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115TH CONGRESS
2D SESSION

H. R. 5727

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 HOUSE OF REPRESENTATIVES

MAY 9, 2018

Mr. CURTIS (for himself and Ms. HANABUSA) introduced the following bill; which was referred to the Committee on Natural Resources

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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.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

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

(b) TABLE OF CONTENTS.—The table of contents for 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.

SEC. 2. DEFINITIONS.

In this Act:

(1) CONSERVATION AREA.—The term ''Conservation Area'' means the San Rafael Swell Western Heritage and Historic Mining National Conservation Area established by section 101(a)(1).

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

(3) COUNTY.—The term ''County'' means Emery County in the State.

(4) MANAGEMENT PLAN.—The term ''Management Plan'' means the management plan for the Conservation Area developed under section 102(b).

(5) MAP.—The term ''Map'' means the map entitled ''San Rafael Swell Western Heritage and Historic Mining National Conservation Area Map'' and dated _____, 2018.

(6) SECRETARY.—The term ''Secretary'' means—

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

(B) in titles II and III—

(i) the Secretary of the Interior, acting through the Director of the Bureau of Land Management, with respect to public land; and

(ii) the Secretary of Agriculture, acting through the Chief of the Forest Service, with respect to National Forest System land (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(7) STATE.—The term ''State'' means the State of Utah.

(8) WILDERNESS AREA.—The term ''wilderness area'' means a wilderness area designated by section 201(a).

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

SEC. 101. ESTABLISHMENT OF CONSERVATION AREA.

(a) ESTABLISHMENT.—

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

(2) AREA INCLUDED.—The Conservation Area shall consist of approximately 336,467 acres of Bureau of Land Management land in the State, as generally depicted on the Map.

(b) PURPOSES.—The purposes of the Conservation Area are to conserve, protect, and enhance the recreational, cultural, historical, educational, natural, scenic, and wildlife resources of the Conservation Area.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the Con-

servation Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

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

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 102. MANAGEMENT OF CONSERVATION AREA.

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

(b) MANAGEMENT PLAN.—

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

(2) REQUIREMENTS.—The Management Plan shall—

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

(B) be developed with extensive public input; and

(C) take into consideration any information developed in studies of the land within the Conservation Area.

(c) OUTFITTING AND GUIDE ACTIVITIES.—Commercial services (including authorized outfitting and guide activities) within the Conservation Area may be authorized to the extent necessary for activities that fulfill the recreational or other purposes of the Conservation Area.

(d) MOTORIZED VEHICLES.—

(1) IN GENERAL.—Except as needed for emergency response or administrative purposes, the use of motorized vehicles in the Conservation Area shall be permitted only on roads and motorized routes designated in the Management Plan for the use of motorized vehicles.

(2) NEW ROADS.—No additional roads or motorized vehicle routes shall be built within the Conservation Area after the date of enactment of this Act.

(e) GRAZING.—

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

(A) applicable law (including regulations);

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

(C) the purposes of the Conservation Area.

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

(A) carry out an inventory of facilities and improvements associated with grazing activities in the Conservation Area; and

(B) incorporate into the Management Plan a list of any facilities and improvements inventoried under subparagraph (A).

(f) COLD WAR SITES.—The Secretary shall manage the Conservation Area in a manner that ensures the preservation of Cold War sites, including the Morrison Knudson tunnels, various Department of Defense projects sites, and hundreds of historical uranium mine sites in the Conservation Area.

(g) CASUAL COLLECTION.—

(1) DEFINITION OF CASUAL COLLECTION.—

(A) IN GENERAL.—In this subsection, the term ''casual collection'' means the collection of common invertebrate and plant paleontological resources or rocks and minerals—

(i) by—

(I) surface collection; or

(II) the use of nonpowered hand tools;

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

(iii) that results in negligible disturbance, as determined by the Secretary, of—

(I) the surface of the Earth; and

(II) other resources.

(B) INCLUSIONS.—The term ''casual collection'' includes the hobby collecting of rocks, subject to the discretion of the Secretary.

(2) CASUAL COLLECTION ALLOWED.—The Secretary may allow casual collection in the Conservation Area if the casual collection is consistent with—

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

(B) the Management Plan.

