

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5727  
OFFERED BY MR. CURTIS OF UTAH**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Emery County Public Land Management Act of 2018”.

4 (b) TABLE OF CONTENTS.—The table of contents for  
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Administration.

**TITLE I—SAN RAFAEL SWELL WESTERN HERITAGE AND  
HISTORIC MINING NATIONAL RECREATION AREA**

- Sec. 101. Establishment of Recreation Area.
- Sec. 102. Management of Recreation Area.
- Sec. 103. San Rafael Swell Western Heritage and Historic Mining National Recreation Area Advisory Council.

**TITLE II—WILDERNESS AREAS**

- Sec. 201. Additions to the National Wilderness Preservation System.
- Sec. 202. Administration.
- Sec. 203. Fish and wildlife management.
- Sec. 204. Release of land for nonwilderness use.

**TITLE III—WILD AND SCENIC RIVER DESIGNATION**

- Sec. 301. Green River wild and scenic river designation.

**TITLE IV—LAND MANAGEMENT AND CONVEYANCES**

- Sec. 401. Goblin Valley State Park recreation and public purpose agreement.
- Sec. 402. Jurassic National Monument.
- Sec. 403. Public land disposal and acquisition.
- Sec. 404. Public purpose conveyances.
- Sec. 405. School and Institutional Trust Lands Administration land.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) COUNCIL.—The term “Council” means the  
4 San Rafael Swell Western Heritage and Historic  
5 Mining National Recreation Area Advisory Council  
6 established under section 103(a).

7 (2) COUNTY.—The term “County” means  
8 Emery County in the State.

9 (3) MANAGEMENT PLAN.—The term “Manage-  
10 ment Plan” means the management plan for the  
11 Recreation Area developed under section 102(b).

12 (4) MAP.—The term “Map” means the map en-  
13 titled “Emery County Public Land Management Act  
14 of 2018 Overview Map” and dated September 14,  
15 2018.

16 (5) RECREATION AREA.—The term “Recreation  
17 Area” means the San Rafael Swell Western Herit-  
18 age and Historic Mining National Recreation Area  
19 established by section 101(a)(1).

20 (6) SECRETARY.—The term “Secretary”  
21 means—

22 (A) in title I, the Secretary of the Interior,  
23 acting through the Director of the Bureau of  
24 Land Management;

25 (B) in titles II and III—

1 (i) the Secretary of the Interior, act-  
2 ing through the Director of the Bureau of  
3 Land Management, with respect to public  
4 land; and

5 (ii) the Secretary of Agriculture, act-  
6 ing through the Chief of the Forest Serv-  
7 ice, with respect to National Forest System  
8 land (as defined in section 103 of the Fed-  
9 eral Land Policy and Management Act of  
10 1976 (43 U.S.C. 1702)); and

11 (C) in title IV, the Secretary of the Inte-  
12 rior.

13 (7) STATE.—The term “State” means the State  
14 of Utah.

15 (8) WILDERNESS AREA.—The term “wilderness  
16 area” means a wilderness area designated by section  
17 201(a).

18 **SEC. 3. ADMINISTRATION.**

19 Nothing in this Act affects or modifies any right of  
20 any federally recognized Indian Tribe or any obligation of  
21 the United States.

1 **TITLE I—SAN RAFAEL SWELL**  
2 **WESTERN HERITAGE AND**  
3 **HISTORIC MINING NATIONAL**  
4 **RECREATION AREA**

5 **SEC. 101. ESTABLISHMENT OF RECREATION AREA.**

6 (a) ESTABLISHMENT.—

7 (1) IN GENERAL.—Subject to valid existing  
8 rights, there is established the San Rafael Swell  
9 Western Heritage and Historic Mining National  
10 Recreation Area in the State.

11 (2) AREA INCLUDED.—The Recreation Area  
12 shall consist of approximately 340,906 acres of cer-  
13 tain Federal land managed by the Bureau of Land  
14 Management, as generally depicted on the Map.

15 (b) PURPOSES.—The purposes of the Recreation  
16 Area are to provide for the protection, conservation, and  
17 enhancement of the recreational, cultural, natural, scenic,  
18 wildlife, ecological, historical, and educational resources of  
19 the Recreation Area.

20 (c) MAP AND LEGAL DESCRIPTION.—

21 (1) IN GENERAL.—As soon as practicable after  
22 the date of enactment of this Act, the Secretary  
23 shall file a map and legal description of the Recre-  
24 ation Area with the Committee on Natural Re-  
25 sources of the House of Representatives and the

1 Committee on Energy and Natural Resources of the  
2 Senate.

3 (2) EFFECT.—The map and legal description  
4 filed under paragraph (1) shall have the same force  
5 and effect as if included in this title, except that the  
6 Secretary may correct clerical and typographical er-  
7 rors in the map and legal description.

8 (3) PUBLIC AVAILABILITY.—A copy of the map  
9 and legal description filed under paragraph (1) shall  
10 be on file and available for public inspection in the  
11 appropriate offices of the Bureau of Land Manage-  
12 ment.

13 **SEC. 102. MANAGEMENT OF RECREATION AREA.**

14 (a) USES.—The Secretary shall allow only such uses  
15 of the Recreation Area as the Secretary determines would  
16 further the purposes of the Recreation Area.

17 (b) MANAGEMENT PLAN.—

18 (1) IN GENERAL.—Not later than 5 years after  
19 the date of enactment of this Act, the Secretary  
20 shall develop a comprehensive management plan for  
21 the long-term protection and management of the  
22 Recreation Area.

23 (2) REQUIREMENTS.—The Management Plan  
24 shall—

1 (A) describe the appropriate uses and  
2 management of the Recreation Area;

3 (B) be developed with extensive public  
4 input;

5 (C) take into consideration any informa-  
6 tion developed in studies of the land within the  
7 Recreation Area; and

8 (D) be developed fully consistent with the  
9 settlement agreement entered into on January  
10 13, 2017, in the case in the United States Dis-  
11 trict Court for the District of Utah styled  
12 “Southern Utah Wilderness Alliance, et al. v.  
13 U.S. Department of the Interior, et al.” and  
14 numbered 2:12-cv-257 DAK.

15 (c) OUTFITTING AND GUIDE ACTIVITIES.—Commer-  
16 cial services (including authorized outfitting and guide ac-  
17 tivities) within the Recreation Area may be authorized to  
18 the extent necessary for activities that fulfill the rec-  
19 reational or other purposes of the Recreation Area.

20 (d) MOTORIZED VEHICLES; NEW ROADS.—

21 (1) MOTORIZED VEHICLES.—Except as needed  
22 for emergency response or administrative purposes,  
23 the use of motorized vehicles in the Recreation Area  
24 shall be permitted only on roads and motorized

1 routes designated in the Management Plan for the  
2 use of motorized vehicles.

3 (2) NEW ROADS.—No new roads or motorized  
4 vehicle routes shall be built within the Recreation  
5 Area after the date of enactment of this Act.

6 (e) GRAZING.—

7 (1) IN GENERAL.—The grazing of livestock in  
8 the Recreation Area, if established before the date of  
9 enactment of this Act, shall be allowed to continue,  
10 subject to such reasonable regulations, policies, and  
11 practices as the Secretary considers to be necessary  
12 in accordance with—

13 (A) applicable law (including regulations);

14 (B) the guidelines set forth in Appendix A  
15 of the report of the Committee on Interior and  
16 Insular Affairs of the House of Representatives  
17 accompanying H.R. 2570 of the 101st Congress  
18 (House Report 101–405); and

19 (C) the purposes of the Recreation Area.

