

Calendar No. 721115TH CONGRESS
2^D SESSION**S. 2809**

To establish the San Rafael Swell Western Heritage and Historic Mining National Conservation Area in the State of Utah, to designate wilderness areas in the State, to provide for certain land conveyances, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 9, 2018

Mr. HATCH introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

DECEMBER 5, 2018

Reported by Ms. MURKOWSKI, with an amendment and an amendment to the title

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

A BILL

To establish the San Rafael Swell Western Heritage and Historic Mining National Conservation Area in the State of Utah, to designate wilderness areas in the State, to provide for certain land conveyances, 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; 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.

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

Sec. 101. Establishment of Conservation Area.

Sec. 102. Management of Conservation Area.

Sec. 103. San Rafael Swell Western Heritage and Historic Mining National
Conservation 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. Temple Mountain Cooperative Management Area.

Sec. 402. Goblin Valley State Park recreation and public purpose agreement.

Sec. 403. Jurassic National Monument.

Sec. 404. Public land disposal and acquisition.

Sec. 405. Public purpose conveyances.

Sec. 406. Exchange of School and Institutional Trust Lands Administration
land.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **CONSERVATION AREA.**—The term “Con-
9 servation Area” means the San Rafael Swell West-
10 ern Heritage and Historic Mining National Con-
11 servation Area established by section 101(a)(1).

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

5 (3) COUNTY.—The term “County” means
6 Emery County in the State.

7 (4) MANAGEMENT PLAN.—The term “Manage-
8 ment Plan” means the management plan for the
9 Conservation Area developed under section 102(b).

10 (5) MAP.—The term “Map” means the map en-
11 titled “San Rafael Swell Western Heritage and His-
12 toric Mining National Conservation Area Map” and
13 dated _____, 2018.

14 (6) SECRETARY.—The term “Secretary”
15 means—

16 (A) in titles I and IV, the Secretary of the
17 Interior; and

18 (B) in titles II and III—

19 (i) the Secretary of the Interior, act-
20 ing through the Director of the Bureau of
21 Land Management, with respect to public
22 land; and

23 (ii) the Secretary of Agriculture, act-
24 ing through the Chief of the Forest Serv-
25 ice, with respect to National Forest System

1 land (as defined in section 103 of the Fed-
 2 eral Land Policy and Management Act of
 3 1976 (43 U.S.C. 1702)).

4 (7) STATE.—The term “State” means the State
 5 of Utah.

6 (8) WILDERNESS AREA.—The term “wilderness
 7 area” means a wilderness area designated by section
 8 201(a).

9 **TITLE I—SAN RAFAEL SWELL**
 10 **WESTERN HERITAGE AND**
 11 **HISTORIC MINING NATIONAL**
 12 **CONSERVATION AREA**

13 **SEC. 101. ESTABLISHMENT OF CONSERVATION AREA.**

14 (a) ESTABLISHMENT.—

15 (1) IN GENERAL.—Subject to valid existing
 16 rights, there is established the San Rafael Swell
 17 Western Heritage and Historic Mining National
 18 Conservation Area in the State.

19 (2) AREA INCLUDED.—The Conservation Area
 20 shall consist of approximately 336,467 acres of Bu-
 21 reau of Land Management land in the State, as gen-
 22 erally depicted on the Map.

23 (b) PURPOSES.—The purposes of the Conservation
 24 Area are to conserve, protect, and enhance the rec-

1 reational, cultural, historical, educational, natural, scenic,
2 and wildlife resources of the Conservation Area.

3 (c) MAP AND LEGAL DESCRIPTION.—

4 (1) IN GENERAL.—As soon as practicable after
5 the date of enactment of this Act, the Secretary
6 shall file a map and legal description of the Con-
7 servation Area with the Committee on Natural Re-
8 sources of the House of Representatives and the
9 Committee on Energy and Natural Resources of the
10 Senate.

11 (2) EFFECT.—The map and legal description
12 filed under paragraph (1) shall have the same force
13 and effect as if included in this title, except that the
14 Secretary may correct minor errors in the map or
15 legal description.

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

21 **SEC. 102. MANAGEMENT OF CONSERVATION AREA.**

22 (a) USES.—The Secretary shall allow only such uses
23 of the Conservation Area as the Secretary determines
24 would further the purposes of the Conservation Area.

25 (b) MANAGEMENT PLAN.—

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

6 (2) REQUIREMENTS.—The Management Plan
7 shall—

8 (A) describe the appropriate uses and
9 management of the Conservation Area;

10 (B) be developed with extensive public
11 input; and

12 (C) take into consideration any informa-
13 tion developed in studies of the land within the
14 Conservation Area.

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

20 (d) MOTORIZED VEHICLES.—

21 (1) IN GENERAL.—Except as needed for emer-
22 gency response or administrative purposes, the use
23 of motorized vehicles in the Conservation Area shall
24 be permitted only on roads and motorized routes

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

3 ~~(2) NEW ROADS.~~—No additional roads or mo-
4 torized vehicle routes shall be built within the Con-
5 servation Area after the date of enactment of this
6 Act.

7 ~~(e) GRAZING.~~—

8 ~~(1) IN GENERAL.~~—The grazing of livestock in
9 the Conservation Area, if established before the date
10 of enactment of this Act, shall be allowed to con-
11 tinue, subject to such reasonable regulations, poli-
12 cies, and practices as the Secretary considers to be
13 necessary in accordance with—

14 ~~(A) applicable law (including regulations);~~

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

20 ~~(C) the purposes of the Conservation Area.~~

21 ~~(2) INVENTORY.~~—Not later than 1 year after
22 the date of enactment of this Act, the Secretary, in
23 collaboration with any affected grazing permittee,
24 shall—

1 (A) carry out an inventory of facilities and
 2 improvements associated with grazing activities
 3 in the Conservation 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 Conservation Area in a manner that ensures the pres-
 9 ervation of Cold War sites, including the Morrison
 10 Knudson tunnels, various Department of Defense projects
 11 sites, and hundreds of historical uranium mine sites in the
 12 Conservation Area.

13 (g) CASUAL COLLECTION.—

14 (1) DEFINITION OF CASUAL COLLECTION.—

15 (A) IN GENERAL.—In this subsection, the
 16 term “casual collection” means the collection of
 17 common invertebrate and plant paleontological
 18 resources or rocks and minerals—

19 (i) by—

20 (I) surface collection; or

21 (II) the use of nonpowered hand
 22 tools;

23 (ii) for noncommercial personal use of
 24 a reasonable quantity, as determined by
 25 the Secretary; and

1 (iii) that results in negligible disturb-
 2 ance, as determined by the Secretary, of—

3 (I) the surface of the Earth; and

4 (II) other resources.

5 (B) INCLUSIONS.—The term “casual col-
 6 lection” includes the hobby collecting of rocks,
 7 subject to the discretion of the Secretary.

8 (2) CASUAL COLLECTION ALLOWED.—The See-
 9 retary may allow casual collection in the Conserva-
 10 tion Area if the casual collection is consistent with—

11 (A) the recreational or other purposes of
 12 the Conservation Area, as determined by the
 13 Secretary; and

14 (B) the Management Plan.

15 (h) 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 Conservation
 19 Area, consistent with the purposes of the Conservation
 20 Area.

21 (i) INCORPORATION OF ACQUIRED LAND AND INTER-
 22 ESTS.—Any land or interest in land located within the
 23 boundary of the Conservation Area that is acquired by the
 24 United States after the date of enactment of this Act
 25 shall—

1 (1) become part of the Conservation Area; and
2 (2) be managed as provided in this section.

3 (j) ~~WITHDRAWALS.~~—Subject to valid existing rights,
4 all public land within the Conservation Area, including any
5 land or interest in land that is acquired by the United
6 States within the Conservation Area after the date of en-
7 actment of this Act, is withdrawn from—

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

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

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

14 (k) ~~EFFECT.~~—Nothing in this Act—

15 (1) diminishes the authority of the Secretary
16 under Public Law 92–195 (commonly known as the
17 “Wild Free-Roaming Horses and Burros Act”) (16
18 U.S.C. 1331 et seq.); or

19 (2) alters, diminishes, or influences the settle-
20 ment agreement entered into on January 13, 2017,
21 in the case in the United States District Court for
22 the District of Utah styled “Southern Utah Wilder-
23 ness Alliance, et al. v. U.S. Department of the Inte-
24 rior, et al.” and numbered 2:12–cv–257 DAK.

1 **SEC. 103. SAN RAFAEL SWELL WESTERN HERITAGE AND**
 2 **HISTORIC MINING NATIONAL CONSERVATION**
 3 **AREA ADVISORY COUNCIL.**

4 (a) **ESTABLISHMENT.**—Not later than 180 days after
 5 the date of enactment of this Act, the Secretary shall es-
 6 tablish an advisory council, to be known as the “San
 7 Rafael Swell Western Heritage and Historic Mining Na-
 8 tional Conservation Area Advisory Council”.

9 (b) **DUTIES.**—The Council shall advise the Secretary
 10 with respect to the preparation and implementation of the
 11 Management Plan.

12 (c) **APPLICABLE LAW.**—The Council shall be subject
 13 to—

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

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

18 (d) **MEMBERS.**—The Council shall include 10 mem-
 19 bers, to be appointed by the Secretary, of whom, to the
 20 maximum extent practicable—

21 (1) 1 member shall be appointed after consid-
 22 ering the recommendations of the Emery County
 23 Commission;

24 (2) 1 member shall be appointed from the mo-
 25 torized recreational community;

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

3 ~~(4)~~ 1 member shall be appointed after consid-
4 ering the recommendations of the permittees holding
5 grazing allotments within the Conservation Area or
6 wilderness areas; and

7 ~~(5)~~ 5 members shall—

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

10 (B) have a background that reflects—

11 (i) the purposes for which the Con-
12 servation Area or wilderness areas are es-
13 tablished; and

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

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

22 ~~(f)~~ TERMINATION.—The Council shall terminate on
23 the date that is 1 year after the date on which the Man-
24 agement Plan is adopted by the Secretary.