(h) WILDFIRE MANAGEMENT.—Nothing in this section prohibits the Secretary, in cooperation with other Federal, State, and local agencies, as appropriate, from conducting wildland fire operations in the Conservation Area, consistent with the purposes of the Conservation Area.

(i) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land located within the boundary of the Conservation Area that is acquired by the United States after the date of enactment of this Act shall—

(1) become part of the Conservation Area; and

(2) be managed as provided in this section.

(j) WITHDRAWALS.—Subject to valid existing rights, all public land within the Conservation Area, including any

land or interest in land that is acquired by the United States within the Conservation Area after the date of enactment of this Act, is withdrawn from—

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

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

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

(k) EFFECT.—Nothing in this Act—

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

(2) alters, diminishes, or influences the settlement agreement entered into on January 13, 2017, in the case in the United States District Court for the District of Utah styled ''Southern Utah Wilderness Alliance, et al. v. U.S. Department of the Interior, et al.'' and numbered 2:12–cv–257 DAK.

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

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall es-

tablish an advisory council, to be known as the ''San Rafael Swell Western Heritage and Historic Mining National Conservation Area Advisory Council''.

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

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

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

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

(d) MEMBERS.—The Council shall include 10 members, to be appointed by the Secretary, of whom, to the maximum extent practicable—

(1) 1 member shall be appointed after considering the recommendations of the Emery County Commission;

(2) 1 member shall be appointed from the motorized recreational community;

(3) 1 member shall be appointed from the nonmotorized recreational community;

(4) 1 member shall be appointed after considering the recommendations of the permittees holding

grazing allotments within the Conservation Area or wilderness areas; and

(5) 5 members shall—

(A) reside in, or within reasonable proximity to, the County; and

(B) have a background that reflects—

(i) the purposes for which the Conservation Area or wilderness areas are established; and

(ii) the interests of the stakeholders that are affected by the planning and management of the Conservation Area and wilderness areas.

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

(f) TERMINATION.—The Council shall terminate on the date that is 1 year after the date on which the Management Plan is adopted by the Secretary.

TITLE II—WILDERNESS AREAS

SEC. 201. ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM.

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

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

(1) CANDLAND MOUNTAIN.—Certain Federal land managed by the Forest Service, comprising approximately 12,338 acres, as generally depicted on the Map, which shall be known as the ''Candland Mountain Wilderness''.

(2) CRACK CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 25,747 acres, as generally depicted on the Map, which shall be known as the ''Crack Canyon Wilderness''.

(3) DESOLATION CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 173,320 acres, as generally depicted on the Map, which shall be known as the ''Desolation Canyon Wilderness''.

(4) DEVIL'S CANYON.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 8,630 acres, as generally depicted on the Map, which shall be known as the ''Devil's Canyon Wilderness''.

(5) HORSESHOE CANYON (NORTH).—Certain Federal land managed by the Bureau of Land Man-

agement, comprising approximately 26,226 acres, as generally depicted on the Map, which shall be known as the ''Horseshoe Canyon (North) Wilderness''.

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

(7) MUDDY CREEK.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 65,652 acres, as generally depicted on the Map, which shall be known as the ''Muddy Creek Wilderness''.

(8) NELSON MOUNTAIN.—Certain Federal land managed by the Forest Service, comprising approximately 7,447 acres, as generally depicted on the Map, which shall be known as the ''Nelson Mountain Wilderness''.

(9) SAN RAFAEL REEF.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 59,880 acres, as generally depicted on the Map, which shall be known as the ''San Rafael Reef Wilderness''.

(10) SID'S MOUNTAIN.—Certain Federal land managed by the Bureau of Land Management, com-

prising approximately 75,403 acres, as generally depicted on the Map, which shall be known as the ''Sid's Mountain Wilderness''.

(b) MAP AND LEGAL DESCRIPTION.—

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

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

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

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

(3) AVAILABILITY.—Each map and legal description filed under paragraph (1) shall on file and available for public inspection in the appropriate office of the Secretary.

SEC. 202. ADMINISTRATION.

