

# Union Calendar No. 364

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2110

[Report No. 109-624]

To provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 4, 2005

Mr. UDALL of Colorado introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 6, 2006

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on May 4, 2005]

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## A BILL

To provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, 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,*

1 **SECTION 1. SHORT TITLE; FINDINGS; PURPOSE.**

2       (a) *SHORT TITLE.*—*This Act may be cited as the “Colo-*  
3 *orado Northern Front Range Mountain Backdrop Protec-*  
4 *tion Study Act”.*

5       (b) *FINDINGS.*—*Congress finds the following:*

6           (1) *Rising dramatically from the Great Plains,*  
7 *the Front Range of the Rocky Mountains provides a*  
8 *scenic mountain backdrop to many communities in*  
9 *the Denver metropolitan area and elsewhere in Colo-*  
10 *rado. The portion of the range within and adjacent*  
11 *to the Arapaho and Roosevelt National Forests also*  
12 *includes a diverse array of wildlife habitats and pro-*  
13 *vides many opportunities for outdoor recreation.*

14           (2) *The open space character of this mountain*  
15 *backdrop is an important esthetic and economic asset*  
16 *for adjoining communities, making them attractive*  
17 *locations for homes and businesses.*

18           (3) *Rapid population growth in the northern*  
19 *Front Range area of Colorado is increasing rec-*  
20 *reational use of the Arapaho and Roosevelt National*  
21 *Forests and is also placing increased pressure for de-*  
22 *velopment of other lands within and adjacent to that*  
23 *national forest.*

24           (4) *Efforts by local governments and other enti-*  
25 *ties have provided important protection for portions*  
26 *of this mountain backdrop, especially in the northern*

1       *Denver metropolitan area. However, some portions of*  
2       *the mountain backdrop in this part of Colorado re-*  
3       *main unprotected and are at risk of losing their open*  
4       *space qualities.*

5               *(5) It is in the national interest for the Federal*  
6       *Government, in collaboration with local communities,*  
7       *to assist in identifying options for increasing the pro-*  
8       *tection of the mountain backdrop in the northern*  
9       *Front Range area of Colorado.*

10       *(c) PURPOSE.—The purpose of this Act is to identify*  
11       *options that may be available to assist in maintaining the*  
12       *open space characteristics of lands that are part of the*  
13       *mountain backdrop of communities in the northern section*  
14       *of the Front Range area of Colorado.*

15       **SEC. 2. COLORADO NORTHERN FRONT RANGE MOUNTAIN**  
16               **BACKDROP STUDY.**

17       *(a) STUDY AND REPORT.—The Secretary of Agri-*  
18       *culture, acting through the Chief of the Forest Service and*  
19       *in consultation with the State and local officials and agen-*  
20       *cies specified in subsection (c), shall review the lands within*  
21       *the study area and, not later than one year after the date*  
22       *of the enactment of this Act, shall report to such officials*  
23       *and to Congress regarding the following:*

24               *(1) The present ownership of such lands.*

1           (2) *Which undeveloped land may be at risk of*  
2 *development.*

3           (3) *Actions that could be taken by the United*  
4 *States, the State of Colorado or a political subdivision*  
5 *of such State, or any other parties to preserve the*  
6 *open and undeveloped character of such lands.*

7           (b) *DEFINITIONS.—For the purposes of this section, the*  
8 *following definitions apply:*

9           (1) *STUDY AREA.—The term “study area” means*  
10 *those lands in southern Boulder, northern Jefferson,*  
11 *and northern Gilpin Counties, Colorado, that are sit-*  
12 *uated west of Colorado State Highway 93, south and*  
13 *east of Colorado State Highway 119, and north of*  
14 *Colorado State Highway 46, excluding lands within*  
15 *the city limits of the cities of Boulder or Golden, Colo-*  
16 *rado, as generally depicted on the map entitled*  
17 *“Northern Front Range Mountain Backdrop Study*  
18 *Area” dated April, 2006.*

19           (2) *UNDEVELOPED LAND.—The term “undevel-*  
20 *oped land” means land that—*

21                   (A) *is located within the study area;*

22                   (B) *is free or primarily free of structures;*

23                   *and*

1                   (C) the development of which is likely to ad-  
2                   versely affect the scenic, wildlife, or recreational  
3                   value of the study area.

4           (c) *CONSULTATIONS.*—In implementing this Act, the  
5 Secretary shall consult with the following:

6                   (1) *The Colorado Department of Natural Re-*  
7                   *sources.*

8                   (2) *Colorado State Forest Service.*

9                   (3) *Colorado State Conservation Board.*

10                  (4) *Great Outdoors Colorado.*

11                  (5) *The Boards of County Commissioners of*  
12 *Boulder, Jefferson, and Gilpin Counties, Colorado.*

13           (d) *RULE OF CONSTRUCTION.*—Nothing in this Act  
14 shall be construed as authorizing the Secretary of Agri-  
15 culture to take any action that would affect the use of any  
16 lands not owned by the United States.

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