1 **TITLE II—WILDERNESS AREAS**

2 **SEC. 201. ADDITIONS TO THE NATIONAL WILDERNESS**
3 **PRESERVATION SYSTEM.**

4 (a) **ADDITIONS.**—In accordance with the Wilderness
5 Act (16 U.S.C. 1131 et seq.), the following parcels of Fed-
6 eral land in the State are designated as wilderness and
7 as components of the National Wilderness Preservation
8 System:

9 (1) **CANDLAND MOUNTAIN.**—Certain Federal
10 land managed by the Forest Service, comprising ap-
11 proximately 12,338 acres, as generally depicted on
12 the Map, which shall be known as the “Candland
13 Mountain Wilderness”.

14 (2) **CRACK CANYON.**—Certain Federal land
15 managed by the Bureau of Land Management, com-
16 prising approximately 25,747 acres, as generally de-
17 picted on the Map, which shall be known as the
18 “Crack Canyon Wilderness”.

19 (3) **DESOLATION CANYON.**—Certain Federal
20 land managed by the Bureau of Land Management,
21 comprising approximately 173,320 acres, as gen-
22 erally depicted on the Map, which shall be known as
23 the “Desolation Canyon Wilderness”.

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

1 prising approximately 8,630 acres, as generally de-
2 picted on the Map, which shall be known as the
3 “Devil’s Canyon Wilderness”.

4 (5) HORSESHOE CANYON (NORTH).—Certain
5 Federal land managed by the Bureau of Land Man-
6 agement, comprising approximately 26,226 acres, as
7 generally depicted on the Map, which shall be known
8 as the “Horseshoe Canyon (North) Wilderness”.

9 (6) MEXICAN MOUNTAIN.—Certain Federal
10 land managed by the Bureau of Land Management,
11 comprising approximately 74,503 acres, as generally
12 depicted on the Map, which shall be known as the
13 “Mexican Mountain Wilderness”.

14 (7) MUDDY CREEK.—Certain Federal land
15 managed by the Bureau of Land Management, com-
16 prising approximately 65,652 acres, as generally de-
17 picted on the Map, which shall be known as the
18 “Muddy Creek Wilderness”.

19 (8) NELSON MOUNTAIN.—Certain Federal land
20 managed by the Forest Service, comprising approxi-
21 mately 7,447 acres, as generally depicted on the
22 Map, which shall be known as the “Nelson Mountain
23 Wilderness”.

24 (9) SAN RAFAEL REEF.—Certain Federal land
25 managed by the Bureau of Land Management, com-

1 prising approximately 59,880 acres, as generally de-
 2 picted on the Map, which shall be known as the
 3 “San Rafael Reef Wilderness”.

4 (10) SID’S MOUNTAIN.—Certain Federal land
 5 managed by the Bureau of Land Management, com-
 6 prising approximately 75,403 acres, as generally de-
 7 picted on the Map, which shall be known as the
 8 “Sid’s Mountain Wilderness”.

9 (b) MAP AND LEGAL DESCRIPTION.—

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

14 (A) the Committee on Natural Resources
 15 of the House of Representatives; and

16 (B) the Committee on Energy and Natural
 17 Resources of the Senate.

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

23 (3) AVAILABILITY.—Each map and legal de-
 24 scription filed under paragraph (1) shall on file and

1 available for public inspection in the appropriate of-
2 fice of the Secretary.

3 **SEC. 202. ADMINISTRATION.**

4 (a) **MANAGEMENT.**—Subject to valid existing rights,
5 the wilderness areas shall be administered by the Sec-
6 retary in accordance with the Wilderness Act (~~16 U.S.C.~~
7 ~~1131~~ et seq.), except that—

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

11 (2) any reference in that Act to the Secretary
12 of Agriculture shall be considered to be a reference
13 to the Secretary.

14 (b) **LIVESTOCK.**—

15 (1) **IN GENERAL.**—The grazing of livestock in
16 the wilderness areas, if established before the date of
17 enactment of this Act, shall be allowed to continue,
18 subject to such reasonable regulations, policies, and
19 practices as the Secretary considers to be necessary
20 in accordance with—

21 (A) section 4(d)(4) of the Wilderness Act
22 (~~16 U.S.C. 1133(d)(4)~~); and

23 (B) the guidelines set forth in Appendix A
24 of the report of the Committee on Interior and
25 Insular Affairs of the House of Representatives

1 accompanying H.R. 2570 of the 101st Congress
2 (House Report 101-405).

3 ~~(2) INVENTORY.~~—With respect to each wilder-
4 ness area in which grazing of livestock is allowed to
5 continue under paragraph (1), not later than 1 year
6 after the date of enactment of this Act, the Sec-
7 retary, in collaboration with any affected grazing
8 permittee, shall—

9 (A) carry out an inventory of facilities and
10 improvements associated with grazing activities
11 in the wilderness area; and

12 (B) review and revise the applicable allot-
13 ment management plan and grazing permit in-
14 formation.

15 ~~(c) WILDFIRE, INSECT, AND DISEASE MANAGE-~~
16 ~~MENT.~~—In accordance with section 4(d)(1) of the Wilder-
17 ness Act (16 U.S.C. 1133(d)(1)) and the report of the
18 Committee on Interior and Insular Affairs of the House
19 of Representatives accompanying H.R. 1437 of the 98th
20 Congress (House Report 98-40), the Secretary may take
21 such measures in the wilderness areas as are necessary
22 for the control of fire, insects, and diseases, including, as
23 the Secretary determines to be appropriate, the coordina-
24 tion of the activities with the State or a local agency.

25 ~~(d) ADJACENT MANAGEMENT.~~—

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

5 (2) NONWILDERNESS ACTIVITIES.—The fact
6 that nonwilderness activities or uses can be seen or
7 heard from areas within a wilderness area shall not
8 preclude the conduct of those activities or uses out-
9 side the boundary of the wilderness area.

10 (e) MILITARY OVERFLIGHTS.—Nothing in this title
11 restricts or precludes—

12 (1) low-level overflights of military aircraft over
13 the wilderness areas, including military overflights
14 that can be seen or heard within the wilderness
15 areas;

16 (2) flight testing and evaluation; or

17 (3) the designation or creation of new units of
18 special use airspace, or the establishment of military
19 flight training routes, over the wilderness areas.

20 (f) OUTFITTING AND GUIDE ACTIVITIES.—Commer-
21 cial services (including authorized outfitting and guide ac-
22 tivities) within the wilderness areas may be authorized to
23 the extent necessary for activities that fulfill the rec-
24 reational or other wilderness purposes of the wilderness
25 areas.

1 ~~(g) CASUAL COLLECTION.—~~

2 ~~(1) DEFINITION OF CASUAL COLLECTION.—~~

3 ~~(A) IN GENERAL.—~~In this subsection, the
4 term “casual collection” means the collection of
5 common invertebrate and plant paleontological
6 resources of rocks and minerals—

7 ~~(i) by—~~

8 ~~(I) surface collection; or~~

9 ~~(II) the use of nonpowered hand~~
10 tools;

11 ~~(ii) for noncommercial personal use of~~
12 a reasonable quantity, as determined by
13 the Secretary; and

14 ~~(iii) that results in negligible disturb-~~
15 ance, as determined by the Secretary, of—

16 ~~(I) the surface of the Earth; and~~

17 ~~(II) other resources.~~

18 ~~(B) INCLUSION.—~~The term “casual collec-
19 tion” includes the hobby collecting of rocks,
20 subject to the discretion of the Secretary.

21 ~~(2) CASUAL COLLECTION ALLOWED.—~~The Sec-
22 retary may allow casual collection in the wilderness
23 areas if the casual collection is consistent with—

1 (A) the recreational or other wilderness
2 purposes of the wilderness areas, as determined
3 by the Secretary; and

4 (B)(i) with respect to land managed by the
5 Bureau of Land Management, the applicable re-
6 source management plan, as in existence on the
7 date of enactment of this Act; or

8 (ii) with respect to land managed by the
9 Forest Service, the Manti-La Sal National For-
10 est Plan, 1986.

11 (h) LAND ACQUISITION AND INCORPORATION OF AC-
12 QUIRED LAND AND INTERESTS.—

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

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

22 (i) NATIVE AMERICAN CULTURAL AND RELIGIOUS
23 USES.—Nothing in this title diminishes—

24 (1) the rights of any Tribe; or

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

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

13 (k) WATER RIGHTS.—

14 (1) STATUTORY CONSTRUCTION.—Nothing in
 15 this Act—

16 (A) constitutes an express or implied res-
 17 ervation by the United States of any water or
 18 water rights with respect to the wilderness
 19 areas;

20 (B) affects any water rights in the State
 21 (including any water rights held by the United
 22 States) in existence on the date of enactment of
 23 this Act;

24 (C) establishes a precedent with regard to
 25 any future wilderness designations;

1 (~~D~~) affects the interpretation of, or any
2 designation made under, any other Act; or

3 (~~E~~) limits, alters, modifies, or amends any
4 interstate compact or equitable apportionment
5 decree that apportions water among and be-
6 tween the State and other States.

