

An Act

To amend the Wild and Scenic Rivers Act by designating segments of the Crystal River in Colorado as components of the National Wild and Scenic Rivers System.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Crystal River Wild and Scenic River Addition Act of 2016."

SEC. 2. WILD AND SCENIC RIVER DESIGNATION.

Section 3(a) of the Wild and Scenic Rivers Act (82 Stat. 906; 16 U.S.C. 1274(a)) is amended by adding the following new paragraphs at the end:

() CRYSTAL RIVER, COLORADO.— (A) Approximately 39 total miles of both the north and south forks of the Crystal River, beginning at their headwaters and then downstream to a point immediately upstream of the Sweet Jessup headgate structures; to be administered by the Secretary of Agriculture in the following classifications:

- (1) the approximately 7-mile segment from the headwaters of the North Fork downstream to the Maroon Bells-Snowmass Wilderness boundary, as a wild river; and
- (2) the approximately 2-mile segment from the wilderness boundary on the North Fork to the junction with the South Fork, as a scenic river; and
- (3) the approximately 10-mile segment from the headwaters of the South Fork downstream to Beaver Lake, as a scenic river; and
- (4) the approximately 20-mile segment from Beaver Lake downstream to the point immediately upstream of the Sweet Jessup headgate structures, as a recreational river.

After the enactment of this paragraph, Federal lands within the boundaries of the segments designated under this paragraph or which constitute the bed or bank or

are situated within one-quarter mile of the ordinary high-water mark on each side of such segments are withdrawn, subject to valid existing rights, from all forms of appropriation under the mining laws and from operation of the mineral leasing laws of the United States, and no patent may be issued for the surface estate with respect to any mining claim located on such lands. Nothing in this paragraph shall be construed as precluding mining operations on any valid existing claim, subject to applicable regulations under section 9. No private land or private interest in land may be acquired, condemned or otherwise encumbered by the United States by virtue of this Act without the consent of the owner thereof. This paragraph, however, does not preclude the Federal or State Government from working with, cooperating with, or assisting in providing use of the above mentioned one-quarter mile section of lands along the river for recreational purposes in cooperation with local state county, municipal, or special district purposes. The Act shall limit the effects of designation to two features: no dams on the main stem of the Crystal River including both the North and South Forks, and no diversion of water out of the Crystal River Basin. The goal is to protect the free flowing nature of the Crystal River

(B) Inclusion of the designated portions of the Crystal River in the Wild and Scenic Rivers System shall not interfere with the exercise of existing decreed water rights, either perfected or conditional. Further, inclusion will not prohibit the development of water rights that are consumptive and non-consumptive within the Crystal River Valley involving groundwater resources, direct surface water diversion or the augmentation of such water resources, provided, however, that such development shall not include dams or diversions in the North or South Fork nor the main stem of the Crystal River. Adequate water rights, including the possible need for future augmentations, to meet the domestic needs of the township of Marble, Colorado shall not be restricted by this Act. Nor shall inclusion of the designated portions of the Crystal River in the Wild and Scenic Rivers System be utilized in any Federal proceeding, whether concerning a license, permit, right-of-way, or other Federal action, as a reason or basis to prohibit the development or operation of any water impoundments, diversion facilities, and hydroelectric power and transmission facilities located entirely downstream from the segments of the Crystal River designated herein; *Provided*, That water from any development shall not intrude upon such segments. Congress finds that development of water impoundments, diversion facilities, and hydroelectric power and transmission facilities located entirely downstream from the designated portions of the Crystal River is not incompatible with the designation of portions of the Crystal River in the Wild and Scenic Rivers System under section 101 of this title.

(C) Nor shall inclusion of the designated portions of the Crystal River in the Wild and Scenic Rivers System preclude any maintenance or improvement of any roads, highways or other rights of way: *Provided*, That due consideration shall be given to reasonable measures for minimizing the impact of such facilities on the designated segments.

(D) Nor shall the inclusion of the Crystal River in said System result in any imposition of Federal control over land use of private property. Pitkin and Gunnison counties, the Town of Marble, their municipalities, special districts, or branches of said governments, shall retain all of their authority over land use of private property, including said local government's authority to plan and adopt future land use regulations and enforce regulations pertaining to land use and individual residential sewage disposal systems. Nor shall the Act preclude land use efforts valley-wide that are presently in progress including, but not limited to the proposed Crystal Trail or may be contemplated in the future.

(E) Nor shall inclusion of the designated portions of the Crystal River in the Wild and Scenic Rivers System be construed to grant any authority to the United States, its agencies, departments or bureaus to acquire water rights in order to preserve the Outstanding Remarkable Values associated with this designation.