20 (2) INVENTORY.—Not later than 2 years after  
21 the date of enactment of this Act, the Secretary, in  
22 collaboration with any willing affected grazing per-  
23 mittee, shall—

1 (A) carry out an inventory of facilities and  
2 improvements associated with grazing activities  
3 in the Recreation Area; and

4 (B) incorporate into the Management Plan  
5 a list of any facilities and improvements inven-  
6 toried under subparagraph (A).

7 (f) COLD WAR SITES.—The Secretary shall manage  
8 the Recreation Area in a manner that ensures the preser-  
9 vation of Cold War sites, including the Morrison Knudson  
10 tunnels, various Department of Defense projects sites, and  
11 hundreds of historical uranium mine sites in the Recre-  
12 ation Area subject to such reasonable regulations, policies,  
13 and practices as the Secretary considers necessary to pro-  
14 tect public health and safety.

15 (g) WILDFIRE MANAGEMENT.—Nothing in this sec-  
16 tion prohibits the Secretary, in cooperation with other  
17 Federal, State, and local agencies, as appropriate, from  
18 conducting wildland fire operations in the Recreation  
19 Area, consistent with the purposes of the Recreation Area.

20 (h) INCORPORATION OF ACQUIRED LAND AND IN-  
21 TERESTS.—Any land or interest in land located within the  
22 boundary of the Recreation Area that is acquired by the  
23 United States after the date of enactment of this Act  
24 shall—

25 (1) become part of the Recreation Area; and



1           (2) be managed as provided in this section.

2           (i) WITHDRAWALS.—Subject to valid existing rights,  
3 all public land within the Recreation Area, including any  
4 land or interest in land that is acquired by the United  
5 States within the Recreation Area after the date of enact-  
6 ment of this Act, is withdrawn from—

7           (1) entry, appropriation or disposal under the  
8 public land laws;

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

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

13           (j) NONMOTORIZED RECREATION OPPORTUNITIES.—  
14 Not later than 2 years after the date of enactment of this  
15 Act, the Secretary, in consultation with interested parties,  
16 shall conduct a study of nonmotorized recreation trail op-  
17 portunities within the Recreation Area.

18           (k) EFFECT.—Nothing in this Act diminishes the au-  
19 thority of the Secretary under Public Law 92–195 (com-  
20 monly known as the “Wild Free-Roaming Horses and  
21 Burros Act”) (16 U.S.C. 1331 et seq.).

22           (l) WATER RIGHTS.—Nothing in this title—

23           (1) affects the use or allocation, in existence on  
24 the date of enactment of this Act, of any water,  
25 water right, or interest in water;

1           (2) affects any vested absolute or decreed condi-  
2           tional water right in existence on the date of enact-  
3           ment of this Act, including any water right held by  
4           the United States;

5           (3) affects any interstate water compact in ex-  
6           istence on the date of enactment of this Act;

7           (4) authorizes or imposes any new reserved  
8           Federal water rights; or

9           (5) shall be considered to be a relinquishment  
10          or reduction of any water rights reserved or appro-  
11          priated by the United States in the State on or be-  
12          fore the date of enactment of this Act.

13 **SEC. 103. SAN RAFAEL SWELL WESTERN HERITAGE AND**  
14                                   **HISTORIC MINING NATIONAL RECREATION**  
15                                   **AREA ADVISORY COUNCIL.**

16          (a) **ESTABLISHMENT.**—Not later than 180 days after  
17          the date of enactment of this Act, the Secretary shall es-  
18          tablish an advisory council, to be known as the “San  
19          Rafael Swell Western Heritage and Historic Mining Na-  
20          tional Recreation Area Advisory Council”.

21          (b) **DUTIES.**—The Council shall advise the Secretary  
22          with respect to the preparation and implementation of the  
23          Management Plan, including budgetary matters, for the  
24          Recreation Area.

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

3 (1) the Federal Advisory Committee Act (5  
4 U.S.C. App.); and

5 (2) the Federal Land Policy and Management  
6 Act of 1976 (43 U.S.C. 1701 et seq.).

7 (d) MEMBERS.—The Council shall include 12 mem-  
8 bers, to be appointed by the Secretary, of whom, to the  
9 maximum extent practicable—

10 (1) 1 member shall be appointed after consid-  
11 ering the recommendations of the Emery County  
12 Commission;

13 (2) 1 member shall be appointed from the mo-  
14 torized recreational community;

15 (3) 1 member shall be appointed from the non-  
16 motorized recreational community;

17 (4) 1 member shall be appointed after consid-  
18 ering the recommendations of the permittees holding  
19 grazing allotments within the Recreation Area or  
20 wilderness areas;

21 (5) 1 member shall be appointed from the local  
22 conservation advocacy community;

23 (6) 1 member shall have expertise in the histor-  
24 ical uses of the Recreation Area;

1           (7) 1 member shall be appointed from the elect-  
2           ed leadership of a federally recognized Indian Tribe  
3           that has significant cultural or historical connections  
4           to, and expertise in, the landscape, archeological  
5           sites, or cultural sites within the County; and

6           (8) 5 members shall—

7                   (A) reside in, or within reasonable prox-  
8                   imity to, the County; and

9                   (B) have a background that reflects—

10                           (i) the purposes for which the Recre-  
11                           ation Area or wilderness areas are estab-  
12                           lished; and

13                           (ii) the interests of the stakeholders  
14                           that are affected by the planning and man-  
15                           agement of the Recreation Area and wil-  
16                           derness areas.

17           (e) REPRESENTATION.—The Secretary shall ensure  
18           that the membership of the Council is fairly balanced in  
19           terms of the points of view represented and the functions  
20           to be performed by the Council.

## 21       **TITLE II—WILDERNESS AREAS**

### 22       **SEC. 201. ADDITIONS TO THE NATIONAL WILDERNESS** 23                           **PRESERVATION SYSTEM.**

24           (a) ADDITIONS.—In accordance with the Wilderness  
25           Act (16 U.S.C. 1131 et seq.), the following parcels of Fed-

1 eral land in the State are designated as wilderness and  
2 as components of the National Wilderness Preservation  
3 System:

4 (1) CANDLAND MOUNTAIN.—Certain Federal  
5 land managed by the Forest Service, comprising ap-  
6 proximately 11,521 acres, as generally depicted on  
7 the Map, which shall be known as the “Candland  
8 Mountain Wilderness”.

9 (2) COLD WASH.—Certain Federal land man-  
10 aged by the Bureau of Land Management, com-  
11 prising approximately 11,162 acres, as generally de-  
12 picted on the Map, which shall be known as the  
13 “Cold Wash Wilderness”.

14 (3) CRACK CANYON.—Certain Federal land  
15 managed by the Bureau of Land Management, com-  
16 prising approximately 25,719 acres, as generally de-  
17 picted on the Map, which shall be known as the  
18 “Crack Canyon Wilderness”.