(a) MANAGEMENT.—Subject to valid existing rights, the wilderness areas shall be administered by the Sec-

retary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

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

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

(b) LIVESTOCK.—

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

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

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

(2) INVENTORY.—With respect to each wilderness area in which grazing of livestock is allowed to continue under paragraph (1), not later than 1 year

after the date of enactment of this Act, the Secretary, in collaboration with any affected grazing permittee, shall—

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

(B) review and revise the applicable allotment management plan and grazing permit information.

(c) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 1437 of the 98th Congress (House Report 98–40), the Secretary may take such measures in the wilderness areas as are necessary for the control of fire, insects, and diseases, including, as the Secretary determines to be appropriate, the coordination of the activities with the State or a local agency.

(d) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Congress does not intend for the designation of the wilderness areas to create protective perimeters or buffer zones around the wilderness areas.

(2) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness area shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

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

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

(2) flight testing and evaluation; or

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

(f) OUTFITTING AND GUIDE ACTIVITIES.—Commercial services (including authorized outfitting and guide activities) within the wilderness areas may be authorized to the extent necessary for activities that fulfill the recreational or other wilderness purposes of the wilderness areas.

(g) CASUAL COLLECTION.—

(1) DEFINITION OF CASUAL COLLECTION.—

(A) IN GENERAL.—In this subsection, the term ''casual collection'' means the collection of

common invertebrate and plant paleontological resources or rocks and minerals—

(i) by—

(I) surface collection; or

(II) the use of nonpowered hand tools;

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

(iii) that results in negligible disturbance, as determined by the Secretary, of—

(I) the surface of the Earth; and

(II) other resources.

(B) INCLUSION.—The term ''casual collection'' includes the hobby collecting of rocks, subject to the discretion of the Secretary.

(2) CASUAL COLLECTION ALLOWED.—The Secretary may allow casual collection in the wilderness areas if the casual collection is consistent with—

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

(B)(i) with respect to land managed by the Bureau of Land Management, the applicable re-

source management plan, as in existence on the date of enactment of this Act; or

(ii) with respect to land managed by the Forest Service, the Manti–La Sal National Forest Plan, 1986.

(h) LAND ACQUISITION AND INCORPORATION OF ACQUIRED LAND AND INTERESTS.—

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

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

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

(1) the rights of any Tribe; or

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

(j) CLIMATOLOGICAL DATA COLLECTION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to such terms and conditions as the Secretary

may prescribe, the Secretary may authorize the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas if the Secretary determines that the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities.

(k) WATER RIGHTS.—

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

(A) constitutes an express or implied reservation by the United States of any water or water rights with respect to the wilderness areas;

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

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

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

(E) limits, alters, modifies, or amends any interstate compact or equitable apportionment decree that apportions water among and between the State and other States.

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

(3) LIMITATION ON NEW WATER RESOURCE FACILITIES.—

(A) DEFINITION OF WATER RESOURCE FACILITY.—

(i) IN GENERAL.—In this paragraph, the term ''water resource facility'' means an irrigation and pumping facility, reservoir, water conservation works, aqueduct, canal, ditch, pipeline, well, hydropower project, transmission or other ancillary facility, and any other water diversion, storage, or carriage structure.

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

(B) LIMITATION.—Except as otherwise provided in this Act, on or after the date of enactment of this Act, the President or any other officer, employee, or agent of the United States

may not fund, assist, authorize, or issue a license or permit for the development of any new water resource facility inside a wilderness area.

(l) MEMORANDUM OF UNDERSTANDING.—The Secretary shall offer to enter into a memorandum of understanding with the County to clarify the approval processes for the use of motorized equipment and mechanical transport for search and rescue activities in the Crack Canyon Wilderness established by section 201(a)(2).

SEC. 203. FISH AND WILDLIFE MANAGEMENT.

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

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

(1) consistent with applicable wilderness management plans; and

(2) carried out in accordance with—

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

(B) applicable guidelines and policies, including applicable policies described in appendix B of House Report 101–405.

SEC. 204. RELEASE OF LAND FOR NONWILDERNESS USE.