7 (~~2~~) STATE WATER LAW.—The Secretary shall
8 follow the procedural and substantive requirements
9 of State law in order to obtain and hold any water
10 rights not in existence on the date of enactment of
11 this Act with respect to the wilderness areas.

12 (~~3~~) LIMITATION ON NEW WATER RESOURCE FA-
13 CILITIES.—

14 (~~A~~) DEFINITION OF WATER RESOURCE FA-
15 CILITY.—

16 (~~i~~) IN GENERAL.—In this paragraph,
17 the term “water resource facility” means
18 an irrigation and pumping facility; res-
19 ervoir; water conservation works; aqueduct;
20 canal; ditch; pipeline; well; hydropower
21 project; transmission or other ancillary fa-
22 cility; and any other water diversion; stor-
23 age; or carriage structure.

24 (~~ii~~) EXCLUSION.—In this paragraph,
25 the term “water resource facility” does not

1 include a wildlife guzzler or a management
2 activity described in section 203.

3 (B) LIMITATION.—Except as otherwise
4 provided in this Act, on or after the date of en-
5 actment of this Act, the President or any other
6 officer, employee, or agent of the United States
7 may not fund, assist, authorize, or issue a li-
8 cense or permit for the development of any new
9 water resource facility inside a wilderness area.

10 (H) MEMORANDUM OF UNDERSTANDING.—The Sec-
11 retary shall offer to enter into a memorandum of under-
12 standing with the County to clarify the approval processes
13 for the use of motorized equipment and mechanical trans-
14 port for search and rescue activities in the Crack Canyon
15 Wilderness established by section 201(a)(2).

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

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

20 (b) AUTHORITY OF SECRETARY.—In furtherance of
21 the purposes and principles of the Wilderness Act (16
22 U.S.C. 1131 et seq.), the Secretary may carry out man-
23 agement activities to maintain or restore fish and wildlife
24 populations (including activities to maintain and restore

1 fish and wildlife habitats to support the populations) in
 2 any wilderness area if the activities are—

3 (1) consistent with applicable wilderness man-
 4 agement plans; and

5 (2) carried out in accordance with—

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

8 (B) applicable guidelines and policies, in-
 9 cluding applicable policies described in appendix
 10 B of House Report 101-405.

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

12 (a) **FINDING.**—Congress finds that, for the purposes
 13 of section 603(e) of the Federal Land Policy and Manage-
 14 ment Act of 1976 (43 U.S.C. 1782(e)), the approximately
 15 14,779 acres of public land administered by the Bureau
 16 of Land Management in the County that has not been des-
 17 ignated as wilderness by section 201(a) has been ade-
 18 quately studied for wilderness designation.

19 (b) **RELEASE.**—The public land described in sub-
 20 section (a)—

21 (1) is no longer subject to section 603(e) of the
 22 Federal Land Policy and Management Act of 1976
 23 (43 U.S.C. 1782(e)); and

24 (2) shall be managed in accordance with—

25 (A) applicable law; and

1 (B) any applicable land management plan
 2 adopted under section 202 of the Federal Land
 3 Policy and Management Act of 1976 (43 U.S.C.
 4 1712).

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

7 **SEC. 301. GREEN RIVER WILD AND SCENIC RIVER DESIGNA-**
 8 **TION.**

9 Section 3(a) of the Wild and Scenic Rivers Act (16
 10 U.S.C. 1274(a)) is amended by adding at the end the fol-
 11 lowing:

12 “~~(213)~~ GREEN RIVER.—The 54-mile segment,
 13 as generally depicted on the map entitled ‘San
 14 Rafael Swell Western Heritage and Historic Mining
 15 National Conservation Area’ and dated _____,
 16 2018, to be administered by the Secretary of the In-
 17 terior, in accordance with the classifications des-
 18 ignated on that map.”.

19 **TITLE IV—LAND MANAGEMENT**
 20 **AND CONVEYANCES**

21 **SEC. 401. TEMPLE MOUNTAIN COOPERATIVE MANAGEMENT**
 22 **AREA.**

23 (a) IN GENERAL.—At the request of the State, the
 24 Secretary may enter into a cooperative agreement with the
 25 State for the cooperative management of the Federal land

1 described in subsection (b); which shall be known as the
 2 “Temple Mountain Cooperative Management Area” (re-
 3 ferred to in this section as the “Management Area”).

4 (b) DESCRIPTION OF LAND.—The Federal land re-
 5 ferred to in subsection (a) is the Bureau of Land Manage-
 6 ment land in the County comprising approximately 7,792
 7 acres and identified as “Temple Mountain Cooperative
 8 Management Area” on the Map, excluding any wilderness
 9 areas.

10 (c) PURPOSES.—

11 (1) IN GENERAL.—The purposes of the Man-
 12 agement Area are—

13 (A) to promote and manage outdoor recre-
 14 ation, such as camping, off-highway vehicle use,
 15 mountain biking, rock climbing, equestrian use,
 16 and hiking; and

17 (B) to conserve the recreational and scenic
 18 resources of the Management Area.

19 (2) PRIORITY.—For purposes of administering
 20 the Management Area, the Secretary shall give equal
 21 priority consideration to each of the purposes de-
 22 scribed in paragraph (1).

23 (d) TERMS.—The cooperative agreement entered into
 24 under subsection (a)—

25 (1) shall—

1 (A) clarify the roles, responsibilities, and
2 limitations of the Secretary and the State with
3 respect to recreation management within the
4 Management Area;

5 (B) apply only to recreational activities, in-
6 cluding motorized, mechanized, equestrian, and
7 human-powered uses within the Management
8 Area;

9 (C) require that recreational activities
10 within the Management Area shall continue to
11 be managed in accordance with—

12 (i) the requirements applicable to the
13 Conservation Area; and

14 (ii) applicable Federal laws;

15 (D) allow for recreational improvements of
16 routes and trails for motorized and non-
17 motorized use to enhance recreational opportu-
18 nities and minimize resource conflict;

19 (E) address the establishment, distribu-
20 tion, and use of any revenues generated by rec-
21 reational activities (including entrance fees)
22 within the Management Area; and

23 (F) specify that the State agency respon-
24 sible for administering the Management Area
25 shall be the Utah Division of Parks and Recre-

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

6 **SEC. 403. JURASSIC NATIONAL MONUMENT.**

7 (a) PURPOSES.—To conserve, interpret, and enhance
 8 for the benefit of present and future generations the pale-
 9 ontological, scientific, educational, and recreational re-
 10 sources of the area and subject to valid existing rights,
 11 there is established in the County a national monument,
 12 to be known as the “Jurassic National Monument” (re-
 13 ferred to in this section as the “Monument”), consisting
 14 of approximately 2,543 acres of Federal land in the Coun-
 15 ty, as generally depicted on the Map.

16 (b) MAP AND LEGAL DESCRIPTION.—

17 (1) IN GENERAL.—Not later than 2 years after
 18 the date of enactment of this Act, the Secretary
 19 shall file with the Committee on Energy and Natural
 20 Resources of the Senate and the Committee on Nat-
 21 ural Resources of the House of Representatives a
 22 map and legal description of the Monument.

23 (2) EFFECT.—The map and legal description
 24 filed under paragraph (1) shall have the same force
 25 and effect as if included in this section, except that

1 the Secretary may correct minor errors in the map
 2 or legal description, subject to the requirement that,
 3 before making the proposed corrections, the Sec-
 4 retary shall submit to the State and any affected
 5 county the proposed corrections.

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

11 ~~(c) WITHDRAWALS.~~—Subject to valid existing rights,
 12 any land within the boundaries of the Monument or any
 13 land or interest in land that is acquired by the United
 14 States for inclusion in the Monument after the date of
 15 enactment of this Act is withdrawn from—

16 ~~(1) entry, appropriation, or disposal under the~~
 17 ~~Federal land laws;~~

18 ~~(2) location, entry, and patent under the mining~~
 19 ~~laws; and~~

20 ~~(3) operation of the mineral leasing laws, geo-~~
 21 ~~thermal leasing laws, and minerals materials laws.~~

22 ~~(d) MANAGEMENT.~~—

23 ~~(1) IN GENERAL.~~—The Secretary shall manage
 24 the Monument—

1 (A) in a manner that conserves, protects,
2 and enhances the resources and values of the
3 Monument, including the resources and values
4 described in subsection (a); and

5 (B) in accordance with—

6 (i) this section;

7 (ii) the Federal Land Policy and Man-
8 agement Act of 1976 (43 U.S.C. 1701 et
9 seq.); and

10 (iii) any other applicable Federal law.

11 (2) NATIONAL LANDSCAPE CONSERVATION SYS-
12 TEM.—The Monument shall be managed as a com-
13 ponent of the National Landscape Conservation Sys-
14 tem.

15 (c) MANAGEMENT PLAN.—

16 (1) IN GENERAL.—Not later than 2 years after
17 the date of enactment of this Act, the Secretary
18 shall develop a comprehensive management plan for
19 the long-term protection and management of the
20 Monument.

21 (2) COMPONENTS.—The management plan de-
22 veloped under paragraph (1)—

23 (A) shall—

1 (i) describe the appropriate uses and
2 management of the Monument, consistent
3 with the provisions of this section; and

4 (ii) allow for continued scientific re-
5 search at the Monument during the devel-
6 opment of the management plan for the
7 Monument; and

8 (B) may—

9 (i) incorporate any appropriate deci-
10 sions contained in any management or ac-
11 tivity plan applicable to the land described
12 in subsection (a); and

13 (ii) use information developed in stud-
14 ies of any land within or adjacent to the
15 Monument that were conducted before the
16 date of enactment of this Act.