19 (4) DESOLATION CANYON.—Certain Federal  
20 land managed by the Bureau of Land Management,  
21 comprising approximately 142,993 acres, as gen-  
22 erally depicted on the Map, which shall be known as  
23 the “Desolation Canyon Wilderness”.

24 (5) DEVIL’S CANYON.—Certain Federal land  
25 managed by the Bureau of Land Management, com-

1       prising approximately 8,675 acres, as generally de-  
2       picted on the Map, which shall be known as the  
3       “Devil’s Canyon Wilderness”.

4               (6) EAGLE CANYON.—Certain Federal land  
5       managed by the Bureau of Land Management, com-  
6       prising approximately 13,832 acres, as generally de-  
7       picted on the Map, which shall be known as the  
8       “Eagle Canyon Wilderness”.

9               (7) HORSESHOE CANYON (NORTH).—Certain  
10      Federal land managed by the Bureau of Land Man-  
11      agement, comprising approximately 26,192 acres, as  
12      generally depicted on the Map, which shall be known  
13      as the “Horseshoe Canyon (North) Wilderness”.

14              (8) MEXICAN MOUNTAIN.—Certain Federal  
15      land managed by the Bureau of Land Management,  
16      comprising approximately 76,368 acres, as generally  
17      depicted on the Map, which shall be known as the  
18      “Mexican Mountain Wilderness”.

19              (9) MUDDY CREEK.—Certain Federal land  
20      managed by the Bureau of Land Management, com-  
21      prising approximately 48,330 acres, as generally de-  
22      picted on the Map, which shall be known as the  
23      “Muddy Creek Wilderness”.

24              (10) NELSON MOUNTAIN.—Certain Federal  
25      land managed by the Forest Service, comprising ap-

1       proximately 7,176 acres, and certain Federal land  
2       managed by the Bureau of Land Management, com-  
3       prising approximately 257 acres, as generally de-  
4       picted on the Map, which shall be known as the  
5       “Nelson Mountain Wilderness”.

6           (11) RED’S CANYON.—Certain Federal land  
7       managed by the Bureau of Land Management, com-  
8       prising approximately 17,325 acres, as generally de-  
9       picted on the Map, which shall be known as the  
10       “Red’s Canyon Wilderness”.

11          (12) SAN RAFAEL REEF.—Certain Federal land  
12       managed by the Bureau of Land Management, com-  
13       prising approximately 60,425 acres, as generally de-  
14       picted on the Map, which shall be known as the  
15       “San Rafael Reef Wilderness”.

16          (13) SID’S MOUNTAIN.—Certain Federal land  
17       managed by the Bureau of Land Management, com-  
18       prising approximately 49,115 acres, as generally de-  
19       picted on the Map, which shall be known as the  
20       “Sid’s Mountain Wilderness”.

21          (14) TURTLE CANYON.—Certain Federal land  
22       managed by the Bureau of Land Management, com-  
23       prising approximately 29,029 acres, as generally de-  
24       picted on the Map, which shall be known as the  
25       “Turtle Canyon Wilderness”.

1 (b) MAP AND LEGAL DESCRIPTION.—

2 (1) IN GENERAL.—As soon as practicable after  
3 the date of enactment of this Act, the Secretary  
4 shall file a map and legal description of each wilder-  
5 ness area with—

6 (A) the Committee on Natural Resources  
7 of the House of Representatives; and

8 (B) the Committee on Energy and Natural  
9 Resources of the Senate.

10 (2) EFFECT.—Each map and legal description  
11 filed under paragraph (1) shall have the same force  
12 and effect as if included in this Act, except that the  
13 Secretary may correct clerical and typographical er-  
14 rors in the maps and legal descriptions.

15 (3) AVAILABILITY.—Each map and legal de-  
16 scription filed under paragraph (1) shall on file and  
17 available for public inspection in the appropriate of-  
18 fice of the Secretary.

19 **SEC. 202. ADMINISTRATION.**

20 (a) MANAGEMENT.—Subject to valid existing rights,  
21 the wilderness areas shall be administered by the Sec-  
22 retary in accordance with the Wilderness Act (16 U.S.C.  
23 1131 et seq.), except that—



1           (1) any reference in that Act to the effective  
2           date shall be considered to be a reference to the date  
3           of enactment of this Act; and

4           (2) any reference in that Act to the Secretary  
5           of Agriculture shall be considered to be a reference  
6           to the Secretary.

7           (b) RECREATIONAL CLIMBING.—Nothing in this Act  
8           prohibits recreational rock climbing activities in the wil-  
9           derness areas designated by this Act, such as the place-  
10          ment, use and maintenance of fixed anchors, including  
11          those established before the date of the enactment of this  
12          Act—

13           (1) in accordance with the Wilderness Act (16  
14          U.S.C. 1131 et seq.); and

15           (2) subject to any terms and conditions deter-  
16          mined to be necessary by the Secretary.

17          (c) TRAIL PLAN; STUDY.—

18           (1) PLAN.—After providing opportunities for  
19          public comment, the Secretary shall establish a trail  
20          plan that addresses hiking and equestrian trails on  
21          the wilderness areas in a manner consistent with the  
22          Wilderness Act (16 U.S.C. 1131 et seq.).

23           (2) REPORT.—Not later than 2 years after the  
24          date of enactment of this Act, the Secretary shall  
25          submit to Congress a report that describes the im-

1        plementation of the trail plan established under  
2        paragraph (1).

3        (d) LIVESTOCK.—

4            (1) IN GENERAL.—The grazing of livestock in  
5        the wilderness areas, if established before the date of  
6        enactment of this Act, shall be allowed to continue,  
7        subject to such reasonable regulations, policies, and  
8        practices as the Secretary considers to be necessary  
9        in accordance with—

10            (A) section 4(d)(4) of the Wilderness Act  
11            (16 U.S.C. 1133(d)(4)); and

12            (B) the guidelines set forth in Appendix A  
13        of the report of the Committee on Interior and  
14        Insular Affairs of the House of Representatives  
15        accompanying H.R. 2570 of the 101st Congress  
16        (House Report 101–405).

17            (2) INVENTORY.—With respect to each wilder-  
18        ness area in which grazing of livestock is allowed to  
19        continue under paragraph (1), not later than 2 years  
20        after the date of enactment of this Act, the Sec-  
21        retary, in collaboration with any affected grazing  
22        permittee, shall—

23            (A) carry out an inventory of facilities and  
24            improvements associated with grazing activities  
25            in the wilderness area; and

1 (B) review and revise the applicable allot-  
2 ment management plan and grazing permit in-  
3 formation.

4 (e) WILDFIRE, INSECT, AND DISEASE MANAGE-  
5 MENT.—In accordance with section 4(d)(1) of the Wilder-  
6 ness Act (16 U.S.C. 1133(d)(1)) and the report of the  
7 Committee on Interior and Insular Affairs of the House  
8 of Representatives accompanying H.R. 1437 of the 98th  
9 Congress (House Report 98–40), the Secretary may take  
10 such measures in the wilderness areas as are necessary  
11 for the control of fire, insects, and diseases, including, as  
12 the Secretary determines to be appropriate, the coordina-  
13 tion of the activities with the State or a local agency.

14 (f) ADJACENT MANAGEMENT.—

15 (1) IN GENERAL.—Congress does not intend for  
16 the designation of the wilderness areas to create pro-  
17 tective perimeters or buffer zones around the wilder-  
18 ness areas.

