

Subcommittee on Federal Lands

Tom McClintock, Chairman
Hearing Memorandum

February 23, 2016

To: All Subcommittee on Federal Lands Members

From: Majority Staff, Brent Blevins
Subcommittee on Federal Lands, x 6-7736

Hearing: Legislative hearing on H.R. 4510 (Rep. Jared Polis), To insure adequate use and access to the existing Bolts Ditch headgate and ditch segment within the Holy Cross Wilderness in Eagle County, Colorado, and for other purposes.
February 25, 2016 at 2:00 PM in the 1334 Longworth HOB hearing room

H.R. 4510 (Rep. Jared Polis), "*Bolts Ditch Access and Use Act*"

Bill Summary

H.R. 4510, introduced by Rep. Jared Polis (D-CO), authorizes the Forest Service to issue a special use permit to the town of Minturn, Colorado to allow non-motorized access to the Holy Cross Wilderness to maintain the Bolts Ditch headgate and waterway.

Invited Witness

The Honorable Jared Polis (D-CO-02)
Member of Congress

Mr. Glen Casamassa
Acting Deputy Chief for the National Forest System
U.S. Forest Service
Washington, D.C.

Background

Congress inadvertently included the existing Bolts Ditch diversion structure and approximately 450 feet of Bolts Ditch within the Holy Cross Wilderness Area when it passed the Colorado Wilderness Act in 1980. Since 1882, the structure and ditch continuously delivered water to Bolts Lake. Bolts Ditch is the only physical source of water that can fill Bolts Lake by gravity instead of pumping and the attendant cost and use of energy.

Bolts Lake is an off-stream reservoir located outside the Wilderness boundary and originally served as a fishing and recreation site. Bolts Lake is designed for upgrades in the future to store the Town's municipal water and support the Town's municipal water supply and augmentation needs.

Questions have arisen with respect to continued use, maintenance and repair of the Bolts Ditch Headgate and Bolts Ditch segment within the Wilderness, and the Town cannot presently use Bolts Ditch to fill Bolts Lake with its municipal water rights. Therefore, the Town seeks to obtain authorization from Congress to use Bolts Ditch to fill Bolts Lake in accordance with a settlement.

Major Provisions

Directs the Secretary of Agriculture to issue a Special Use Permit to the town of Minturn, Colorado to maintain the Bolts Ditch headgate for the purpose of the diversion of water and use, maintenance, and repair of the ditch.

Administration Position

The Administration position is unknown at this time.

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.