

105TH CONGRESS  
1ST SESSION

# H. R. 1952

To designate certain Bureau of Land Management lands in the State of Utah as wilderness, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 1997

Mr. CANNON introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To designate certain Bureau of Land Management lands in the State of Utah as wilderness, 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Utah Wilderness and  
5       School Trust Lands Protection Act of 1997”.

6       **SEC. 2. DESIGNATION OF WILDERNESS.**

7       (a) DESIGNATION.—In furtherance of the purposes of  
8       the Wilderness Act (16 U.S.C. 1131 et seq.), the following  
9       lands in the State of Utah are hereby designated as wilder-  
10      ness and therefore as components of the National Wilder-

1   ness Preservation System upon completion of the exchange  
2   specified in section 7:

3           (1) Certain lands in the Desolation Canyon Wil-  
4       derness Study Area comprised of approximately  
5       254,478 acres, as generally depicted on a map enti-  
6       tled “Desolation Canyon Wilderness—Proposed”  
7       and dated \_\_\_\_\_, and which shall be known as  
8       the Desolation Canyon Wilderness.

9           (2) Certain lands in the San Rafael Reef Wil-  
10      derness Study Area comprised of approximately  
11      47,786 acres, as generally depicted on a map enti-  
12      tled “San Rafael Reef Wilderness—Proposed” and  
13      dated \_\_\_\_\_, and which shall be known as the  
14      San Rafael Reef Wilderness.

15          (3) Certain lands in the Horseshoe Canyon Wil-  
16      derness Study Area (North) comprised of approxi-  
17      mately 22,943 acres, as generally depicted on a map  
18      entitled “Horseshoe/Labyrinth Canyon Wilderness—  
19      Proposed” and dated \_\_\_\_\_, and which shall be  
20      known as the Horseshoe/Labyrinth Canyon Wilder-  
21      ness.

22          (4) Certain lands in the Crack Canyon Wilder-  
23      ness Study Area comprised of approximately 20,322  
24      acres, as generally depicted on a map entitled  
25      “Crack Canyon Wilderness—Proposed” and dated

1       \_\_\_\_\_, and which shall be known as the Crack  
2       Canyon Wilderness.

3           (5) Certain lands in the Muddy Creek Wilder-  
4       ness Study Area comprised of approximately 37,244  
5       acres, as generally depicted on a map entitled  
6       “Muddy Creek Wilderness—Proposed” and dated  
7       \_\_\_\_\_, and which shall be known as the Muddy  
8       Creek Wilderness.

9           (6) Certain lands in the Sids Mountain Wilder-  
10      ness Study Area comprised of approximately 41,154  
11      acres, as generally depicted on a map entitled “Sids  
12      Mountain Wilderness—Proposed” and dated  
13      \_\_\_\_\_, and which shall be known as the Sids  
14      Mountain Wilderness.

15          (7) Certain lands in the Mexican Mountain Wil-  
16      derness Study Area comprised of approximately  
17      34,107 acres, as generally depicted on a map enti-  
18      tled “Mexican Mountain Wilderness—Proposed” and  
19      dated \_\_\_\_\_, and which shall be known as the  
20      Mexican Mountain Wilderness.

21          (8) Certain lands in the Phipps-Death Hollow  
22      Wilderness Study Area comprised of approximately  
23      42,437 acres, as generally depicted on a map enti-  
24      tled “Phipps-Death Hollow Wilderness—Proposed”

1 and dated \_\_\_\_\_, and which shall be known as  
2 the Phipps-Death Hollow Wilderness.

3 (9) Certain lands in the Steep Creek Wilderness  
4 Study Area comprised of approximately 21,277  
5 acres, as generally depicted on a map entitled  
6 “Steep Creek Wilderness—Proposed” and dated  
7 \_\_\_\_\_, and which shall be known as the Steep  
8 Creek Wilderness.

9 (10) Certain lands in the North Escalante Can-  
10 yons/The Gulch Wilderness Study Area comprised of  
11 approximately 103,324 acres, as generally depicted  
12 on a map entitled “North Escalante Canyons/The  
13 Gulch Wilderness—Proposed” and dated \_\_\_\_\_,  
14 and which shall be known as the North Escalante  
15 Canyons/The Gulch Creek Wilderness.

16 (11) Certain lands in the Scorpion Wilderness  
17 Study Area comprised of approximately 16,692  
18 acres, as generally depicted on a map entitled “Scor-  
19 pion Wilderness—Proposed” and dated \_\_\_\_\_,  
20 and which shall be known as the Scorpion Wilder-  
21 ness.

22 (12) Certain lands in the Mt. Ellen-Blue Hills  
23 Wilderness Study Area comprised of approximately  
24 62,663 acres, as generally depicted on a map enti-  
25 tled “Mt. Ellen-Blue Hills Wilderness—Proposed”

1 and dated \_\_\_\_\_, and which shall be known as  
2 the Mt. Ellen-Blue Hills Wilderness.