19 (2) NONWILDERNESS ACTIVITIES.—The fact  
20 that nonwilderness activities or uses can be seen or  
21 heard from areas within a wilderness area shall not  
22 preclude the conduct of those activities or uses out-  
23 side the boundary of the wilderness area.

24 (g) MILITARY OVERFLIGHTS.—Nothing in this title  
25 restricts or precludes—

1           (1) low-level overflights of military aircraft over  
2           the wilderness areas, including military overflights  
3           that can be seen or heard within the wilderness  
4           areas;

5           (2) flight testing and evaluation; or

6           (3) the designation or creation of new units of  
7           special use airspace, or the establishment of military  
8           flight training routes, over the wilderness areas.

9           (h) OUTFITTING AND GUIDE ACTIVITIES.—Commer-  
10          cial services (including authorized outfitting and guide ac-  
11          tivities) within the wilderness areas may be authorized to  
12          the extent necessary for activities that fulfill the rec-  
13          reational or other wilderness purposes of the wilderness  
14          areas.

15          (i) LAND ACQUISITION AND INCORPORATION OF AC-  
16          QUIRED LAND AND INTERESTS.—

17               (1) ACQUISITION AUTHORITY.—The Secretary  
18               may acquire land and interests in land within the  
19               boundaries of a wilderness area by donation, pur-  
20               chase from a willing seller, or exchange.

21               (2) INCORPORATION.—Any land or interest in  
22               land within the boundary of a wilderness area that  
23               is acquired by the United States after the date of  
24               enactment of this Act shall be added to and adminis-  
25               tered as part of the wilderness area.

1 (j) NATIVE AMERICAN CULTURAL AND RELIGIOUS  
2 USES.—Nothing in this title diminishes—

3 (1) the rights of any Tribe; or

4 (2) any Tribal rights regarding access to Fed-  
5 eral land for Tribal activities, including spiritual,  
6 cultural, and traditional food-gathering activities.

7 (k) CLIMATOLOGICAL DATA COLLECTION.—In ac-  
8 cordance with the Wilderness Act (16 U.S.C. 1131 et seq.)  
9 and subject to such terms and conditions as the Secretary  
10 may prescribe, the Secretary may authorize the installa-  
11 tion and maintenance of hydrologic, meteorologic, or cli-  
12 matological collection devices in the wilderness areas if the  
13 Secretary determines that the facilities and access to the  
14 facilities are essential to flood warning, flood control, or  
15 water reservoir operation activities.

16 (l) WATER RIGHTS.—

17 (1) STATUTORY CONSTRUCTION.—Nothing in  
18 this Act—

19 (A) shall constitute or be construed to con-  
20 stitute either an express or implied reservation  
21 by the United States of any water or water  
22 rights with respect to the land designated as  
23 wilderness by section 201;

24 (B) shall affect any water rights in the  
25 State existing on the date of enactment of this

1 Act, including any water rights held by the  
2 United States;

3 (C) shall be construed as establishing a  
4 precedent with regard to any future wilderness  
5 designations;

6 (D) shall affect the interpretation of, or  
7 any designation made pursuant to, any other  
8 Act; or

9 (E) shall be construed as limiting, altering,  
10 modifying, or amending any of the interstate  
11 compacts or equitable apportionment decrees  
12 that apportion water among and between the  
13 State and other States.

14 (2) STATE WATER LAW.—The Secretary shall  
15 follow the procedural and substantive requirements  
16 of the State in order to obtain and hold any water  
17 rights not in existence on the date of enactment of  
18 this Act with respect to the wilderness areas des-  
19 ignated by section 201.

20 (3) LIMITATION ON NEW WATER RESOURCE FA-  
21 CILITIES.—

22 (A) DEFINITION OF WATER RESOURCE FA-  
23 CILITY.—

24 (i) IN GENERAL.—In this paragraph,  
25 the term “water resource facility” means

1 an irrigation and pumping facility, res-  
2 ervoir, water conservation works, aqueduct,  
3 canal, ditch, pipeline, well, hydropower  
4 project, transmission or other ancillary fa-  
5 cility, and any other water diversion, stor-  
6 age, or carriage structure.

7 (ii) EXCLUSION.—In this paragraph,  
8 the term “water resource facility” does not  
9 include a wildlife guzzler or a management  
10 activity described in section 203.

11 (B) LIMITATION.—Except as otherwise  
12 provided in this Act, on or after the date of en-  
13 actment of this Act, the President or any other  
14 officer, employee, or agent of the United States  
15 may not fund, assist, authorize, or issue a li-  
16 cense or permit for the development of any new  
17 water resource facility inside a wilderness area  
18 designated by section 201.

19 (m) MEMORANDUM OF UNDERSTANDING.—The Sec-  
20 retary shall offer to enter into a memorandum of under-  
21 standing with the County to clarify the approval processes  
22 for the use of motorized equipment and mechanical trans-  
23 port for search and rescue activities in the Crack Canyon  
24 Wilderness established by section 201(a)(3).

1 **SEC. 203. FISH AND WILDLIFE MANAGEMENT.**

2 (a) JURISDICTION OF STATE.—Nothing in this title  
3 affects the jurisdiction of the State with respect to fish  
4 and wildlife on public land located in the State.

5 (b) AUTHORITY OF SECRETARY.—In furtherance of  
6 the purposes and principles of the Wilderness Act (16  
7 U.S.C. 1131 et seq.), the Secretary may carry out man-  
8 agement activities to maintain or restore fish and wildlife  
9 populations (including activities to maintain and restore  
10 fish and wildlife habitats to support the populations) in  
11 any wilderness area if the activities are—

12 (1) consistent with applicable wilderness man-  
13 agement plans; and

14 (2) carried out in accordance with—

15 (A) the Wilderness Act (16 U.S.C. 1131 et  
16 seq.); and

17 (B) applicable guidelines and policies, in-  
18 cluding applicable policies described in appendix  
19 B of House Report 101–405.

20 **SEC. 204. RELEASE OF LAND FOR NONWILDERNESS USE.**

21 (a) FINDING.—Congress finds that, for the purposes  
22 of section 603(e) of the Federal Land Policy and Manage-  
23 ment Act of 1976 (43 U.S.C. 1782(e)), the approximately  
24 17,420 acres of public land administered by the Bureau  
25 of Land Management in the County that has not been des-



1 ignated as wilderness by section 201(a) has been ade-  
2 quately studied for wilderness designation.

3 (b) RELEASE.—The public land described in sub-  
4 section (a)—

5 (1) is no longer subject to section 603(c) of the  
6 Federal Land Policy and Management Act of 1976  
7 (43 U.S.C. 1782(c)); and

8 (2) shall be managed in accordance with—

9 (A) applicable law; and

10 (B) any applicable land management plan  
11 adopted under section 202 of the Federal Land  
12 Policy and Management Act of 1976 (43 U.S.C.  
13 1712).