(a) FINDING.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the approximately 14,779 acres of public land administered by the Bureau of Land Management in the County that has not been designated as wilderness by section 201(a) has been adequately studied for wilderness designation.

(b) RELEASE.—The public land described in subsection (a)—

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

(2) shall be managed in accordance with—

(A) applicable law; and

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

TITLE III—WILD AND SCENIC RIVER DESIGNATION

SEC. 301. GREEN RIVER WILD AND SCENIC RIVER DESIGNATION.

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

''(213) GREEN RIVER.—The 54-mile segment, as generally depicted on the map entitled 'San Rafael Swell Western Heritage and Historic Mining National Conservation Area' and dated _____, 2018, to be administered by the Secretary of the Interior, in accordance with the classifications designated on that map.''.

TITLE IV—LAND MANAGEMENT AND CONVEYANCES

SEC. 401. TEMPLE MOUNTAIN COOPERATIVE MANAGEMENT AREA.

(a) IN GENERAL.—At the request of the State, the Secretary may enter into a cooperative agreement with the State for the cooperative management of the Federal land described in subsection (b), which shall be known as the ''Temple Mountain Cooperative Management Area'' (referred to in this section as the ''Management Area'').

(b) DESCRIPTION OF LAND.—The Federal land referred to in subsection (a) is the Bureau of Land Management land in the County comprising approximately 7,792 acres and identified as ''Temple Mountain Cooperative Management Area'' on the Map, excluding any wilderness areas.

(c) PURPOSES.—

(1) IN GENERAL.—The purposes of the Management Area are—

(A) to promote and manage outdoor recreation, such as camping, off-highway vehicle use, mountain biking, rock climbing, equestrian use, and hiking; and

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

(2) PRIORITY.—For purposes of administering the Management Area, the Secretary shall give equal priority consideration to each of the purposes described in paragraph (1).

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

(1) shall—

(A) clarify the roles, responsibilities, and limitations of the Secretary and the State with

respect to recreation management within the Management Area;

(B) apply only to recreational activities, including motorized, mechanized, equestrian, and human-powered uses within the Management Area;

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

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

(ii) applicable Federal laws;

(D) allow for recreational improvements of routes and trails for motorized and non-motorized use to enhance recreational opportunities and minimize resource conflict;

(E) address the establishment, distribution, and use of any revenues generated by recreational activities (including entrance fees) within the Management Area; and

(F) specify that the State agency responsible for administering the Management Area shall be the Utah Division of Parks and Recreation of the Utah Department of Natural Resources;

(2) shall not affect—

(A) management within the Management Area that is not related to the conduct of recreational activities; or

(B) recreational activities conducted outside the Management Area; and

(3) shall not apply to a wilderness area within the Management Area.

(e) TERMINATION.—The Secretary may terminate the cooperative agreement entered into under subsection (a) before the end of the term of the cooperative agreement if the Secretary determines that early termination of the agreement is necessary.

SEC. 402. GOBLIN VALLEY STATE PARK RECREATION AND PUBLIC PURPOSE AGREEMENT.

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

(b) REVERSIONARY CLAUSE REQUIRED.—An agreement entered into under subsection (a) shall include a re-

versionary clause to ensure that management of the land described in that subsection shall revert to the Secretary if the land is no longer being managed as a State park.

SEC. 403. JURASSIC NATIONAL MONUMENT.

(a) PURPOSES.—To conserve, interpret, and enhance for the benefit of present and future generations the paleontological, scientific, educational, and recreational resources of the area and subject to valid existing rights, there is established in the County a national monument, to be known as the ''Jurassic National Monument'' (referred to in this section as the ''Monument''), consisting of approximately 2,543 acres of Federal land in the County, as generally depicted on the Map.

(b) MAP AND LEGAL DESCRIPTION.—

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

(2) EFFECT.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct minor errors in the map or legal description, subject to the requirement that,

before making the proposed corrections, the Secretary shall submit to the State and any affected county the proposed corrections.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

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

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

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

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

(d) MANAGEMENT.—

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

(A) in a manner that conserves, protects, and enhances the resources and values of the

Monument, including the resources and values described in subsection (a); and

(B) in accordance with—

(i) this section;

(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(iii) any other applicable Federal law.