3 (13) Certain lands in the Bull Mountain Wil-  
4 derness Study Area comprised of approximately  
5 11,424 acres, as generally depicted on a map enti-  
6 tled “Bull Mountain Wilderness—Proposed” and  
7 dated \_\_\_\_\_, and which shall be known as the  
8 Bull Mountain Wilderness.

9 (14) Certain lands in the Fiddler Butte Wilder-  
10 ness Study Area comprised of approximately 22,180  
11 acres, as generally depicted on a map entitled “Fid-  
12 dler Butte Wilderness—Proposed” and dated  
13 \_\_\_\_\_, and which shall be known as the Fiddler  
14 Butte Mountain Wilderness.

15 (15) Certain lands in the Mt. Pennell Wilder-  
16 ness Study Area comprised of approximately 18,620  
17 acres, as generally depicted on a map entitled “Mt.  
18 Pennell Wilderness—Proposed” and dated  
19 \_\_\_\_\_, and which shall be known as the Mt.  
20 Pennell Wilderness.

21 (16) Certain lands in the Mt. Hillers Wilder-  
22 ness Study Area comprised of approximately 14,746  
23 acres, as generally depicted on a map entitled “Mt.  
24 Hillers Wilderness—Proposed” and dated \_\_\_\_\_,

1 and which shall be known as the Mt. Hillers Wilder-  
2 ness.

3 (17) Certain lands in the Little Rockies Wilder-  
4 ness Study Area comprised of approximately 48,928  
5 acres, as generally depicted on a map entitled “Lit-  
6 tle Rockies Wilderness—Proposed” and dated  
7 \_\_\_\_\_, and which shall be known as the Little  
8 Rockies Wilderness.

9 (18) Certain lands in the Mill Creek Canyon  
10 Wilderness Study Area comprised of approximately  
11 7,838 acres, as generally depicted on a map entitled  
12 “Mill Creek Canyon Wilderness—Proposed” and  
13 dated \_\_\_\_\_, and which shall be known as the  
14 Mill Creek Canyon Wilderness.

15 (19) Certain lands in the Negro Bill Canyon  
16 Wilderness Study Area comprised of approximately  
17 7,432 acres, as generally depicted on a map entitled  
18 “Negro Bill Canyon Wilderness—Proposed” and  
19 dated \_\_\_\_\_, and which shall be known as the  
20 Negro Bill Canyon Wilderness.

21 (20) Certain lands in the Floy Canyon Wilder-  
22 ness Study Area comprised of approximately 28,290  
23 acres, as generally depicted on a map entitled “Floy  
24 Canyon Wilderness—Proposed” and dated

1       \_\_\_\_\_, and which shall be known as the Floy  
2       Canyon Wilderness.

3           (21) Certain lands in the Coal Canyon Wilder-  
4       ness Study Area and the Spruce Canyon Wilderness  
5       Study Area comprised of approximately 46,669  
6       acres, as generally depicted on a map entitled “Coal/  
7       Spruce Canyon Wilderness—Proposed” and dated  
8       \_\_\_\_\_, and which shall be known as the Coal/  
9       Spruce Canyon Wilderness.

10          (22) Certain lands in the Flume Canyon Wil-  
11       derness Study Area comprised of approximately  
12       31,568 acres, as generally depicted on a map enti-  
13       tled “Flume Canyon Wilderness—Proposed” and  
14       dated \_\_\_\_\_, and which shall be known as the  
15       Flume Canyon Wilderness.

16          (23) Certain lands in the Westwater Canyon  
17       Wilderness Study Area comprised of approximately  
18       25,383 acres, as generally depicted on a map enti-  
19       tled “Westwater Canyon Wilderness—Proposed”  
20       and dated \_\_\_\_\_, and which shall be known as  
21       the Westwater Canyon Wilderness.

22          (24) Certain lands in the Beaver Creek Wilder-  
23       ness Study Area comprised of approximately 24,531  
24       acres, as generally depicted on a map entitled “Bea-  
25       ver Creek Wilderness—Proposed” and dated

1        \_\_\_\_\_, and which shall be known as the Beaver  
2        Creek Wilderness.

3            (25) Certain lands in the Fish Springs Wilder-  
4        ness Study Area comprised of approximately 36,142  
5        acres, as generally depicted on a map entitled “Fish  
6        Springs     Wilderness—Proposed”     and     dated  
7        \_\_\_\_\_, and which shall be known as the Fish  
8        Springs Wilderness.

9            (26) Certain lands in the Swasey Mountain Wil-  
10        derness Study Area comprised of approximately  
11        34,803 acres, as generally depicted on a map enti-  
12        tled “Swasey Mountain Wilderness—Proposed” and  
13        dated \_\_\_\_\_, and which shall be known as the  
14        Swasey Mountain Wilderness.

15           (27) Certain lands in the Parunuweap Canyon  
16        Wilderness Study Area comprised of approximately  
17        19,122 acres, as generally depicted on a map enti-  
18        tled “Parunuweap Canyon Wilderness—Proposed”  
19        and dated \_\_\_\_\_, and which shall be known as  
20        the Parunuweap Wilderness.