## 14 **TITLE III—WILD AND SCENIC** 15 **RIVER DESIGNATION**

16 **SEC. 301. GREEN RIVER WILD AND SCENIC RIVER DESIGNA-**  
17 **TION.**

18 (a) IN GENERAL.—Section 3(a) of the Wild and Sce-  
19 nic Rivers Act (16 U.S.C. 1274(a)) is amended by adding  
20 at the end the following:

21 “(214) GREEN RIVER.—The approximately 63-  
22 mile segment, as generally depicted on the Map, to  
23 be administered by the Secretary of the Interior, in  
24 the following classifications:

1           “(A) GREEN RIVER SEGMENT A.—The 5.3-  
2           mile segment from the boundary of the Uintah  
3           and Ouray Reservation, south to the Nefertiti  
4           boat ramp and adjacent land rim-to-rim, as a  
5           wild river.

6           “(B) GREEN RIVER SEGMENT B.—The 8.5-  
7           mile segment from Nefertiti boat ramp, south  
8           to the Swasey’s boat ramp and adjacent land  
9           rim-to-rim, as a recreational river.

10          “(C) GREEN RIVER SEGMENT C.—The  
11          49.2-mile segment from Bull Bottom, south to  
12          the Emery-Wayne county line and adjacent land  
13          rim-to-rim, as a scenic river.”.

14          (b) INCORPORATION OF ACQUIRED NON-FEDERAL  
15          LAND.—If the United States acquires any non-Federal  
16          land within or adjacent to a river segment of the Green  
17          River designated by paragraph (214) of section 3(a) of  
18          the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as  
19          added by subsection (a)), the acquired river segment shall  
20          be incorporated in, and be administered as part of, the  
21          applicable wild, scenic, or recreational river.

1     **TITLE IV—LAND MANAGEMENT**  
2                     **AND CONVEYANCES**

3     **SEC. 401. GOBLIN VALLEY STATE PARK RECREATION AND**  
4                     **PUBLIC PURPOSE AGREEMENT.**

5             (a) IN GENERAL.—At the request of the State, the  
6 Secretary shall offer to enter into a recreation and public  
7 purposes agreement with the Utah Division of Parks and  
8 Recreation of the Utah Department of Natural Resources  
9 (referred to in this section as the “State”), that provides  
10 for the management by the State of the land identified  
11 on the Map as the “Goblin Valley State Park Expansion”  
12 as a State park in accordance with State law.

13            (b) REVERSIONARY CLAUSE REQUIRED.—An agree-  
14 ment entered into under subsection (a) shall include a re-  
15 versionary clause to ensure that management of the land  
16 described in that subsection shall revert to the Secretary  
17 if the land is no longer being managed as a State park.

18     **SEC. 402. JURASSIC NATIONAL MONUMENT.**

19            (a) PURPOSES.—To conserve, interpret, and enhance  
20 for the benefit of present and future generations the pale-  
21 ontological, scientific, educational, and recreational re-  
22 sources of the area and subject to valid existing rights,  
23 there is established in the County a national monument,  
24 to be known as the “Jurassic National Monument” (re-  
25 ferred to in this section as the “Monument”), consisting

1 of approximately 850 acres of Federal land in the County,  
2 as generally depicted on the Map.

3 (b) MAP AND LEGAL DESCRIPTION.—

4 (1) IN GENERAL.—Not later than 2 years after  
5 the date of enactment of this Act, the Secretary  
6 shall file with the Committee on Energy and Natural  
7 Resources of the Senate and the Committee on Nat-  
8 ural Resources of the House of Representatives a  
9 map and legal description of the Monument.

10 (2) EFFECT.—The map and legal description  
11 filed under paragraph (1) shall have the same force  
12 and effect as if included in this section, except that  
13 the Secretary may correct clerical and typographical  
14 errors in the map and legal description, subject to  
15 the requirement that, before making the proposed  
16 corrections, the Secretary shall submit to the State  
17 and any affected county the proposed corrections.

18 (3) PUBLIC AVAILABILITY.—A copy of the map  
19 and legal description filed under paragraph (1) shall  
20 be on file and available for public inspection in the  
21 appropriate offices of the Bureau of Land Manage-  
22 ment.

23 (c) WITHDRAWALS.—Subject to valid existing rights,  
24 any land within the boundaries of the Monument or any  
25 land or interest in land that is acquired by the United

1 States for inclusion in the Monument after the date of  
2 enactment of this Act is withdrawn from—

3 (1) entry, appropriation, or disposal under the  
4 Federal land laws;

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

7 (3) operation of the mineral leasing laws, geo-  
8 thermal leasing laws, and minerals materials laws.

9 (d) MANAGEMENT.—

10 (1) IN GENERAL.—The Secretary shall manage  
11 the Monument—

12 (A) in a manner that conserves, protects,  
13 and enhances the resources and values of the  
14 Monument, including the resources and values  
15 described in subsection (a); and

16 (B) in accordance with—

17 (i) this section;

18 (ii) the Federal Land Policy and Man-  
19 agement Act of 1976 (43 U.S.C. 1701 et  
20 seq.); and

21 (iii) any other applicable Federal law.

22 (2) NATIONAL LANDSCAPE CONSERVATION SYS-  
23 TEM.—The Monument shall be managed as a com-  
24 ponent of the National Landscape Conservation Sys-  
25 tem.

1 (e) MANAGEMENT PLAN.—

2 (1) IN GENERAL.—Not later than 2 years after  
3 the date of enactment of this Act, the Secretary  
4 shall develop a comprehensive management plan for  
5 the long-term protection and management of the  
6 Monument.

7 (2) COMPONENTS.—The management plan de-  
8 veloped under paragraph (1)—

9 (A) shall—

10 (i) describe the appropriate uses and  
11 management of the Monument, consistent  
12 with the provisions of this section; and

13 (ii) allow for continued scientific re-  
14 search at the Monument during the devel-  
15 opment of the management plan for the  
16 Monument; and

17 (B) may—

18 (i) incorporate any appropriate deci-  
19 sions contained in any management or ac-  
20 tivity plan applicable to the land described  
21 in subsection (a); and

22 (ii) use information developed in stud-  
23 ies of any land within or adjacent to the  
24 Monument that were conducted before the  
25 date of enactment of this Act.

1 (f) AUTHORIZED USES.—The Secretary shall only  
2 allow uses of the Monument that the Secretary determines  
3 would further the purposes for which the Monument has  
4 been established.

5 (g) INTERPRETATION, EDUCATION, AND SCIENTIFIC  
6 RESEARCH.—

7 (1) IN GENERAL.—The Secretary shall provide  
8 for public interpretation of, and education and sci-  
9 entific research on, the paleontological resources of  
10 the Monument.

11 (2) COOPERATIVE AGREEMENTS.—The Sec-  
12 retary may enter into cooperative agreements with  
13 appropriate public entities to carry out paragraph  
14 (1).

15 (h) SPECIAL MANAGEMENT AREAS.—

16 (1) IN GENERAL.—The establishment of the  
17 Monument shall not modify the management status  
18 of any area within the boundary of the Monument  
19 that is managed as an area of critical environment  
20 concern.

21 (2) CONFLICT OF LAWS.—If there is a conflict  
22 between the laws applicable to an area described in  
23 paragraph (1) and this section, the more restrictive  
24 provision shall control.

1 (i) **MOTORIZED VEHICLES.**—Except as needed for  
2 administrative purposes or to respond to an emergency,  
3 the use of motorized vehicles in the Monument shall be  
4 allowed only on roads and trails designated for use by mo-  
5 torized vehicles under the management plan for the Monu-  
6 ment developed under subsection (e).