(2) NATIONAL LANDSCAPE CONSERVATION SYSTEM.—The Monument shall be managed as a component of the National Landscape Conservation System.

(e) MANAGEMENT PLAN.—

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

(2) COMPONENTS.—The management plan developed under paragraph (1)—

(A) shall—

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

(ii) allow for continued scientific research at the Monument during the development of the management plan for the Monument; and

(B) may—

(i) incorporate any appropriate decisions contained in any management or activity plan applicable to the land described in subsection (a); and

(ii) use information developed in studies of any land within or adjacent to the Monument that were conducted before the date of enactment of this Act.

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

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

(1) IN GENERAL.—The Secretary shall provide for public interpretation of, and education and scientific research on, the paleontological resources of the Monument.

(2) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with

appropriate public entities to carry out paragraph (1).

(h) SPECIAL MANAGEMENT AREAS.—

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

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

(B) managed as an area of critical environment concern.

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

(i) MOTORIZED VEHICLES.—Except as needed for administrative purposes or to respond to an emergency, the use of motorized vehicles in the Monument shall be allowed only on roads and trails designated for use by motorized vehicles under the management plan for the Monument developed under subsection (e).

(j) WATER RIGHTS.—Nothing in this section constitutes an express or implied reservation by the United

States of any water or water rights with respect to the Monument.

SEC. 404. PUBLIC LAND DISPOSAL AND ACQUISITION.

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

(b) USE OF PROCEEDS.—

(1) IN GENERAL.—Notwithstanding any other provision of law (other than a law that specifically provides for a portion of the proceeds of a land sale to be distributed to any trust fund of the State), proceeds from the sale of public land under subsection (a) shall be deposited in a separate account in the Treasury, to be known as the ''Emery County, Utah, Land Acquisition Account'' (referred to in this section as the ''Account'').

(2) AVAILABILITY.—

(A) IN GENERAL.—Amounts in the Account shall be available to the Secretary, without further appropriation, to purchase from willing sellers land or interests in land within a wilderness area or the Conservation Area.

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

SEC. 405. PUBLIC PURPOSE CONVEYANCES.

(a) IN GENERAL.—Notwithstanding the land use planning requirement of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), on request by the applicable local governmental entity, the Secretary shall convey without consideration the following parcels of public land to be used for public purposes:

(1) The approximately 640 acres of land comprising the Emery City Recreation Area.

(2) The approximately 1,400 acres of land comprising the Huntington Airport.

(3) The approximately 640 acres of land comprising the State Road 6 Emery County Sheriff's Office substation site.

(4) The approximately 65 acres of land comprising the Buckhorn Information Center.

(b) MAP AND LEGAL DESCRIPTION.—

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

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

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

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

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

(c) REVERSION.—

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

(2) RESPONSIBILITY FOR REMEDIATION.—In the case of a reversion under paragraph (1), if the Secretary determines that the parcel of land is contaminated with hazardous waste, the local governmental entity to which the parcel of land was con-

veyed under subsection (a) shall be responsible for remediation.

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

(a) DEFINITIONS.—In this section:

(1) APPLICATION.—The term ''application'' means an application for State relinquishment of a State land grant parcel and State selection of unappropriated public land filed under this section.

(2) RELINQUISHMENT AREA.—The term ''Relinquishment Area'' means any land within—

(A) the Conservation Area; or

(B) a wilderness area.

(3) STATE.—The term ''State'' means the State, acting as trustee under the Utah State School and Institutional Trust Lands Management Act (Utah Code Ann. 53C–1–101 et seq.) through the Utah School and Institutional Trust Lands Administration.

(4) STATE LAND GRANT PARCEL.—The term ''State land grant parcel'' means—

(A) any land wholly or partially within a Relinquishment Area that was granted to the State by Congress through a statehood land

grant for the support of public education or other public institutions; or

(B) any land located wholly or partially within a Relinquishment Areal that was acquired by the State for a purpose described in subparagraph (A).

(5) UNAPPROPRIATED PUBLIC LAND.—

(A) IN GENERAL.—The term ''unappropriated public land'' has the meaning given the term ''public lands'' in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702).