17 (f) AUTHORIZED USES.—The Secretary shall only
18 allow uses of the Monument that the Secretary determines
19 would further the purposes for which the Monument has
20 been established.

21 (g) INTERPRETATION, EDUCATION, AND SCIENTIFIC
22 RESEARCH.—

23 (1) IN GENERAL.—The Secretary shall provide
24 for public interpretation of, and education and sei-

1 entific research on; the paleontological resources of
2 the Monument.

3 (2) COOPERATIVE AGREEMENTS.—The Sec-
4 retary may enter into cooperative agreements with
5 appropriate public entities to carry out paragraph
6 (1).

7 (h) SPECIAL MANAGEMENT AREAS.—

8 (1) IN GENERAL.—The establishment of the
9 Monument shall not modify the management status
10 of any area within the boundary of the Monument
11 that is—

12 (A) designated as a wilderness study area
13 and managed in accordance with section 603(c)
14 of the Federal Land Policy and Management
15 Act of 1976 (43 U.S.C. 1782(c)); or

16 (B) managed as an area of critical environ-
17 ment concern.

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

22 (i) MOTORIZED VEHICLES.—Except as needed for
23 administrative purposes or to respond to an emergency,
24 the use of motorized vehicles in the Monument shall be
25 allowed only on roads and trails designated for use by mo-

1 torized vehicles under the management plan for the Monu-
2 ment developed under subsection (e).

3 (j) WATER RIGHTS.—Nothing in this section con-
4 stitutes an express or implied reservation by the United
5 States of any water or water rights with respect to the
6 Monument.

7 **SEC. 404. PUBLIC LAND DISPOSAL AND ACQUISITION.**

8 (a) IN GENERAL.—Consistent with applicable law,
9 the Secretary may sell public land located in the County
10 that was identified as suitable for potential disposal in the
11 applicable resource management plan in existence on the
12 date of enactment of this Act.

13 (b) USE OF PROCEEDS.—

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

23 (2) AVAILABILITY.—

24 (A) IN GENERAL.—Amounts in the Ac-
25 count shall be available to the Secretary, with-

1 out further appropriation, to purchase from
 2 willing sellers land or interests in land within a
 3 wilderness area or the Conservation Area.

4 (B) APPLICABILITY.—Any purchase of
 5 land or interest in land under subparagraph (A)
 6 shall be in accordance with applicable law.

7 **SEC. 405. PUBLIC PURPOSE CONVEYANCES.**

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

15 (1) The approximately 640 acres of land com-
 16 prising the Emery City Recreation Area.

17 (2) The approximately 1,400 acres of land com-
 18 prising the Huntington Airport.

19 (3) The approximately 640 acres of land com-
 20 prising the State Road 6 Emery County Sheriff's
 21 Office substation site.

22 (4) The approximately 65 acres of land com-
 23 prising the Buckhorn Information Center.

24 (b) MAP AND LEGAL DESCRIPTION.—

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

5 (A) the Committee on Energy and Natural
6 Resources of the Senate; and

7 (B) the Committee on Natural Resources
8 of the House of Representatives.

9 (2) EFFECT.—Each map and legal description
10 filed under paragraph (1) shall have the same force
11 and effect as if included in this Act, except that the
12 Secretary may correct minor errors in the map or
13 legal description.

14 (3) PUBLIC AVAILABILITY.—Each map and
15 legal description filed under paragraph (1) shall be
16 on file and available for public inspection in the
17 Price Field Office of the Bureau of Land Manage-
18 ment.

19 (c) REVERSION.—

20 (1) IN GENERAL.—If a parcel of land conveyed
21 under subsection (a) is used for a purpose other
22 than the purpose described in that subsection, the
23 parcel of land shall, at the discretion of the Sec-
24 retary, revert to the United States.

1 (2) RESPONSIBILITY FOR REMEDIATION.—In
 2 the case of a reversion under paragraph (1), if the
 3 Secretary determines that the parcel of land is con-
 4 taminated with hazardous waste, the local govern-
 5 mental entity to which the parcel of land was con-
 6 veyed under subsection (a) shall be responsible for
 7 remediation.

8 **SEC. 406. EXCHANGE OF SCHOOL AND INSTITUTIONAL**
 9 **TRUST LANDS ADMINISTRATION LAND.**

10 (a) DEFINITIONS.—In this section:

11 (1) APPLICATION.—The term “application”
 12 means an application for State relinquishment of a
 13 State land grant parcel and State selection of unap-
 14 propriated public land filed under this section.

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

17 (A) the Conservation Area; or

18 (B) a wilderness area.

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

1 (4) 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 Area that was ac-
10 quired by the State for a purpose described in
11 subparagraph (A).

12 (5) 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)); or

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

14 (b) RELINQUISHMENT OF STATE LAND GRANT PAR-
15 CELLS AND SELECTION OF REPLACEMENT LAND.—

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

19 (A) relinquish to the Secretary the State
20 land grant parcels described in the approved
21 application; and

22 (B) in exchange for the relinquished land,
23 select unappropriated public land in the State
24 for conveyance by the Secretary to the State.

1 (2) PROCESSING.—The Secretary shall prompt-
2 ly process any application filed under this section in
3 accordance with subsection (e).

4 (3) VALID EXISTING RIGHTS.—

5 (A) IN GENERAL.—Any land conveyed
6 under this section shall be subject to valid exist-
7 ing rights.

8 (B) SUCCESSION.—Each party to whom
9 land is conveyed under this section shall suc-
10 ceed to the rights and obligations of the con-
11 veying party with respect to any lease, right-of-
12 way, permit or other valid existing right to
13 which the conveyed land is subject.

14 (e) APPLICATION AND CONVEYANCE PROCEDURES.—

15 (1) APPROVAL OR DISAPPROVAL OF APPLICA-
16 TIONS.—

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

22 (B) PARTIAL APPROVAL AUTHORIZED.—
23 An application may be approved by the Sec-
24 retary in whole or in part.

1 (C) ~~LIMITATION.~~—The Secretary shall not
2 approve any application that the Secretary de-
3 termines would create irreconcilable manage-
4 ment conflicts with respect to the management
5 of adjacent Federal land.

6 ~~(2) CONVEYANCE.~~—

7 (A) ~~CONVEYANCE BY STATE.~~—The convey-
8 ance of any State land grant parcel under this
9 section shall be by patent or deed acceptable to
10 the Secretary.

11 (B) ~~CONVEYANCE BY SECRETARY.~~—

12 (i) ~~DEADLINE FOR CONVEYANCE OF~~
13 ~~UNAPPROPRIATED PUBLIC LAND.~~—Not
14 later than 90 days after the date on which
15 the Secretary issues a final approval with
16 respect to an application for the convey-
17 ance of unappropriated public land, the
18 Secretary shall convey the applicable unap-
19 propriated public land to the State.

20 (ii) ~~TERMS AND CONDITIONS.~~—The
21 conveyance of unappropriated public land
22 by the Secretary to the State under this
23 section shall include such terms and condi-
24 tions as the Secretary may require.

25 ~~(3) ENVIRONMENTAL ANALYSIS.~~—

1 (A) IN GENERAL.—Except as otherwise
 2 provided in this subsection, the Secretary shall
 3 convey unappropriated public land under this
 4 section in accordance with—

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

7 (ii) any other applicable law.

8 (B) ENVIRONMENTAL ASSESSMENT OR EN-
 9 VIRONMENTAL IMPACT STATEMENT.—In pre-
 10 paring an environmental assessment or environ-
 11 mental impact statement under section 102(2)
 12 of the National Environmental Policy Act of
 13 1969 (42 U.S.C. 4332(2)) for the conveyance of
 14 unappropriated public land under this section,
 15 the Secretary is not required to study, develop,
 16 or describe any action other than—

17 (i) the proposed agency action; and

18 (ii) the alternative of no action.

19 (d) MINERAL LAND.—

20 (1) SELECTION AND CONVEYANCE.—

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

1 (B) EXCLUSION.—The State may not se-
2 lect, and the Secretary may not convey—

3 (i) unappropriated public land that in-
4 cludes only a portion of a mineral lease or
5 permit; or

6 (ii) only the Federal mineral estate to
7 unappropriated public land, unless the
8 United States does not own the associated
9 surface estate of the unappropriated public
10 land.

11 (2) MINING CLAIMS.—

12 (A) MINING CLAIMS UNAFFECTED.—Noth-
13 ing in this section alters, diminishes, or expands
14 the existing rights of a mining claimant under
15 applicable law.

16 (B) VALIDITY EXAMINATIONS.—Nothing in
17 this section requires the Secretary to carry out
18 a mineral examination for any mining claim lo-
19 cated on unappropriated public land to be con-
20 veyed under this section.

21 (C) WITHDRAWAL.—Unappropriated pub-
22 lic land selected by the State for acquisition
23 under this section is withdrawn, subject to valid
24 existing rights, from location, entry, and patent

1 under the mining laws until that date on
2 which—

3 (i) the selected unappropriated public
4 land is conveyed by the Secretary to the
5 State;

6 (ii) the Secretary makes a final deter-
7 mination not accepting the selection of the
8 unappropriated public land; or

9 (iii) the State withdraws the selection
10 of the unappropriated public land.

11 (e) CONSTRUCTION WITH OTHER LAWS.—

12 (1) CONSIDERATION.—In the application of
13 laws (including regulations) and policies relating to
14 selections made under this section, the Secretary
15 shall consider the equities of the State and the inter-
16 est of the public.