7 (j) **WATER RIGHTS.**—Nothing in this section con-  
8 stitutes an express or implied reservation by the United  
9 States of any water or water rights with respect to the  
10 Monument.

11 (k) **GRAZING.**—The grazing of livestock in the Monu-  
12 ment, if established before the date of enactment of this  
13 Act, shall be allowed to continue, subject to such reason-  
14 able regulations, policies, and practices as the Secretary  
15 considers to be necessary in accordance with—

16 (1) applicable law (including regulations);

17 (2) the guidelines set forth in Appendix A of  
18 the report of the Committee on Interior and Insular  
19 Affairs of the House of Representatives accom-  
20 panying H.R. 2570 of the 101st Congress (House  
21 Report 101–405); and

22 (3) the purposes of the Monument.

23 **SEC. 403. PUBLIC LAND DISPOSAL AND ACQUISITION.**

24 (a) **IN GENERAL.**—Consistent with applicable law,  
25 the Secretary may sell public land located in the County



1 that was identified as potentially suitable for disposal  
2 based on specific criteria as listed in the Federal Land  
3 Policy and Management Act of 1976 (43 U.S.C. 1713)  
4 in the applicable resource management plan in existence  
5 on the date of enactment of this Act, or subsequent revi-  
6 sions thereto.

7 (b) USE OF PROCEEDS.—

8 (1) IN GENERAL.—Notwithstanding any other  
9 provision of law (other than a law that specifically  
10 provides for a portion of the proceeds of a land sale  
11 to be distributed to any trust fund of the State),  
12 proceeds from the sale of public land under sub-  
13 section (a) shall be deposited in a separate account  
14 in the Treasury, to be known as the “Emery County,  
15 Utah, Land Acquisition Account” (referred to in this  
16 section as the “Account”).

17 (2) AVAILABILITY.—

18 (A) IN GENERAL.—Amounts in the Ac-  
19 count shall be available to the Secretary, with-  
20 out further appropriation, to purchase from  
21 willing sellers land or interests in land within a  
22 wilderness area or the Recreation Area.

23 (B) APPLICABILITY.—Any purchase of  
24 land or interest in land under subparagraph (A)  
25 shall be in accordance with applicable law.

1           (C) PROTECTION OF CULTURAL RE-  
2 SOURCES.—To the extent that there are  
3 amounts in the Account in excess of the  
4 amounts needed to carry out subparagraph (A),  
5 the Secretary may use the excess amounts for  
6 the protection of cultural resources within the  
7 County.

8 **SEC. 404. PUBLIC PURPOSE CONVEYANCES.**

9       (a) IN GENERAL.—Notwithstanding the land use  
10 planning requirement of sections 202 and 203 of the Fed-  
11 eral Land Policy and Management Act of 1976 (43 U.S.C.  
12 1712, 1713), on request by the applicable local govern-  
13 mental entity, the Secretary shall convey without consider-  
14 ation the following parcels of public land to be used for  
15 public purposes:

16           (1) EMERY CITY RECREATION AREA.—The ap-  
17 proximately 640-acre parcel as generally depicted on  
18 the Map, to the City of Emery, Utah, for the cre-  
19 ation or enhancement of public recreation opportuni-  
20 ties.

21           (2) HUNTINGTON AIRPORT.—The approxi-  
22 mately 1,400-acre parcel as generally depicted on  
23 the Map, to Emery County, Utah, for expansion of  
24 Huntington Airport.

1           (3) EMERY COUNTY SHERIFF'S OFFICE.—The  
2           approximately 640-acre parcel as generally depicted  
3           on the Map, to Emery County, Utah, for the Emery  
4           County Sheriff's Office substation.

5           (4) BUCKHORN INFORMATION CENTER.—The  
6           approximately 65-acre parcel as generally depicted  
7           on the Map, to Emery County, Utah, for the  
8           Buckhorn Information Center and enhancing access  
9           to visitor information.

10          (b) MAP AND LEGAL DESCRIPTION.—

11           (1) IN GENERAL.—As soon as practicable after  
12           the date of enactment of this Act, the Secretary  
13           shall file a map and legal description of each parcel  
14           of land to be conveyed under subsection (a) with—

15                   (A) the Committee on Energy and Natural  
16                   Resources of the Senate; and

17                   (B) the Committee on Natural Resources  
18                   of the House of Representatives.

19           (2) EFFECT.—Each map and legal description  
20           filed under paragraph (1) shall have the same force  
21           and effect as if included in this Act, except that the  
22           Secretary may correct clerical or typographical er-  
23           rors in the map and legal description.

24           (3) PUBLIC AVAILABILITY.—Each map and  
25           legal description filed under paragraph (1) shall be

1 on file and available for public inspection in the  
2 Price Field Office of the Bureau of Land Manage-  
3 ment.

4 (c) REVERSION.—

5 (1) IN GENERAL.—If a parcel of land conveyed  
6 under subsection (a) is used for a purpose other  
7 than the purpose described in that subsection, the  
8 parcel of land shall, at the discretion of the Sec-  
9 retary, revert to the United States.

10 (2) RESPONSIBILITY FOR REMEDIATION.—In  
11 the case of a reversion under paragraph (1), if the  
12 Secretary determines that the parcel of land is con-  
13 taminated with hazardous waste, the local govern-  
14 mental entity to which the parcel of land was con-  
15 veyed under subsection (a) shall be responsible for  
16 remediation.

17 **SEC. 405. SCHOOL AND INSTITUTIONAL TRUST LANDS AD-**  
18 **MINISTRATION LAND.**

19 (a) DEFINITIONS.—In this section:

20 (1) APPLICATION.—The term “application”  
21 means an application for State relinquishment of a  
22 State land grant parcel and State selection of unap-  
23 propriated public land filed under this section.

24 (2) INDIAN LAND.—The term “Indian land”  
25 means—

1 (A) any land owned by an Indian Tribe lo-  
2 cated within the boundaries of an Indian res-  
3 ervation, pueblo, or rancheria; or

4 (B) any land located within the boundaries  
5 of an Indian reservation, pueblo, or rancheria,  
6 the title to which is held—

7 (i) in trust by the United States for  
8 the benefit of an Indian Tribe or a member  
9 of an Indian Tribe;

10 (ii) by an Indian Tribe or a member  
11 of an Indian Tribe, subject to restriction  
12 against alienation under laws of the United  
13 States; or

14 (iii) by a dependent Indian commu-  
15 nity.

16 (3) RELINQUISHMENT AREA.—The term “Re-  
17 linquishment Area” means any land within—

18 (A) the Recreation Area; or

19 (B) a wilderness area.

20 (4) STATE.—The term “State” means the  
21 State, acting as trustee under the Utah State School  
22 and Institutional Trust Lands Management Act  
23 (Utah Code Ann. 53C–1–101 et seq.) through the  
24 Utah School and Institutional Trust Lands Adminis-  
25 tration.

1           (5) STATE LAND GRANT PARCEL.—The term  
2           “State land grant parcel” means—

3                   (A) any land wholly or partially within a  
4                   Relinquishment Area that was granted to the  
5                   State by Congress through a statehood land  
6                   grant for the support of public education or  
7                   other public institutions; or

8                   (B) any land located wholly or partially  
9                   within a Relinquishment Areal that was ac-  
10                  quired by the State for a purpose described in  
11                  subparagraph (A).