(B) INCLUSION.—The term ''unappropriated public land'' includes any land or minerals acquired by the United States under title III of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010 et seq.).

(C) EXCLUSIONS.—The term ''unappropriated public land'' does not include Federal land that is—

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

(ii) in a unit of the National Land Conservation System established by the

Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991);

(iii) in an area of critical environmental concern established under section 202(c)(3) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(3)); or

(iv) in a special recreation management area.

(b) RELINQUISHMENT OF STATE LAND GRANT PARCELS AND SELECTION OF REPLACEMENT LAND.—

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

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

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

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

(3) VALID EXISTING RIGHTS.—

(A) IN GENERAL.—Any land conveyed under this section shall be subject to valid existing rights.

(B) SUCCESSION.—Each party to whom land is conveyed under this section shall succeed to the rights and obligations of the conveying party with respect to any lease, right-of-way, permit or other valid existing right to which the conveyed land is subject.

(c) APPLICATION AND CONVEYANCE PROCEDURES.—

(1) APPROVAL OR DISAPPROVAL OF APPLICATIONS.—

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

(B) PARTIAL APPROVAL AUTHORIZED.—An application may be approved by the Secretary in whole or in part.

(C) LIMITATION.—The Secretary shall not approve any application that the Secretary determines would create irreconcilable management conflicts with respect to the management of adjacent Federal land.

(2) CONVEYANCE.—

(A) CONVEYANCE BY STATE.—The conveyance of any State land grant parcel under this section shall be by patent or deed acceptable to the Secretary.

(B) CONVEYANCE BY SECRETARY.—

(i) DEADLINE FOR CONVEYANCE OF UNAPPROPRIATED PUBLIC LAND.—Not later than 90 days after the date on which the Secretary issues a final approval with respect to an application for the conveyance of unappropriated public land, the Secretary shall convey the applicable unappropriated public land to the State.

(ii) TERMS AND CONDITIONS.—The conveyance of unappropriated public land by the Secretary to the State under this section shall include such terms and conditions as the Secretary may require.

(3) ENVIRONMENTAL ANALYSIS.—

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

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

(ii) any other applicable law.

(B) ENVIRONMENTAL ASSESSMENT OR ENVIRONMENTAL IMPACT STATEMENT.—In preparing an environmental assessment or environmental impact statement under section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for the conveyance of unappropriated public land under this section, the Secretary is not required to study, develop, or describe any action other than—

(i) the proposed agency action; and

(ii) the alternative of no action.

(d) MINERAL LAND.—

(1) SELECTION AND CONVEYANCE.—

(A) IN GENERAL.—Subject to the provisions of this section, the State may select, and the Secretary may convey, unappropriated public land that is mineral in character.

(B) EXCLUSION.—The State may not select, and the Secretary may not convey—

(i) unappropriated public land that includes only a portion of a mineral lease or permit; or

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

(2) MINING CLAIMS.—

(A) MINING CLAIMS UNAFFECTED.—Nothing in this section alters, diminishes, or expands the existing rights of a mining claimant under applicable law.

(B) VALIDITY EXAMINATIONS.—Nothing in this section requires the Secretary to carry out a mineral examination for any mining claim located on unappropriated public land to be conveyed under this section.

(C) WITHDRAWAL.—Unappropriated public land selected by the State for acquisition under this section is withdrawn, subject to valid existing rights, from location, entry, and patent under the mining laws until that date on which—

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

(ii) the Secretary makes a final determination not accepting the selection of the unappropriated public land; or

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

(e) CONSTRUCTION WITH OTHER LAWS.—

(1) CONSIDERATION.—In the application of laws (including regulations) and policies relating to selections made under this section, the Secretary shall consider the equities of the State and the interest of the public.

(2) PRESUMPTION OF PLAN ADEQUACY.—Unless a land use plan adopted under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) specifically identifies significant public values that would be lost or substantially impaired as a result of the conveyance of unappropriated public land to the State, any State selection under this section shall be considered to be in compliance with the plan regardless of whether the selected land is otherwise identified for disposal.

(f) VALUATION.—

(1) EQUAL VALUE.—

(A) IN GENERAL.—The overall value of the State land grant parcels and parcels of unap-

propriated public land to be conveyed to the State shall be—

(i) equal; or

(ii) if the value is not equal—

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

(II) reflected on the balance of a ledger account established under paragraph (3).

(B) APPRAISAL REQUIRED.—Except as provided in paragraph (2), the Secretary and the State shall jointly determine the value of a State land grant parcel and a parcel of unappropriated public land through an appraisal completed in accordance with—

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

(ii) the Uniform Standards for Professional Appraisal Practice.

(2) LOW VALUE PARCELS.—

(A) VALUATION.—The Secretary may, with the consent of the State, use a mass appraisal or statement of value made by a qualified appraiser carried out in accordance with the Uni-

form Standards for Professional Appraisal Practice instead of an appraisal that complies with the Uniform Appraisal Standards for Federal Land Acquisitions if the State and the Secretary agree that the market value of a State land grant parcel or a parcel of unappropriated public land is—

(i) less than $500,000; and

(ii) less than $500 per acre.

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

(3) LEDGER ACCOUNTS.—

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

(B) IMBALANCES.—A ledger account described in subparagraph (A) shall reflect imbalances in value to be reconciled in a subsequent transaction.

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

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

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

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

(A) assume costs or other responsibilities or requirements for conveying land under this section that would generally be the responsibility of the other party; and

(B) make adjustments to the relative values involved in the conveyance of land under this section to compensate the Secretary or the State, as applicable, for assuming the costs or other responsibilities or requirements under subparagraph (A).

(5) ADJUSTMENT.—If value is attributed to any parcel of unappropriated public land that has been selected by the State because of the presence of minerals under a lease under the Mineral Leasing Act (30 U.S.C. 181 et seq.) that is in a producing or

producible status, the value of the parcel shall be reduced by the percentage that represents the likely Federal-revenue sharing obligation under that Act, but the adjustment shall not be considered to reflect a property right of the State.

(g) MISCELLANEOUS PROVISIONS.—

(1) HAZARDOUS MATERIALS.—The Secretary and the State shall make available for review and inspection any record relating to hazardous materials on land to be conveyed under this section.

(2) APPURTENANT WATER RIGHTS.—Any conveyance of a State land grant parcel or parcel of unappropriated public land under this section may include the conveyance of water rights appurtenant to the land conveyed.

(3) GRAZING PERMITS.—

(A) IN GENERAL.—If land conveyed under this section is subject to a lease, permit, or contract for the grazing of domestic livestock in effect on the date of conveyance, the Secretary or the State, as applicable, shall allow the grazing to continue for the remainder of the term of the lease, permit, or contract, subject to the related terms and conditions of user agreements, including permitted stocking rates, grazing fee

levels, access rights, and ownership and use of range improvements.

(B) RENEWAL.—On expiration of any grazing lease, permit, or contract described in subparagraph (A), the party that has jurisdiction over the land on the date of expiration, may elect to renew the lease, permit, or contract if permitted under applicable law.

(C) CANCELLATION.—

(i) IN GENERAL.—Nothing in this section prevents the Secretary or the State from canceling or modifying a grazing permit, lease, or contract if the land subject to the permit, lease, or contract is sold, conveyed, transferred, or leased for nongrazing purposes by the Secretary or the State.

(ii) LIMITATION.—Except to the extent reasonably necessary to accommodate surface operations in support of mineral development, the Secretary or the State shall not cancel or modify a grazing permit, lease, or contract for land conveyed under this section because the land subject

to the permit, lease, or contract has been leased for mineral development.

(D) BASE PROPERTIES.—If land conveyed by the State under this section is used by a grazing permittee or lessee to meet the base property requirements for a Federal grazing permit or lease, the land shall continue to qualify as a base property for the remaining term of the lease or permit and the term of any renewal or extension of the lease or permit.

(h) EFFECT ON OTHER STATE SELECTION AUTHORIZATIONS.—The authorization for State relinquishments and selections under this section shall be considered to be independent of, and not limited by, the authorization for State selections under—

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

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

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