17 (2) PRESUMPTION OF PLAN ADEQUACY.—Un-
18 less a land use plan adopted under section 202 of
19 the Federal Land Policy and Management Act of
20 1976 (43 U.S.C. 1712) specifically identifies signifi-
21 cant public values that would be lost or substantially
22 impaired as a result of the conveyance of unappro-
23 priated public land to the State, any State selection
24 under this section shall be considered to be in com-

1 pliance with the plan regardless of whether the se-
2 lected land is otherwise identified for disposal.

3 (f) VALUATION.—

4 (1) EQUAL VALUE.—

5 (A) IN GENERAL.—The overall value of the
6 State land grant parcels and parcels of unap-
7 propriated public land to be conveyed to the
8 State shall be—

9 (i) equal; or

10 (ii) if the value is not equal—

11 (I) equalized by the payment of
12 funds to the State or to the Secretary
13 as the circumstances require; or

14 (II) reflected on the balance of a
15 ledger account established under para-
16 graph (3).

17 (B) APPRAISAL REQUIRED.—Except as
18 provided in paragraph (2), the Secretary and
19 the State shall jointly determine the value of a
20 State land grant parcel and a parcel of unap-
21 propriated public land through an appraisal
22 completed in accordance with—

23 (i) the Uniform Appraisal Standards
24 for Federal Land Acquisitions; and

1 (ii) the Uniform Standards for Profes-
2 sional Appraisal Practice.

3 ~~(2) LOW VALUE PARCELS.—~~

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

15 (i) less than \$500,000; and

16 (ii) less than \$500 per acre.

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

22 ~~(3) LEDGER ACCOUNTS.—~~

23 (A) IN GENERAL.—The Secretary and the
24 State may agree to use a ledger account to
25 make equal the value of land relinquished by

1 the State and conveyed by the Secretary to the
2 State under this section.

3 ~~(B) IMBALANCES.~~—A ledger account de-
4 scribed in subparagraph (A) shall reflect imbal-
5 ances in value to be reconciled in a subsequent
6 transaction.

7 ~~(C) ACCOUNT BALANCING.~~—Each ledger
8 account established under this paragraph shall
9 be—

10 (i) balanced not later than 3 years
11 after the date on which the ledger account
12 is established; and

13 (ii) closed not later than 5 years after
14 the date of the last conveyance of land
15 under this section.

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

17 (A) assume costs or other responsibilities
18 or requirements for conveying land under this
19 section that would generally be the responsi-
20 bility of the other party; and

21 (B) make adjustments to the relative val-
22 ues involved in the conveyance of land under
23 this section to compensate the Secretary or the
24 State, as applicable, for assuming the costs or

1 other responsibilities or requirements under
2 subparagraph (A).

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

13 ~~(g) MISCELLANEOUS PROVISIONS.~~—

14 ~~(1) HAZARDOUS MATERIALS.~~—The Secretary
15 and the State shall make available for review and in-
16 spection any record relating to hazardous materials
17 on land to be conveyed under this section.

18 ~~(2) APPURTENANT WATER RIGHTS.~~—Any con-
19 veyance of a State land grant parcel or parcel of un-
20 appropriated public land under this section may in-
21 clude the conveyance of water rights appurtenant to
22 the land conveyed.

23 ~~(3) GRAZING PERMITS.~~—

24 ~~(A) IN GENERAL.~~—If land conveyed under
25 this section is subject to a lease, permit, or con-

1 tract for the grazing of domestic livestock in ef-
2 fect on the date of conveyance, the Secretary or
3 the State, as applicable, shall allow the grazing
4 to continue for the remainder of the term of the
5 lease, permit, or contract, subject to the related
6 terms and conditions of user agreements, in-
7 cluding permitted stocking rates, grazing fee
8 levels, access rights, and ownership and use of
9 range improvements.

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

16 (C) CANCELLATION.—

17 (i) IN GENERAL.—Nothing in this sec-
18 tion prevents the Secretary or the State
19 from canceling or modifying a grazing per-
20 mit, lease, or contract if the land subject
21 to the permit, lease, or contract is sold,
22 conveyed, transferred, or leased for non-
23 grazing purposes by the Secretary or the
24 State.

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

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

18 (h) EFFECT ON OTHER STATE SELECTION AUTHOR-
19 IZATIONS.—The authorization for State relinquishments
20 and selections under this section shall be considered to be
21 independent of, and not limited by, the authorization for
22 State selections under—

23 (1) sections 6, 8, and 12 of the Act of July 16,
24 1894 (28 Stat. 107, chapter 138); or

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

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

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

6 (b) *TABLE OF CONTENTS.*—*The table of contents for*
7 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Administration.

Sec. 4. Effect on water rights.

Sec. 5. Savings clause.

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

Sec. 101. Establishment of Recreation Area.

Sec. 102. Management of Recreation Area.

*Sec. 103. San Rafael Swell Western Heritage and Historic Mining 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.

8 **SEC. 2. DEFINITIONS.**

9 *In this Act:*

10 (1) *COUNCIL.*—*The term “Council” means the*
11 *San Rafael Swell Western Heritage and Historic*

1 *Mining Recreation Area Advisory Council established*
2 *under section 103(a).*

3 (2) *COUNTY.*—*The term “County” means Emery*
4 *County in the State.*

5 (3) *MANAGEMENT PLAN.*—*The term “Manage-*
6 *ment Plan” means the management plan for the*
7 *Recreation Area developed under section 102(c).*

8 (4) *MAP.*—*The term “Map” means the map enti-*
9 *tled “Emery County Public Land Management Act of*
10 *2018 Overview Map” and dated October 1, 2018.*

11 (5) *RECREATION AREA.*—*The term “Recreation*
12 *Area” means the San Rafael Swell Western Heritage*
13 *and Historic Mining Recreation Area established by*
14 *section 101(a)(1).*

15 (6) *SECRETARY.*—*The term “Secretary”*
16 *means—*

17 (A) *the Secretary of the Interior, with re-*
18 *spect to public land administered by the Bureau*
19 *of Land Management; and*

20 (B) *the Secretary of Agriculture, with re-*
21 *spect to National Forest System land.*

22 (7) *STATE.*—*The term “State” means the State*
23 *of Utah.*

1 (8) *WILDERNESS AREA.*—*The term “wilderness*
2 *area” means a wilderness area designated by section*
3 *201(a).*

4 **SEC. 3. ADMINISTRATION.**

5 *Nothing in this Act affects or modifies any right of*
6 *any federally recognized Indian Tribe or any obligation of*
7 *the United States.*

8 **SEC. 4. EFFECT ON WATER RIGHTS.**

9 *Nothing in this Act—*

10 (1) *affects the use or allocation, in existence on*
11 *the date of enactment of this Act, of any water, water*
12 *right, or interest in water;*

13 (2) *affects any vested absolute or decreed condi-*
14 *tional water right in existence on the date of enact-*
15 *ment of this Act, including any water right held by*
16 *the United States;*

17 (3) *affects any interstate water compact in exist-*
18 *ence on the date of enactment of this Act; or*

19 (4) *shall be considered to be a relinquishment or*
20 *reduction of any water rights reserved or appro-*
21 *propriated by the United States in the State on or before*
22 *the date of enactment of this Act.*

23 **SEC. 5. SAVINGS CLAUSE.**

24 *Nothing in this Act diminishes the authority of the*
25 *Secretary under Public Law 92–195 (commonly known as*

1 *the “Wild Free-Roaming Horses and Burros Act”*) (16
 2 *U.S.C. 1331 et seq.*).

3 **TITLE I—SAN RAFAEL SWELL**
 4 **WESTERN HERITAGE AND HIS-**
 5 **TORIC MINING RECREATION**
 6 **AREA**

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

8 (a) *ESTABLISHMENT.*—

9 (1) *IN GENERAL.*—*Subject to valid existing*
 10 *rights, there is established the San Rafael Swell West-*
 11 *ern Heritage and Historic Mining Recreation Area in*
 12 *the State.*

13 (2) *AREA INCLUDED.*—*The Recreation Area shall*
 14 *consist of approximately 389,731 acres of Federal*
 15 *land managed by the Bureau of Land Management,*
 16 *as generally depicted on the Map.*

17 (b) *PURPOSES.*—*The purposes of the Recreation Area*
 18 *are to provide for the protection, conservation, and enhance-*
 19 *ment of the recreational, cultural, natural, scenic, wildlife,*
 20 *ecological, historical, and educational resources of the*
 21 *Recreation Area.*

22 (c) *MAP AND LEGAL DESCRIPTION.*—

23 (1) *IN GENERAL.*—*As soon as practicable after*
 24 *the date of enactment of this Act, the Secretary shall*
 25 *file a map and legal description of the Recreation*

1 *Area with the Committee on Natural Resources of the*
2 *House of Representatives and the Committee on En-*
3 *ergy and Natural Resources of the Senate.*

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

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

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

15 (a) *IN GENERAL.*—*The Secretary shall administer the*
16 *Recreation Area—*

17 (1) *in a manner that conserves, protects, and en-*
18 *hances the purposes for which the Recreation Area is*
19 *established; and*

20 (2) *in accordance with—*

21 (A) *this section;*

22 (B) *the Federal Land Policy and Manage-*
23 *ment Act of 1976 (43 U.S.C. 1701 et seq.); and*

24 (C) *other applicable laws.*

1 **(b) USES.**—*The Secretary shall allow only uses of the*
2 *Recreation Area that are consistent with the purposes for*
3 *which the Recreation Area is established.*

4 **(c) MANAGEMENT PLAN.**—

5 **(1) IN GENERAL.**—*Not later than 5 years after*
6 *the date of enactment of this Act, the Secretary shall*
7 *develop a comprehensive management plan for the*
8 *long-term protection and management of the Recre-*
9 *ation Area.*