12          (6) UNAPPROPRIATED PUBLIC LAND.—

13                  (A) IN GENERAL.—The term “unappropri-  
14                  ated public land” has the meaning given the  
15                  term “public lands” in section 103 of the Fed-  
16                  eral Land Policy and Management Act of 1976  
17                  (43 U.S.C. 1702).

18                  (B) INCLUSION.—The term “unappropri-  
19                  ated public land” includes any land or minerals  
20                  acquired by the United States under title III of  
21                  the Bankhead-Jones Farm Tenant Act (7  
22                  U.S.C. 1010 et seq.).

23                  (C) EXCLUSIONS.—The term “unappropri-  
24                  ated public land” does not include Federal land  
25                  that is—

1 (i) except as provided in subparagraph  
2 (B), acquired land;

3 (ii) in a unit of the National Land  
4 Conservation System established by the  
5 Omnibus Public Land Management Act of  
6 2009 (Public Law 111–11; 123 Stat. 991);

7 (iii) in an area of critical environ-  
8 mental concern established under section  
9 202(c)(3) of the Federal Land Policy and  
10 Management Act of 1976 (43 U.S.C.  
11 1712(c)(3));

12 (iv) in a special recreation manage-  
13 ment area;

14 (v) in an area managed by the Bureau  
15 of Land Management, through an inven-  
16 tory carried out in accordance with the  
17 Federal Land Policy and Management Act  
18 of 1976 (43 U.S.C. 1701 et seq.), for wil-  
19 derness characteristics in a land use plan  
20 finalized under that Act; or

21 (vi) Indian land.

22 (b) RELINQUISHMENT OF STATE LAND GRANT PAR-  
23 CELS AND SELECTION OF REPLACEMENT LAND.—

1           (1) AUTHORITY TO SELECT.—In accordance  
2 with this section, the State may, on approval by the  
3 Secretary of an application filed under this section—

4           (A) relinquish to the Secretary the State  
5 land grant parcels described in the approved  
6 application; and

7           (B) in exchange for the relinquished land,  
8 select unappropriated public land in the State  
9 for conveyance by the Secretary to the State.

10          (2) PROCESSING.—The Secretary shall promptly  
11 process any application filed under this section in  
12 accordance with subsection (c).

13          (3) VALID EXISTING RIGHTS.—

14           (A) IN GENERAL.—Any land conveyed  
15 under this section shall be subject to valid exist-  
16 ing rights.

17           (B) SUCCESSION.—Each party to whom  
18 land is conveyed under this section shall suc-  
19 ceed to the rights and obligations of the con-  
20 veying party with respect to any lease, right-of-  
21 way, permit or other valid existing right to  
22 which the conveyed land is subject.

23          (c) APPLICATION AND CONVEYANCE PROCEDURES.—

24           (1) APPROVAL OR DISAPPROVAL OF APPLICA-  
25 TIONS.—



1 (A) DEADLINE FOR APPROVAL.—Not later  
2 than 1 year after the date on which an applica-  
3 tion is filed under this section, the Secretary  
4 shall issue a final approval or disapproval of the  
5 application.

6 (B) PARTIAL APPROVAL AUTHORIZED.—  
7 An application may be approved by the Sec-  
8 retary in whole or in part.

9 (C) LIMITATION.—The Secretary shall not  
10 approve any application that the Secretary de-  
11 termines would create irreconcilable manage-  
12 ment conflicts with respect to the management  
13 of adjacent Federal land.

14 (2) CONVEYANCE.—

15 (A) CONVEYANCE BY STATE.—The convey-  
16 ance of any State land grant parcel under this  
17 section shall be by patent or deed acceptable to  
18 the Secretary.

19 (B) CONVEYANCE BY SECRETARY.—

20 (i) DEADLINE FOR CONVEYANCE OF  
21 UNAPPROPRIATED PUBLIC LAND.—Not  
22 later than 90 days after the date on which  
23 the Secretary issues a final approval with  
24 respect to an application for the convey-  
25 ance of unappropriated public land, the

1 Secretary shall convey the applicable unap-  
2 propriated public land to the State.

3 (ii) TERMS AND CONDITIONS.—The  
4 conveyance of unappropriated public land  
5 by the Secretary to the State under this  
6 section shall include such terms and condi-  
7 tions as the Secretary may require.

8 (3) ENVIRONMENTAL ANALYSIS.—

9 (A) IN GENERAL.—Except as otherwise  
10 provided in this subsection, the Secretary shall  
11 convey unappropriated public land under this  
12 section in accordance with—

13 (i) the National Environmental Policy  
14 Act of 1969 (42 U.S.C. 4321 et seq.); and

15 (ii) any other applicable law.

16 (B) ENVIRONMENTAL ASSESSMENT OR EN-  
17 VIRONMENTAL IMPACT STATEMENT.—In pre-  
18 paring an environmental assessment or environ-  
19 mental impact statement under section 102(2)  
20 of the National Environmental Policy Act of  
21 1969 (42 U.S.C. 4332(2)) for the conveyance of  
22 unappropriated public land under this section,  
23 the Secretary is not required to study, develop,  
24 or describe any action other than—

25 (i) the proposed agency action; and

1 (ii) the alternative of no action.

2 (d) MINERAL LAND.—

3 (1) SELECTION AND CONVEYANCE.—

4 (A) IN GENERAL.—Subject to the provi-  
5 sions of this section, the State may select, and  
6 the Secretary may convey, unappropriated pub-  
7 lic land that is mineral in character.

8 (B) EXCLUSION.—The State may not se-  
9 lect, and the Secretary may not convey unap-  
10 propriated public land that includes only a por-  
11 tion of a mineral lease or permit, unless—

12 (i) the portion represents the entire  
13 portion available for selection under this  
14 Act; and

15 (ii) the lessee or permittee, respec-  
16 tively, consents.

17 (2) MINING CLAIMS.—

18 (A) MINING CLAIMS UNAFFECTED.—Noth-  
19 ing in this section alters, diminishes, or expands  
20 the existing rights of a mining claimant under  
21 applicable law.

22 (B) VALIDITY EXAMINATIONS.—Nothing in  
23 this section requires the Secretary to carry out  
24 a mineral examination for any mining claim lo-

1 cated on unappropriated public land to be con-  
2 veyed under this section.

3 (C) WITHDRAWAL.—Unappropriated pub-  
4 lic land selected by the State for acquisition  
5 under this section is withdrawn, subject to valid  
6 existing rights, from location, entry, and patent  
7 under the mining laws until that date on  
8 which—

9 (i) the selected unappropriated public  
10 land is conveyed by the Secretary to the  
11 State;

12 (ii) the Secretary makes a final deter-  
13 mination not accepting the selection of the  
14 unappropriated public land; or

15 (iii) the State withdraws the selection  
16 of the unappropriated public land.

17 (e) CONSTRUCTION WITH OTHER LAWS.—

18 (1) CONSIDERATION.—In the application of  
19 laws (including regulations) and policies relating to  
20 selections made under this section, the Secretary  
21 shall consider the equities of the State and the inter-  
22 est of the public.

