

§ 539j. Bowen Gulch Protection Area**(a) Establishment**

(1) There is hereby established in the Arapaho National Forest, Colorado, the Bowen Gulch Protection Area (hereinafter in this Act referred to as the "protection area").

(2) The protection area shall consist of certain lands in the Arapaho National Forest, Colorado, which comprise approximately 11,600 acres, as generally depicted as "Area A" on a map entitled "Bowen Gulch Additions to Never Summer Wilderness Proposal", dated January, 1993.

(b) Administration

The Secretary shall administer the protection area in accordance with this section and the laws and regulations generally applicable to the National Forest System.

(c) Withdrawal

Subject to valid existing rights, all lands within the protection area are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, from location, entry, and patent under the mining laws, and from disposition under the mineral and geothermal leasing laws, including all amendments thereto.

(d) Development

No developed campgrounds shall be constructed within the protection area. After August 13, 1993, no new roads or trails may be constructed within the protection area.

(e) Timber harvesting

No timber harvesting shall be allowed within the protection area except to the extent that would be permitted in wilderness under section 1133(d)(1) of this title for necessary control of fire, insects, and diseases, and for public safety.

(f) Motorized travel

Motorized travel shall be permitted within the protection area only on those designated trails and routes existing as of July 1, 1991, and only during periods of adequate snow cover. At all other times, mechanized, non-motorized travel shall be permitted within the protection area.

(g) Management plan

During the revision of the Land and Resource Management Plan for the Arapaho National Forest, the Forest Service shall develop a management plan for the protection area, after providing for public comment.

(Pub. L. 103-77, § 6, Aug. 13, 1993, 107 Stat. 761.)

REFERENCES IN TEXT

This Act, referred to in subsec. (a), is Pub. L. 103-77, Aug. 13, 1993, 107 Stat. 756, known as the Colorado Wilderness Act of 1993. For complete classification of this Act to the Code, see Short Title note set out under section 539i of this title and Tables.

DEFINITIONS

Section 1(b) of Pub. L. 103-77 provided that:

"(1) As used in this Act [see Short Title note set out under section 539i of this title] with reference to lands in the National Forest System, the term 'the Secretary' means the Secretary of Agriculture.

"(2) As used in this Act with respect to lands not in the National Forest System, the term 'the Secretary' means the Secretary of the Interior."

§ 539k. Kelly Butte Special Management Area**(a) Establishment**

Upon conveyance to the United States of the Plum Creek offered lands in the Kelly Butte area, there is hereby established the Kelly Butte Special Management Area in the Mt. Baker-Snoqualmie National Forest, Washington, comprising approximately 5,642 acres, as generally depicted on a map entitled "Kelly Butte Special Management Area", dated October 1998.

(b) Management

The Kelly Butte Special Management Area shall be managed by the Secretary in accordance with the laws, rules and regulations generally applicable to National Forest System lands, and subject to the following additional provisions:

(1) the Area shall be managed with special emphasis on:

(A) preserving its natural character and protecting and enhancing water quality in the upper Green River watershed;

(B) permitting hunting and fishing;

(C) providing opportunities for primitive and semi-primitive recreation and scientific research and study;

(D) protecting and enhancing populations of fish, wildlife and native plant species; and

(E) allowing for traditional uses by native American peoples;

(2) commercial timber harvest and road construction shall be prohibited;

(3) the Area shall be closed to the use of motor vehicles, except as may be necessary for administrative purposes or in emergencies (including rescue operations) to protect public health and safety; and

(4) the Area shall, subject to valid existing rights, be permanently withdrawn from all forms of entry and appropriation under the U.S. mining laws and mineral leasing laws, including the Geothermal Steam Act of 1970 [30 U.S.C. 1001 et seq.].

(c) No buffer zones

Congress does not intend that the designation of the Kelly Butte Special Management Area lead to the creation of protective perimeters or buffer zones around the Area. The fact that non-compatible activities or uses can be seen or heard from within the Kelly Butte Special Management Area shall not, of itself, preclude such activities or uses up to the boundary of the Area.

(Pub. L. 105-277, div. A, §101(e) [title VI, §611], Oct. 21, 1998, 112 Stat. 2681-231, 2681-334.)

REFERENCES IN TEXT

The Geothermal Steam Act of 1970, referred to in subsec. (b)(4), is Pub. L. 91-581, Dec. 24, 1970, 84 Stat. 1566, which is classified principally to chapter 23 (§1001 et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 30 and Tables.

INTERSTATE 90 LAND EXCHANGE

Pub. L. 106-113, div. B, §1000(a)(3) [title III, §346(a), (e)-(g), (i)], Nov. 29, 1999, 113 Stat. 1535, 1501A-204, 1501A-206, provided that: