.

Water Rights: The BLM has applied for water rights on all known point water sources, such as springs, wells, and reservoirs, within the wilderness area and NCA. BLM shall continue to conduct inventory efforts on previously undocumented water sources that are important for wildlife, recreation, and livestock use, and file for water rights on those water sources.

Wilderness:

Dominguez Canyon Wilderness Area: will be managed in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), designated as wilderness and as a component of the National Wilderness Preservation System as well as all other wilderness guidance and policy. A Wilderness Management Plan (WMP) will be developed concurrently with the D-E NCA RMP. All lands within the Dominguez Canyon Wilderness Area are withdrawn from:

1. All forms of entry, appropriation, or disposal under the public land laws;
2. Location, entry, and patent under the mining laws; and
3. Operation of the mineral leasing, mineral materials, and geothermal leasing laws.

Wilderness Study Areas: Maintain the non-impairment standard for wilderness study areas, per FLPMA, to prevent undue and unnecessary degradation of resources in accordance with existing guidance and policy.

Appendix A
Omnibus Public Lands Management Act of 2009
123 STAT. 1102 PUBLIC LAW 111–11—MAR. 30, 2009

Subtitle E—Dominguez-Escalante National Conservation Area

SEC. 2401. DEFINITIONS.

In this subtitle:

- (1) CONSERVATION AREA.—The term “Conservation Area” means the Dominguez-Escalante National Conservation Area established by section 2402(a)(1).
- (2) COUNCIL.—The term “Council” means the Dominguez-Escalante National Conservation Area Advisory Council established under section 2407.
- (3) MANAGEMENT PLAN.—The term “management plan” means the management plan developed under section 2406.
- (4) MAP.—The term “Map” means the map entitled “Dominguez-Escalante National Conservation Area” and dated September 15, 2008.
- (5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.
- (6) STATE.—The term “State” means the State of Colorado.
- (7) WILDERNESS.—The term “Wilderness” means the Dominguez Canyon Wilderness Area designated by section 2403(a).

SEC. 2402. DOMINGUEZ-ESCALANTE NATIONAL CONSERVATION AREA.

(a) ESTABLISHMENT.—

- (1) IN GENERAL.—There is established the Dominguez-Escalante National Conservation Area in the State.
- (2) AREA INCLUDED.—The Conservation Area shall consist of approximately 209,610 acres of public land, as generally depicted on the Map.
- (b) PURPOSES.—The purposes of the Conservation Area are to conserve and protect for the benefit and enjoyment of present and future generations—
 - (1) the unique and important resources and values of the land, including the geological, cultural, archaeological, paleontological, natural, scientific, recreational, wilderness, wildlife, riparian, historical, educational, and scenic resources of the public land; and
 - (2) the water resources of area streams, based on seasonally available flows, that are necessary to support aquatic, riparian, and terrestrial species and communities.

(c) MANAGEMENT.—

- (1) IN GENERAL.—The Secretary shall manage the Conservation Area—
 - (A) as a component of the National Landscape Conservation System;
 - (B) in a manner that conserves, protects, and enhances the resources and values of the Conservation Area described in subsection (b); and (C) in accordance with—
 - (i) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);
 - (ii) this subtitle; and
 - (iii) any other applicable laws.
- (2) USES.—

(A) IN GENERAL.—The Secretary shall allow only such uses of the Conservation Area as the Secretary determines would further the purposes for which the Conservation Area is established.

(B) USE OF MOTORIZED VEHICLES.—

(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), use of motorized vehicles in the Conservation Area shall be allowed—

(I) before the effective date of the management plan, only on roads and trails designated for use of motor vehicles in the management plan that applies on the date of the enactment of this Act to the public land in the Conservation Area; and

(II) after the effective date of the management plan, only on roads and trails designated in the management plan for the use of motor vehicles.

(ii) ADMINISTRATIVE AND EMERGENCY RESPONSE USE.—Clause (i) shall not limit the use of motor vehicles in the Conservation Area for administrative purposes or to respond to an emergency.