23 (2) PRESUMPTION OF PLAN ADEQUACY.—Un-  
24 less a land use plan adopted under section 202 of  
25 the Federal Land Policy and Management Act of

1       1976 (43 U.S.C. 1712) specifically identifies signifi-  
2       cant public values that would be lost or substantially  
3       impaired as a result of the conveyance of unappro-  
4       propriated public land to the State, any State selection  
5       under this section shall be considered to be in com-  
6       pliance with the plan regardless of whether the se-  
7       lected land is otherwise identified for disposal.

8       (f) VALUATION.—

9               (1) EQUAL VALUE.—

10                   (A) IN GENERAL.—The overall value of the  
11                   State land grant parcels and parcels of unap-  
12                   propriated public land to be conveyed to the  
13                   State shall be—

14                           (i) equal; or

15                           (ii) if the value is not equal—

16                                   (I) equalized by the payment of  
17                                   funds to the State or to the Secretary  
18                                   as the circumstances require; or

19                                   (II) reflected on the balance of a  
20                                   ledger account established under para-  
21                                   graph (3).

22                   (B) APPRAISAL REQUIRED.—Except as  
23                   provided in paragraph (2), the Secretary and  
24                   the State shall jointly determine the value of a  
25                   State land grant parcel and a parcel of unap-

1           appropriated public land through an appraisal  
2           completed in accordance with—

- 3                   (i) the Uniform Appraisal Standards  
4                   for Federal Land Acquisitions; and  
5                   (ii) the Uniform Standards for Profes-  
6                   sional Appraisal Practice.

7           (2) LOW VALUE PARCELS.—

8                   (A) VALUATION.—The Secretary may, with  
9                   the consent of the State, use a mass appraisal  
10                  or statement of value made by a qualified ap-  
11                  praiser carried out in accordance with the Uni-  
12                  form Standards for Professional Appraisal  
13                  Practice instead of an appraisal that complies  
14                  with the Uniform Appraisal Standards for Fed-  
15                  eral Land Acquisitions if the State and the Sec-  
16                  retary agree that the market value of a State  
17                  land grant parcel or a parcel of unappropriated  
18                  public land is—

- 19                           (i) less than \$500,000; and  
20                           (ii) less than \$500 per acre.

21                   (B) DIVISION.—A State land grant parcel  
22                  or a parcel of unappropriated public land may  
23                  not be artificially divided in order to qualify for  
24                  a mass appraisal or statement of value under  
25                  subparagraph (A).

1 (3) LEDGER ACCOUNTS.—

2 (A) IN GENERAL.—The Secretary and the  
3 State may agree to use a ledger account to  
4 make equal the value of land relinquished by  
5 the State and conveyed by the Secretary to the  
6 State under this section.

7 (B) IMBALANCES.—A ledger account de-  
8 scribed in subparagraph (A) shall reflect imbal-  
9 ances in value to be reconciled in a subsequent  
10 transaction.

11 (C) ACCOUNT BALANCING.—Each ledger  
12 account established under this paragraph shall  
13 be—

14 (i) balanced not later than 3 years  
15 after the date on which the ledger account  
16 is established; and

17 (ii) closed not later than 5 years after  
18 the date of the last conveyance of land  
19 under this section.

20 (4) COSTS.—The Secretary or the State may—

21 (A) assume costs or other responsibilities  
22 or requirements for conveying land under this  
23 section that would generally be the responsi-  
24 bility of the other party; and

1           (B) make adjustments to the relative val-  
2           ues involved in the conveyance of land under  
3           this section to compensate the Secretary or the  
4           State, as applicable, for assuming the costs or  
5           other responsibilities or requirements under  
6           subparagraph (A).

7           (5) ADJUSTMENT.—If value is attributed to any  
8           parcel of unappropriated public land that has been  
9           selected by the State because of the presence of min-  
10          erals under a lease under the Mineral Leasing Act  
11          (30 U.S.C. 181 et seq.) that is in a producing or  
12          producibile status, the value of the parcel shall be re-  
13          duced by the percentage that represents the likely  
14          Federal-revenue sharing obligation under that Act,  
15          but the adjustment shall not be considered to reflect  
16          a property right of the State.

17          (g) MISCELLANEOUS PROVISIONS.—

18           (1) HAZARDOUS MATERIALS.—The Secretary  
19           and the State shall make available for review and in-  
20           spection any record relating to hazardous materials  
21           on land to be conveyed under this section.

22           (2) APPURTENANT WATER RIGHTS.—Any con-  
23           veyance of a State land grant parcel or parcel of un-  
24           appropriated public land under this section may in-



1       clude the conveyance of water rights appurtenant to  
2       the land conveyed.

3           (3) GRAZING PERMITS.—

4           (A) IN GENERAL.—If land conveyed under  
5       this section is subject to a lease, permit, or con-  
6       tract for the grazing of domestic livestock in ef-  
7       fect on the date of conveyance, the Secretary or  
8       the State, as applicable, shall allow the grazing  
9       to continue for the remainder of the term of the  
10      lease, permit, or contract, subject to the related  
11      terms and conditions of user agreements, in-  
12      cluding permitted stocking rates, grazing fee  
13      levels, access rights, and ownership and use of  
14      range improvements.

15          (B) RENEWAL.—On expiration of any  
16      grazing lease, permit, or contract described in  
17      subparagraph (A), the party that has jurisdic-  
18      tion over the land on the date of expiration,  
19      may elect to renew the lease, permit, or con-  
20      tract if permitted under applicable law.

21          (C) CANCELLATION.—

22           (i) IN GENERAL.—Nothing in this sec-  
23      tion prevents the Secretary or the State  
24      from canceling or modifying a grazing per-  
25      mit, lease, or contract if the land subject

1 to the permit, lease, or contract is sold,  
2 conveyed, transferred, or leased for non-  
3 grazing purposes by the Secretary or the  
4 State.

5 (ii) LIMITATION.—Except to the ex-  
6 tent reasonably necessary to accommodate  
7 surface operations in support of mineral  
8 development, the Secretary or the State  
9 shall not cancel or modify a grazing per-  
10 mit, lease, or contract for land conveyed  
11 under this section because the land subject  
12 to the permit, lease, or contract has been  
13 leased for mineral development.

14 (D) BASE PROPERTIES.—If land conveyed  
15 by the State under this section is used by a  
16 grazing permittee or lessee to meet the base  
17 property requirements for a Federal grazing  
18 permit or lease, the land shall continue to qual-  
19 ify as a base property for the remaining term  
20 of the lease or permit and the term of any re-  
21 newal or extension of the lease or permit.

22 (h) EFFECT ON OTHER STATE SELECTION AUTHOR-  
23 IZATIONS.—The authorization for State relinquishments  
24 and selections under this section shall be considered to be

1 independent of, and not limited by, the authorization for  
2 State selections under—

3 (1) sections 6, 8, and 12 of the Act of July 16,  
4 1894 (28 Stat. 107, chapter 138); or

5 (2) sections 2275 and 2276 of the Revised  
6 Statutes (43 U.S.C. 851, 852).

Amend the title so as to read: “A bill to establish the San Rafael Swell Western Heritage and Historic Mining National Recreation Areas in the State of Utah, to designate wilderness areas in the State, to provide for certain land conveyances, and for other purposes.”.