10 **(2) REQUIREMENTS.**—*The Management Plan*
11 *shall—*

12 **(A)** *describe the appropriate uses and man-*
13 *agement of the Recreation Area;*

14 **(B)** *be developed with extensive public*
15 *input;*

16 **(C)** *take into consideration any information*
17 *developed in studies of the land within the Recre-*
18 *ation Area; and*

19 **(D)** *be developed fully consistent with the*
20 *settlement agreement entered into on January*
21 *13, 2017, in the case in the United States Dis-*
22 *trict Court for the District of Utah styled*
23 *“Southern Utah Wilderness Alliance, et al. v.*
24 *U.S. Department of the Interior, et al.” and*
25 *numbered 2:12-cv-257 DAK.*

1 (d) *MOTORIZED VEHICLES; NEW ROADS.*—

2 (1) *MOTORIZED VEHICLES.*—*Except as needed*
3 *for emergency response or administrative purposes,*
4 *the use of motorized vehicles in the Recreation Area*
5 *shall be permitted only on roads and motorized routes*
6 *designated in the Management Plan for the use of mo-*
7 *torized vehicles.*

8 (2) *NEW ROADS.*—*No new permanent or tem-*
9 *porary roads or other motorized vehicle routes shall be*
10 *constructed within the Recreation Area after the date*
11 *of enactment of this Act.*

12 (3) *EXISTING ROADS.*—*Necessary maintenance*
13 *or repairs to existing roads designated in the Manage-*
14 *ment Plan for the use of motorized vehicles shall be*
15 *permitted after the date of enactment of this Act, con-*
16 *sistent with the requirements of this section.*

17 (e) *GRAZING.*—

18 (1) *IN GENERAL.*—*The grazing of livestock in the*
19 *Recreation Area, if established before the date of en-*
20 *actment of this Act, shall be allowed to continue, sub-*
21 *ject to such reasonable regulations, policies, and prac-*
22 *tices as the Secretary considers to be necessary in ac-*
23 *cordance with—*

24 (A) *applicable law (including regulations);*

25 *and*

1 (B) *the purposes of the Recreation Area.*

2 (2) *INVENTORY.—Not later than 5 years after the*
3 *date of enactment of this Act, the Secretary, in col-*
4 *laboration with any affected grazing permittee, shall*
5 *carry out an inventory of facilities and improvements*
6 *associated with grazing activities in the Recreation*
7 *Area.*

8 (f) *COLD WAR SITES.—The Secretary shall manage*
9 *the Recreation Area in a manner that educates the public*
10 *about Cold War and historical uranium mine sites in the*
11 *Recreation Area, subject to such terms and conditions as*
12 *the Secretary considers necessary to protect public health*
13 *and safety.*

14 (g) *INCORPORATION OF ACQUIRED LAND AND INTER-*
15 *ESTS.—Any land or interest in land located within the*
16 *boundary of the Recreation Area that is acquired by the*
17 *United States after the date of enactment of this Act shall—*

18 (1) *become part of the Recreation Area; and*

19 (2) *be managed in accordance with applicable*
20 *laws, including as provided in this section.*

21 (h) *WITHDRAWALS.—Subject to valid existing rights,*
22 *all Federal land within the Recreation Area, including any*
23 *land or interest in land that is acquired by the United*
24 *States within the Recreation Area after the date of enact-*
25 *ment of this Act, is withdrawn from—*

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

3 (2) location, entry, and patent under the mining
4 laws; and

5 (3) operation of the mineral leasing, mineral
6 materials, and geothermal leasing laws.

7 (i) *STUDY OF NONMOTORIZED RECREATION OPPORTU-*
8 *NITIES.*—Not later than 2 years after the date of enactment
9 of this Act, the Secretary, in consultation with interested
10 parties, shall conduct a study of nonmotorized recreation
11 trail opportunities, including bicycle trails, within the
12 Recreation Area, consistent with the purposes of the Recre-
13 ation Area.

14 **SEC. 103. SAN RAFAEL SWELL WESTERN HERITAGE AND**
15 **HISTORIC MINING RECREATION AREA ADVI-**
16 **SORY COUNCIL.**

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

22 (b) *DUTIES.*—The Council shall advise the Secretary
23 with respect to the preparation and implementation of the
24 Management Plan for the 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) *section 309 of the Federal Land Policy and*
6 *Management Act of 1976 (43 U.S.C. 1739).*

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

10 (1) *1 member shall represent the Emery County*
11 *Commission;*

12 (2) *1 member shall represent motorized rec-*
13 *reational users;*

14 (3) *1 member shall represent nonmotorized rec-*
15 *reational users;*

16 (4) *1 member shall represent permittees holding*
17 *grazing allotments within the Recreation Area or wil-*
18 *derness areas designated in this Act;*

19 (5) *1 member shall represent conservation orga-*
20 *nizations;*

21 (6) *1 member shall have expertise in the histor-*
22 *ical uses of the Recreation Area; and*

23 (7) *1 member shall be appointed from the elected*
24 *leadership of a Federally recognized Indian Tribe*
25 *that has significant cultural or historical connections*

1 *to, and expertise in, the landscape, archeological sites,*
2 *or cultural sites within the County.*

3 ***TITLE II—WILDERNESS AREAS***

4 ***SEC. 201. ADDITIONS TO THE NATIONAL WILDERNESS***
5 ***PRESERVATION SYSTEM.***

6 *(a) ADDITIONS.—In accordance with the Wilderness*
7 *Act (16 U.S.C. 1131 et seq.), the following parcels of Federal*
8 *land in the State are designated as wilderness and as com-*
9 *ponents of the National Wilderness Preservation System:*

10 *(1) CANDLAND MOUNTAIN.—Certain Federal*
11 *land managed by the Forest Service, comprising ap-*
12 *proximately 11,521 acres, generally depicted on the*
13 *Map as “Proposed Candland Mountain Wilderness”,*
14 *which shall be known as the “Candland Mountain*
15 *Wilderness”.*

16 *(2) COLD WASH.—Certain Federal land man-*
17 *aged by the Bureau of Land Management, comprising*
18 *approximately 11,162 acres, generally depicted on the*
19 *Map as “Proposed Cold Wash Wilderness”, which*
20 *shall be known as the “Cold Wash Wilderness”.*

21 *(3) CRACK CANYON.—Certain Federal land man-*
22 *aged by the Bureau of Land Management, comprising*
23 *approximately 25,719 acres, generally depicted on the*
24 *Map as “Crack Canyon Wilderness, which shall be*
25 *known as the “Crack Canyon Wilderness”.*

1 (4) *DESOLATION CANYON.*—*Certain Federal land*
2 *managed by the Bureau of Land Management, com-*
3 *prising approximately 142,993 acres, generally de-*
4 *icted on the Map as “Proposed Desolation Canyon*
5 *Wilderness”, which shall be known as the “Desolation*
6 *Canyon Wilderness”.*

7 (5) *DEVIL’S CANYON.*—*Certain Federal land*
8 *managed by the Bureau of Land Management, com-*
9 *prising approximately 8,675 acres, generally depicted*
10 *on the Map as “Proposed Devil’s Canyon Wilder-*
11 *ness”, which shall be known as the “Devil’s Canyon*
12 *Wilderness”.*

13 (6) *EAGLE CANYON.*—*Certain Federal land man-*
14 *aged by the Bureau of Land Management, comprising*
15 *approximately 13,832 acres, generally depicted on the*
16 *Map as “Proposed Eagle Canyon Wilderness”, which*
17 *shall be known as the “Eagle Canyon Wilderness”.*

18 (7) *HORSESHOE CANYON.*—*Certain Federal land*
19 *managed by the Bureau of Land Management, com-*
20 *prising approximately 26,192 acres, generally de-*
21 *icted on the Map as “Proposed Horseshoe Canyon*
22 *Wilderness, which shall be known as the “Horseshoe*
23 *Canyon Wilderness”.*

24 (8) *MEXICAN MOUNTAIN.*—*Certain Federal land*
25 *managed by the Bureau of Land Management, com-*

1 *prising approximately 76,368 acres, generally de-*
2 *icted on the Map as “Proposed Mexican Mountain*
3 *Wilderness”, which shall be known as the “Mexican*
4 *Mountain Wilderness”.*

5 (9) *MUDDY CREEK.*—*Certain Federal land man-*
6 *aged by the Bureau of Land Management, comprising*
7 *approximately 48,330 acres, generally depicted on the*
8 *Map as “Proposed Muddy Creek Wilderness”, which*
9 *shall be known as the “Muddy Creek Wilderness”.*

10 (10) *NELSON MOUNTAIN.*—

11 (A) *IN GENERAL.*—*Certain Federal land*
12 *managed by the Forest Service, comprising ap-*
13 *proximately 7,176 acres, and certain Federal*
14 *land managed by the Bureau of Land Manage-*
15 *ment, comprising approximately 257 acres, gen-*
16 *erally depicted on the Map as “Proposed Nelson*
17 *Mountain”, which shall be known as the “Nelson*
18 *Mountain Wilderness”.*

19 (B) *TRANSFER OF ADMINISTRATIVE JURIS-*
20 *DICTION.*—*Administrative jurisdiction over the*
21 *257-acre portion of the Nelson Mountain Wilder-*
22 *ness designated by subparagraph (A) is trans-*
23 *ferred from the Bureau of Land Management to*
24 *the Forest Service.*

1 (11) *RED’S CANYON.*—*Certain Federal land*
2 *managed by the Bureau of Land Management, com-*
3 *prising approximately 17,325 acres, generally de-*
4 *scribed on the Map as “Proposed Red’s Canyon Wil-*
5 *derness”, which shall be known as the “Red’s Canyon*
6 *Wilderness”.*

7 (12) *SAN RAFAEL REEF.*—*Certain Federal land*
8 *managed by the Bureau of Land Management, com-*
9 *prising approximately 60,425 acres, generally de-*
10 *scribed on the Map as “Proposed San Rafael Reef Wil-*
11 *derness”, which shall be known as the “San Rafael*
12 *Reef Wilderness”.*

13 (13) *SID’S MOUNTAIN.*—*Certain Federal land*
14 *managed by the Bureau of Land Management, com-*
15 *prising approximately 49,115 acres, generally de-*
16 *scribed on the Map as “Proposed Sid’s Mountain Wil-*
17 *derness”, which shall be known as the “Sid’s Moun-*
18 *tain Wilderness”.*

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

25 (b) *MAP AND LEGAL DESCRIPTION.*—

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

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

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

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

14 (3) *AVAILABILITY.*—Each map and legal descrip-
15 tion filed under paragraph (1) shall on file and avail-
16 able for public inspection in the appropriate office of
17 the Secretary.