(iii) LIMITATION.—This subparagraph shall not apply to the Wilderness.

SEC. 2403. DOMINGUEZ CANYON WILDERNESS AREA.

(a) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 66,280 acres of public land in Mesa, Montrose, and Delta Counties, Colorado, as generally depicted on the Map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the “Dominguez Canyon Wilderness Area”.

(b) ADMINISTRATION OF WILDERNESS.—The Wilderness shall be managed by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this subtitle, except that—

(1) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to the

date of enactment of this Act; and (2) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

SEC. 2404. MAPS AND LEGAL DESCRIPTIONS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the Conservation Area and the Wilderness with—

(1) the Committee on Energy and Natural Resources of the Senate; and (2) the Committee on Natural Resources of the House of Representatives.

(b) FORCE AND EFFECT.—The Map and legal descriptions filed under subsection (a) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct clerical and typographical errors in the Map and legal descriptions.

(c) PUBLIC AVAILABILITY.—The Map and legal descriptions filed under subsection (a) shall be available for public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 2405. MANAGEMENT OF CONSERVATION AREA AND WILDERNESS.

(a) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the Conservation Area and the Wilderness and all land and interests in land acquired by the United States within the Conservation Area or the Wilderness is withdrawn from—

(1) all forms of entry, appropriation, or disposal under the public land laws;

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

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) GRAZING.—

(1) GRAZING IN CONSERVATION AREA.—Except as provided in paragraph (2), the Secretary shall issue and administer

any grazing leases or permits in the Conservation Area in accordance with the laws (including regulations) applicable to the issuance and administration of such leases and permits on other land under the jurisdiction of the Bureau of Land Management.

(2) **GRAZING IN WILDERNESS.**—The grazing of livestock in the Wilderness, if established as of the date of enactment

of this Act, shall be permitted to continue—

(A) subject to any reasonable regulations, policies, and practices that the Secretary determines to be necessary;

and (B) in accordance with—

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

(ii) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(c) **NO BUFFER ZONES.**—

(1) **IN GENERAL.**—Nothing in this subtitle creates a protective perimeter or buffer zone around the Conservation Area.

(2) **ACTIVITIES OUTSIDE CONSERVATION AREA.**—The fact that an activity or use on land outside the Conservation Area can be seen or heard within the Conservation Area shall not preclude the activity or use outside the boundary of the Conservation Area.

(d) **ACQUISITION OF LAND.**—

(1) **IN GENERAL.**—The Secretary may acquire non-Federal land within the boundaries of the Conservation Area or the Wilderness only through exchange, donation, or purchase from a willing seller.

(2) **MANAGEMENT.**—Land acquired under paragraph (1) shall—

(A) become part of the Conservation Area and, if applicable, the Wilderness; and

(B) be managed in accordance with this subtitle and any other applicable laws.

(e) **FIRE, INSECTS, AND DISEASES.**—Subject to such terms and conditions as the Secretary determines to be desirable and appropriate, the Secretary may undertake such measures as are necessary to control fire, insects, and diseases—

(1) in the Wilderness, in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)); and

(2) except as provided in paragraph (1), in the Conservation Area in accordance with this subtitle and any other applicable laws.

(f) **ACCESS.**—The Secretary shall continue to provide private landowners adequate access to inholdings in the Conservation Area.

(g) **INVASIVE SPECIES AND NOXIOUS WEEDS.**—In accordance with any applicable laws and subject to such terms and conditions as the Secretary determines to be desirable and appropriate, the Secretary may prescribe measures to control nonnative invasive plants and noxious weeds within the Conservation Area.

(h) **WATER RIGHTS.**—

(1) **EFFECT.**—Nothing in this subtitle— (A) affects the use or allocation, in existence on the date of enactment of this Act, of any water, water right, or interest in water;

(B) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(C) affects any interstate water compact in existence on the date of enactment of this Act;

(D) authorizes or imposes any new reserved Federal water rights; or

(E) shall be considered to be a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State on or before the date of enactment of this Act.