18 **SEC. 202. ADMINISTRATION.**

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

23 (1) *any reference in that Act to the effective date*
24 *shall be considered to be a reference to the date of en-*
25 *actment of this Act; and*

1 (2) *any reference in that Act to the Secretary of*
2 *Agriculture shall be considered to be a reference to the*
3 *Secretary.*

4 (b) *RECREATIONAL CLIMBING.*—*Nothing in this Act*
5 *prohibits recreational rock climbing activities in the wilder-*
6 *ness areas, such as the placement, use, and maintenance*
7 *of fixed anchors, including any fixed anchor established be-*
8 *fore the date of the enactment of this Act—*

9 (1) *in accordance with the Wilderness Act (16*
10 *U.S.C. 1131 et seq.); and*

11 (2) *subject to any terms and conditions deter-*
12 *mined to be necessary by the Secretary.*

13 (c) *TRAIL PLAN.*—*After providing opportunities for*
14 *public comment, the Secretary shall establish a trail plan*
15 *that addresses hiking and equestrian trails on the wilder-*
16 *ness areas in a manner consistent with the Wilderness Act*
17 *(16 U.S.C. 1131 et seq.).*

18 (d) *LIVESTOCK.*—

19 (1) *IN GENERAL.*—*The grazing of livestock in the*
20 *wilderness areas, if established before the date of en-*
21 *actment of this Act, shall be allowed to continue, sub-*
22 *ject to such reasonable regulations, policies, and prac-*
23 *tices as the Secretary considers to be necessary in ac-*
24 *cordance with—*

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

3 (B) the guidelines set forth in Appendix A
4 of the report of the Committee on Interior and
5 Insular Affairs of the House of Representatives
6 accompanying H.R. 2570 of the 101st Congress
7 (House Report 101-405).

8 (2) *INVENTORY.*—With respect to each wilderness
9 area in which grazing of livestock is allowed to con-
10 tinue under paragraph (1), not later than 2 years
11 after the date of enactment of this Act, the Secretary,
12 in collaboration with any affected grazing permittee,
13 shall carry out an inventory of facilities and im-
14 provements associated with grazing activities in the
15 wilderness area.

16 (e) *ADJACENT MANAGEMENT.*—

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

21 (2) *NONWILDERNESS ACTIVITIES.*—The fact that
22 nonwilderness activities or uses can be seen or heard
23 from areas within a wilderness area shall not pre-
24 clude the conduct of those activities or uses outside the
25 boundary of the wilderness area.

1 (f) *MILITARY OVERFLIGHTS.*—*Nothing in this title re-*
2 *stricts or precludes—*

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

6 (2) *flight testing and evaluation; or*

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

10 (g) *COMMERCIAL SERVICES.*—*Commercial services*
11 *(including authorized outfitting and guide activities) with-*
12 *in the wilderness areas may be authorized to the extent nec-*
13 *essary for activities that are appropriate for realizing the*
14 *recreational or other wilderness purposes of the wilderness*
15 *areas, in accordance with section 4(d)(5) of the Wilderness*
16 *Act (16 U.S.C. 1133(d)(5)).*

17 (h) *LAND ACQUISITION AND INCORPORATION OF AC-*
18 *QUIRED LAND AND INTERESTS.*—

19 (1) *ACQUISITION AUTHORITY.*—*The Secretary*
20 *may acquire land and interests in land within the*
21 *boundaries of a wilderness area by donation, purchase*
22 *from a willing seller, or exchange.*

23 (2) *INCORPORATION.*—*Any land or interest in*
24 *land within the boundary of a wilderness area that*
25 *is acquired by the United States after the date of en-*

1 *actment of this Act shall be added to and adminis-*
2 *tered as part of the wilderness area.*

3 *(i) WATER RIGHTS.—*

4 *(1) STATUTORY CONSTRUCTION.—Nothing in this*
5 *title—*

6 *(A) shall constitute or be construed to con-*
7 *stitute either an express or implied reservation*
8 *by the United States of any water or water*
9 *rights with respect to the land designated as wil-*
10 *derness by section 201;*

11 *(B) shall affect any water rights in the*
12 *State existing on the date of enactment of this*
13 *Act, including any water rights held by the*
14 *United States;*

15 *(C) shall be construed as establishing a*
16 *precedent with regard to any future wilderness*
17 *designations;*

18 *(D) shall affect the interpretation of, or any*
19 *designation made pursuant to, any other Act; or*

20 *(E) shall be construed as limiting, altering,*
21 *modifying, or amending any of the interstate*
22 *compacts or equitable apportionment decrees that*
23 *apportions water among and between the State*
24 *and other States.*

1 (2) *STATE WATER LAW.*—*The Secretary shall fol-*
2 *low the procedural and substantive requirements of*
3 *the State in order to obtain and hold any water*
4 *rights not in existence on the date of enactment of this*
5 *Act with respect to the wilderness areas.*

6 (j) *MEMORANDUM OF UNDERSTANDING.*—*The Sec-*
7 *retary shall offer to enter into a memorandum of under-*
8 *standing with the County, in accordance with the Wilder-*
9 *ness Act (16 U.S.C. 1131 et seq.), to clarify the approval*
10 *processes for the use of motorized equipment and mechan-*
11 *ical transport for search and rescue activities in the Crack*
12 *Canyon Wilderness established by section 201(a)(3).*

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

14 *Nothing in this title affects the jurisdiction of the State*
15 *with respect to fish and wildlife on public land located in*
16 *the State.*

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

18 (a) *FINDING.*—*Congress finds that, for the purposes of*
19 *section 603(c) of the Federal Land Policy and Management*
20 *Act of 1976 (43 U.S.C. 1782(c)), the approximately 17,420*
21 *acres of public land administered by the Bureau of Land*
22 *Management in the County that has not been designated*
23 *as wilderness by section 201(a) has been adequately studied*
24 *for wilderness designation.*

1 (b) *RELEASE*.—*The public land described in sub-*
2 *section (a)—*

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

6 (2) *shall be managed in accordance with—*

7 (A) *applicable law; and*

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

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

14 ***SEC. 301. GREEN RIVER WILD AND SCENIC RIVER DESIGNA-***
15 ***TION.***

16 (a) *IN GENERAL*.—*Section 3(a) of the Wild and Scenic*
17 *Rivers Act (16 U.S.C. 1274(a)) is amended by adding at*
18 *the end the following:*

19 “(214) *GREEN RIVER*.—*The approximately 63-*
20 *mile segment, as generally depicted on the map enti-*
21 *tled ‘Emery County Public Land Management Act of*
22 *2018 Overview Map’ and dated September 14, 2018,*
23 *to be administered by the Secretary of the Interior, in*
24 *the following classifications:*

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

5 “(B) *RECREATIONAL RIVER SEGMENT.*—*The*
6 *8.5-mile segment from the Nefertiti boat ramp,*
7 *south to the Swasey’s boat ramp, as a rec-*
8 *reational river.*

9 “(C) *SCENIC RIVER SEGMENT.*—*The 49.2-*
10 *mile segment from Bull Bottom, south to the*
11 *county line between Emery and Wayne Counties,*
12 *as a scenic river.”.*

13 (b) *INCORPORATION OF ACQUIRED NON-FEDERAL*
14 *LAND.*—*If the United States acquires any non-Federal land*
15 *within or adjacent to a river segment of the Green River*
16 *designated by paragraph (214) of section 3(a) of the Wild*
17 *and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by*
18 *subsection (a)), the acquired land shall be incorporated in,*
19 *and be administered as part of, the applicable wild, scenic,*
20 *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.*—*The Secretary shall offer to convey*
6 *to the Utah Division of Parks and Recreation of the Utah*
7 *Department of Natural Resources (referred to in this section*
8 *as the “State”), approximately 6,261 acres of land identi-*
9 *fied on the Map as the “Proposed Goblin Valley State Park*
10 *Expansion”, without consideration, for the management by*
11 *the State as a State park, consistent with uses allowed*
12 *under the Act of June 14, 1926 (commonly known as the*
13 *“Recreation and Public Purposes Act”) (44 Stat. 741, chap-*
14 *ter 578; 43 U.S.C. 869 et seq.).*

15 (b) *REVERSIONARY CLAUSE REQUIRED.*—*An agree-*
16 *ment entered into under subsection (a) shall include a rever-*
17 *sionary clause to ensure that management of the land de-*
18 *scribed in that subsection shall revert to the Secretary if*
19 *the land is no longer being managed as a State park in*
20 *accordance with subsection (a).*