(2) **WILDERNESS WATER RIGHTS.**—

(A) IN GENERAL.—The Secretary shall ensure that any water rights within the Wilderness required to fulfill the

purposes of the Wilderness are secured in accordance with subparagraphs (B) through (G).

(B) STATE LAW.—

(i) PROCEDURAL REQUIREMENTS.—Any water rights within the Wilderness for which the Secretary pursues adjudication shall be adjudicated, changed, and administered in accordance with the procedural requirements and priority system of State law.

(ii) ESTABLISHMENT OF WATER RIGHTS.—

(I) IN GENERAL.—Except as provided in subclause (II), the purposes and other substantive characteristics of the water rights pursued under this paragraph shall be established in accordance with State law.

(II) EXCEPTION.—Notwithstanding subclause (I) and in accordance with this subtitle, the Secretary may appropriate and seek adjudication of water rights to maintain surface water levels and stream flows on and across the Wilderness to fulfill the purposes of the Wilderness.

(C) DEADLINE.—The Secretary shall promptly, but not earlier than January 2009, appropriate the water rights required to fulfill the purposes of the Wilderness.

(D) REQUIRED DETERMINATION.—The Secretary shall not pursue adjudication for any instream flow water rights unless the Secretary makes a determination pursuant to subparagraph (E)(ii) or (F).

(E) COOPERATIVE ENFORCEMENT.—

(i) IN GENERAL.—The Secretary shall not pursue adjudication of any Federal instream flow water rights established under this paragraph if—

(I) the Secretary determines, upon adjudication of the water rights by the Colorado Water Conservation Board, that the Board holds water rights sufficient in priority, amount, and timing to fulfill the purposes of the Wilderness; and

(II) the Secretary has entered into a perpetual agreement with the Colorado Water Conservation Board to ensure the full exercise, protection, and enforcement of the State water rights within the Wilderness to reliably fulfill the purposes of the Wilderness.

(ii) ADJUDICATION.—If the Secretary determines that the provisions of clause (i) have not been met, the Secretary shall adjudicate and exercise any Federal water rights required to fulfill the purposes of the Wilderness in accordance with this paragraph.

(F) INSUFFICIENT WATER RIGHTS.—If the Colorado Water Conservation Board modifies the instream flow water rights obtained under subparagraph (E) to such a degree that the Secretary determines that water rights held by the State are insufficient to fulfill the purposes of the Wilderness, the Secretary shall adjudicate and exercise Federal water rights required to fulfill the purposes of the Wilderness in accordance with subparagraph (B).

(G) FAILURE TO COMPLY.—The Secretary shall promptly act to exercise and enforce the water rights described in subparagraph (E) if the Secretary determines that—

(i) the State is not exercising its water rights consistent with subparagraph (E)(i)(I); or (ii) the agreement described in subparagraph (E)(i)(II) is not fulfilled or complied with sufficiently to fulfill the purposes of the Wilderness.

(3) WATER RESOURCE FACILITY.—

(A) IN GENERAL.—Notwithstanding any other provision of law and subject to subparagraph (B), beginning on the date of enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new irrigation and pumping facility, reservoir, water conservation work, aqueduct, canal, ditch, pipeline, well, hydropower project, transmission, other ancillary facility, or other water, diversion, storage, or carriage structure in the Wilderness.

(B) EXCEPTION.—Notwithstanding subparagraph (A), the Secretary may allow construction of new livestock watering facilities within the Wilderness in accordance with—

(i) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and (ii) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R.

(4) CONSERVATION AREA WATER RIGHTS.—With respect to water within the Conservation Area, nothing in this subtitle— (A) authorizes any Federal agency to appropriate or otherwise acquire any water right on the mainstem of the Gunnison River; or (B) prevents the State from appropriating or acquiring, or requires the State to appropriate or acquire, an instream flow water right on the mainstem of the Gunnison River.

(5) WILDERNESS BOUNDARIES ALONG GUNNISON RIVER.—

(A) IN GENERAL.—In areas in which the Gunnison River is used as a reference for defining the boundary of the Wilderness, the boundary shall—

- (i) be located at the edge of the river; and
- (ii) change according to the river level.

(B) EXCLUSION FROM WILDERNESS.—Regardless of the level of the Gunnison River, no portion of the Gunnison River is included in the Wilderness.

(i) EFFECT.—Nothing in this subtitle—(1) diminishes the jurisdiction of the State with respect to fish and wildlife in the State; or (2) imposes any Federal water quality standard upstream of the Conservation Area or within the mainstem of the Gunnison River that is more restrictive than would be applicable had the Conservation Area not been established.

(j) VALID EXISTING RIGHTS.—The designation of the Conservation Area and Wilderness is subject to valid rights in existence on the date of enactment of this Act.

SEC. 2406. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a comprehensive management plan for the long-term protection and management of the Conservation Area.

(b) PURPOSES.—The management plan shall—

- (1) describe the appropriate uses and management of the Conservation Area;
- (2) be developed with extensive public input;
- (3) take into consideration any information developed in studies of the land within the Conservation Area; and
- (4) include a comprehensive travel management plan.

SEC. 2407. ADVISORY COUNCIL.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish an advisory council, to be known as the “Dominguez-Escalante National Conservation Area Advisory Council”.

(b) DUTIES.—The Council shall advise the Secretary with respect to the preparation and implementation of the management plan.

(c) APPLICABLE LAW.—The Council shall be subject to—

- (1) the Federal Advisory Committee Act (5 U.S.C. App.); and
- (2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(d) MEMBERS.—The Council shall include 10 members to be appointed by the Secretary, of whom, to the extent practicable—

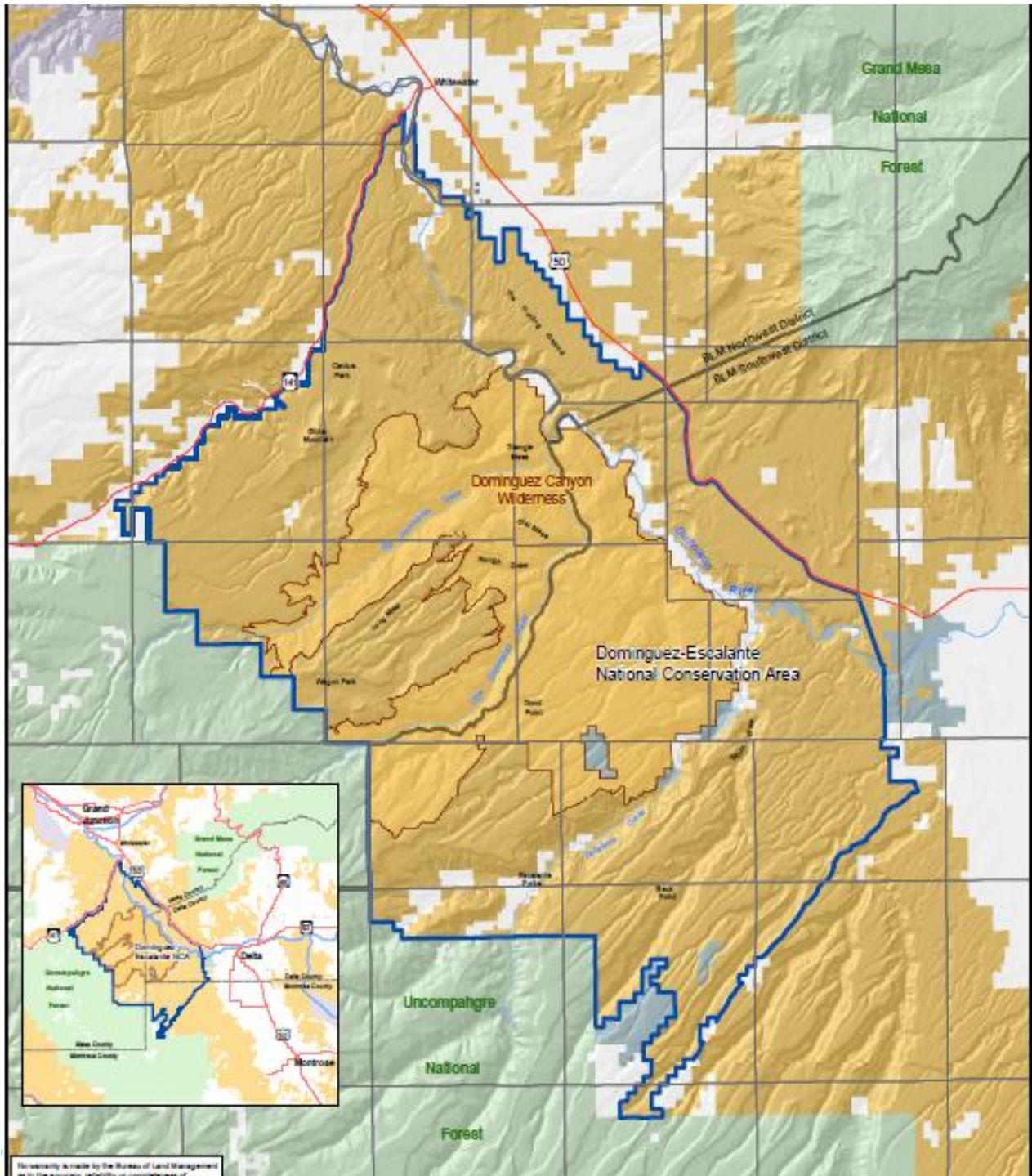
- (1) 1 member shall be appointed after considering the recommendations of the Mesa County Commission;
- (2) 1 member shall be appointed after considering the recommendations of the Montrose County Commission;

- (3) 1 member shall be appointed after considering the recommendations of the Delta County Commission;
- (4) 1 member shall be appointed after considering the recommendations of the permittees holding grazing allotments within the Conservation Area or the Wilderness; and
- (5) 5 members shall reside in, or within reasonable proximity to, Mesa County, Delta County, or Montrose County, Colorado, with backgrounds that reflect—
 - (A) the purposes for which the Conservation Area or Wilderness was established; and
 - (B) the interests of the stakeholders that are affected by the planning and management of the Conservation Area and Wilderness.
- (e) REPRESENTATION.—The Secretary shall ensure that the membership of the Council is fairly balanced in terms of the points of view represented and the functions to be performed by the Council.
- (f) DURATION.—The Council shall terminate on the date that is 1 year from the date on which the management plan is adopted by the Secretary.

SEC. 2408. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this subtitle.

Appendix 2: Map of NCA & Wilderness Area



Appendix 3: List of Current Grand Junction/Uncompahgre Management Plans

Management of the Dominguez-Escalante National Conservation Area is currently guided by the following management and activity-level plans:

- Grand Junction RMP -- The Grand Junction Resource Area RMP, approved in January 1987, covers approximately 1.28 million acres of public land. Since being approved, the RMP has been amended 12 times and adjusted through plan maintenance 43 times. Amendments relevant to this planning area include:
 - Grand Junction Field Office/Colorado National Monument Interagency Fire Management Plan (updated annually)
 - Allotment Management Plans
 - Grand Valley Habitat Management Plan
 - Grand Junction Resource Area Wilderness FEIS and Wilderness Study Report
- Uncompahgre Basin Resource Management Plan -- The Uncompahgre Basin Resource Area RMP, approved in July 1989 covers approximately 1.38 million acres of public lands. Amendments relevant to this planning area include:
 - Allotment Management Plans
 - Land Use Disposal Plan (1992)
 - Fire Management Plan (updated annually)