21 **SEC. 402. JURASSIC NATIONAL MONUMENT.**

22 (a) *PURPOSES.*—*To conserve, interpret, and enhance*
23 *for the benefit of present and future generations the paleon-*
24 *tological, scientific, educational, and recreational resources*
25 *of the area and subject to valid existing rights, there is es-*

1 *tablished in the State the Jurassic National Monument (re-*
2 *ferred to in this section as the “Monument”), consisting of*
3 *approximately 850 acres of Federal land in the County, as*
4 *generally depicted on the Map.*

5 *(b) MAP AND LEGAL DESCRIPTION.—*

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

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

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

1 (c) *WITHDRAWALS.*—*Subject to valid existing rights,*
2 *any Federal land within the boundaries of the Monument*
3 *and any land or interest in land that is acquired by the*
4 *United States for inclusion in the Monument after the date*
5 *of enactment of this Act is withdrawn from—*

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

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

10 (3) *operation of the mineral leasing laws, geo-*
11 *thermal leasing laws, and minerals materials laws.*

12 (d) *MANAGEMENT.*—

13 (1) *IN GENERAL.*—*The Secretary shall manage*
14 *the Monument—*

15 (A) *in a manner that conserves, protects,*
16 *and enhances the resources and values of the*
17 *Monument, including the resources and values*
18 *described in subsection (a); and*

19 (B) *in accordance with—*

20 (i) *this section;*

21 (ii) *the Federal Land Policy and Man-*
22 *agement Act of 1976 (43 U.S.C. 1701 et*
23 *seq.); and*

24 (iii) *any other applicable Federal law.*

1 (2) *NATIONAL LANDSCAPE CONSERVATION SYS-*
2 *TEM.—The Monument shall be managed as a compo-*
3 *nent of the National Landscape Conservation System.*

4 *(e) MANAGEMENT PLAN.—*

5 (1) *IN GENERAL.—Not later than 2 years after*
6 *the date of enactment of this Act, the Secretary shall*
7 *develop a comprehensive management plan for the*
8 *long-term protection and management of the Monu-*
9 *ment.*

10 (2) *COMPONENTS.—The management plan devel-*
11 *oped under paragraph (1) shall—*

12 (A) *describe the appropriate uses and man-*
13 *agement of the Monument, consistent with the*
14 *provisions of this section; and*

15 (B) *allow for continued scientific research*
16 *at the Monument during the development of the*
17 *management plan for the Monument, subject to*
18 *any terms and conditions that the Secretary de-*
19 *termines necessary to protect Monument re-*
20 *sources.*

21 (f) *AUTHORIZED USES.—The Secretary shall only*
22 *allow uses of the Monument that the Secretary determines*
23 *would further the purposes for which the Monument has*
24 *been established.*

1 (g) *INTERPRETATION, EDUCATION, AND SCIENTIFIC*
2 *RESEARCH.*—

3 (1) *IN GENERAL.*—*The Secretary shall provide*
4 *for public interpretation of, and education and sci-*
5 *entific research on, the paleontological resources of the*
6 *Monument.*

7 (2) *COOPERATIVE AGREEMENTS.*—*The Secretary*
8 *may enter into cooperative agreements with appro-*
9 *priate public entities to carry out paragraph (1).*

10 (h) *SPECIAL MANAGEMENT AREAS.*—

11 (1) *IN GENERAL.*—*The establishment of the*
12 *Monument shall not modify the management status of*
13 *any area within the boundary of the Monument that*
14 *is managed as an area of critical environment con-*
15 *cern.*

16 (2) *CONFLICT OF LAWS.*—*If there is a conflict be-*
17 *tween the laws applicable to an area described in*
18 *paragraph (1) and this section, the more restrictive*
19 *provision shall control.*

20 (i) *MOTORIZED VEHICLES.*—*Except as needed for ad-*
21 *ministrative purposes or to respond to an emergency, the*
22 *use of motorized vehicles in the Monument shall be allowed*
23 *only on roads and trails designated for use by motorized*
24 *vehicles under the management plan for the Monument de-*
25 *veloped under subsection (e).*

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

5 (k) *GRAZING.*—*The grazing of livestock in the Monu-*
6 *ment, if established before the date of enactment of this Act,*
7 *shall be allowed to continue, subject to such reasonable regu-*
8 *lations, policies, and practices as the Secretary considers*
9 *to be necessary in accordance with—*

10 (1) *applicable law (including regulations);*

11 (2) *the guidelines set forth in Appendix A of the*
12 *report of the Committee on Interior and Insular Af-*
13 *fairs of the House of Representatives accompanying*
14 *H.R. 2570 of the 101st Congress (House Report 101-*
15 *405); and*

16 (3) *the purposes of the Monument.*

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

18 (a) *IN GENERAL.*—*Consistent with applicable law, the*
19 *Secretary may sell public land located in the County that*
20 *has been identified as suitable for disposal based on specific*
21 *criteria as listed in the Federal Land Policy and Manage-*
22 *ment Act of 1976 (43 U.S.C. 1713) in the applicable re-*
23 *source management plan in existence on the date of enact-*
24 *ment of this Act.*

25 (b) *USE OF PROCEEDS.*—

1 (1) *IN GENERAL.*—Notwithstanding any other
2 provision of law (other than a law that specifically
3 provides for a portion of the proceeds of a land sale
4 to be distributed to any trust fund of the State), pro-
5 ceeds from the sale of public land under subsection (a)
6 shall be deposited in a separate account in the Treas-
7 ury, to be known as the “Emery County, Utah, Land
8 Acquisition Account” (referred to in this section as
9 the “Account”).

10 (2) *AVAILABILITY.*—

11 (A) *IN GENERAL.*—Amounts in the Account
12 shall be available to the Secretary, without fur-
13 ther appropriation, to purchase from willing
14 sellers land or interests in land within a wilder-
15 ness area or the Recreation Area.

16 (B) *APPLICABILITY.*—Any purchase of land
17 or interest in land under subparagraph (A) shall
18 be in accordance with applicable law.

19 (C) *PROTECTION OF CULTURAL RE-*
20 *SOURCES.*—To the extent that there are amounts
21 in the Account in excess of the amounts needed
22 to carry out subparagraph (A), the Secretary
23 may use the excess amounts for the protection of
24 cultural resources on Federal land within the
25 County.

1 **SEC. 404. PUBLIC PURPOSE CONVEYANCES.**

2 (a) *IN GENERAL.*—Notwithstanding the land use plan-
3 ning requirement of sections 202 and 203 of the Federal
4 Land Policy and Management Act of 1976 (43 U.S.C. 1712,
5 1713), on request by the applicable local governmental enti-
6 ty, the Secretary shall convey without consideration the fol-
7 lowing parcels of public land to be used for public purposes:

8 (1) *EMERY CITY RECREATION AREA.*—The ap-
9 proximately 640-acre parcel as generally depicted on
10 the Map, to the City of Emery, Utah, for the creation
11 or enhancement of public recreation opportunities
12 consistent with uses allowed under the Act of June 14,
13 1926 (commonly known as the “Recreation and Pub-
14 lic Purposes Act”) (44 Stat. 741, chapter 578; 43
15 U.S.C. 869 et seq.).

16 (2) *HUNTINGTON AIRPORT.*—The approximately
17 320-acre parcel as generally depicted on the Map, to
18 Emery County, Utah, for expansion of Huntington
19 Airport consistent with uses allowed under the Act of
20 June 14, 1926 (commonly known as the “Recreation
21 and Public Purposes Act”) (44 Stat. 741, chapter
22 578; 43 U.S.C. 869 et seq.).

23 (3) *EMERY COUNTY SHERIFF’S OFFICE.*—The ap-
24 proximately 5-acre parcel as generally depicted on the
25 Map, to Emery County, Utah, for the Emery County
26 Sheriff’s Office substation consistent with uses allowed

1 *under the Act of June 14, 1926 (commonly known as*
2 *the “Recreation and Public Purposes Act”) (44 Stat.*
3 *741, chapter 578; 43 U.S.C. 869 et seq.).*

4 (4) *BUCKHORN INFORMATION CENTER.—The ap-*
5 *proximately 5-acre parcel as generally depicted on the*
6 *Map, to Emery County, Utah, for the Buckhorn In-*
7 *formation Center consistent with uses allowed under*
8 *the Act of June 14, 1926 (commonly known as the*
9 *“Recreation and Public Purposes Act”) (44 Stat. 741,*
10 *chapter 578; 43 U.S.C. 869 et seq.).*

11 (b) *MAP AND LEGAL DESCRIPTION.—*

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

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

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

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

1 (3) *PUBLIC AVAILABILITY.*—*Each map and legal*
2 *description filed under paragraph (1) shall be on file*
3 *and available for public inspection in the Price Field*
4 *Office of the Bureau of Land Management.*

5 (c) *REVERSION.*—

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

11 (2) *RESPONSIBILITY FOR REMEDIATION.*—*In the*
12 *case of a reversion under paragraph (1), if the Sec-*
13 *retary determines that the parcel of land is contami-*
14 *nated with hazardous waste, the local governmental*
15 *entity to which the parcel of land was conveyed under*
16 *subsection (a) shall be responsible for remediation.*

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

Calendar No. 721

115TH CONGRESS
2^D SESSION
S. 2809

A BILL

To establish the San Rafael Swell Western Heritage and Historic Mining National Conservation Area in the State of Utah, to designate wilderness areas in the State, to provide for certain land conveyances, and for other purposes.

DECEMBER 5, 2018

Reported with an amendment and an amendment to the title