21           (28) Certain lands in the Canaan Mountain  
22        Wilderness Study Area comprised of approximately  
23        30,864 acres, as generally depicted on a map enti-  
24        tled “Canaan Mountain Wilderness—Proposed” and



1       dated \_\_\_\_\_, and which shall be known as the  
2       Canaan Mountain Wilderness.

3               (29) Certain lands in the Paria-Hackberry Wil-  
4       derness Study Area comprised of approximately  
5       57,641 acres, as generally depicted on a map enti-  
6       tled “Paria-Hackberry Wilderness—Proposed” and  
7       dated \_\_\_\_\_, and which shall be known as the  
8       Paria-Hackberry Wilderness.

9               (30) Certain lands in the Escalante Canyon  
10      Tract 5 Wilderness Study Area comprised of ap-  
11      proximately 756 acres, as generally depicted on a  
12      map entitled “Escalante Canyon Tract 5 Wilder-  
13      ness—Proposed” and dated \_\_\_\_\_, and which  
14      shall be known as the Escalante Canyon Tract 5  
15      Wilderness.

16              (31) Certain lands in the Fifty Mile Mountain  
17      Wilderness Study Area comprised of approximately  
18      121,434 acres, as generally depicted on a map enti-  
19      tled “Fifty Mile Mountain Wilderness—Proposed”  
20      and dated \_\_\_\_\_, and which shall be known as  
21      the Fifty Mile Mountain Wilderness.

22              (32) Certain lands in the Howell Peak Wilder-  
23      ness comprised of approximately 14,518 acres, as  
24      generally depicted on a map entitled “Howell Peak  
25      Wilderness—Proposed” and dated \_\_\_\_\_, and

1       which shall be known as the Howell Peak Wilder-  
2       ness.

3               (33) Certain lands in the Notch Peak Wilder-  
4       ness Study Area comprised of approximately 28,778  
5       acres, as generally depicted on a map entitled  
6       “Notch Peak Wilderness—Proposed” and dated  
7       \_\_\_\_\_, and which shall be known as the Notch  
8       Peak Wilderness.

9               (34) Certain lands in the Wah Wah Mountains  
10      Wilderness Study Area comprised of approximately  
11      41,311 acres, as generally depicted on a map enti-  
12      tled “Wah Wah Mountains Wilderness—Proposed”  
13      and dated \_\_\_\_\_, and which shall be known as  
14      the Wah Wah Wilderness.

15              (35) Certain lands in the Mancos Mesa Wilder-  
16      ness Study Area comprised of approximately 48,269  
17      acres, as generally depicted on a map entitled  
18      “Mancos Mesa Wilderness—Proposed” and dated  
19      \_\_\_\_\_, and which shall be known as the Mancos  
20      Mesa Wilderness.

21              (36) Certain lands in the Grand Gulch Wilder-  
22      ness Study Area comprised of approximately 51,110  
23      acres, as generally depicted on a map entitled  
24      “Grand Gulch Wilderness—Proposed” and dated

1       \_\_\_\_\_, and which shall be known as the Grand  
2       Gulch Wilderness.

3           (37) Certain lands in the Dark Canyon Wilder-  
4       ness Study Area comprised of approximately 67,099  
5       acres, as generally depicted on a map entitled “Dark  
6       Canyon     Wilderness—Proposed”     and     dated  
7       \_\_\_\_\_, and which shall be known as the Dark  
8       Canyon Wilderness.

9           (38) Certain lands in the Butler Wash Wilder-  
10      ness Study Area comprised of approximately 25,400  
11      acres, as generally depicted on a map entitled “But-  
12      ler     Wash     Wilderness—Proposed”     and     dated  
13      \_\_\_\_\_, and which shall be known as the Butler  
14      Wash Wilderness.

15          (39) Certain lands in the Indian Creek Wilder-  
16      ness Study Area comprised of approximately 6,769  
17      acres, as generally depicted on a map entitled “In-  
18      dian     Creek     Wilderness—Proposed”     and     dated  
19      \_\_\_\_\_, and which shall be known as the Indian  
20      Creek Wilderness.

21          (40) Certain lands in the Behind the Rocks  
22      Wilderness Study Area comprised of approximately  
23      13,728 acres, as generally depicted on a map enti-  
24      tled “Behind the Rocks Wilderness—Proposed” and

1       dated \_\_\_\_\_, and which shall be known as the  
2       Behind the Rocks Wilderness.

3               (41) Certain lands in the Cedar Mountains Wil-  
4       derness Study Area comprised of approximately  
5       25,645 acres, as generally depicted on a map enti-  
6       tled “Cedar Mountains Wilderness—Proposed” and  
7       dated \_\_\_\_\_, and which shall be known as the  
8       Cedar Mountains Wilderness.

9               (42) Certain lands in the Deep Creek Moun-  
10      tains Wilderness Study Area comprised of approxi-  
11      mately 71,024 acres, as generally depicted on a map  
12      entitled “Deep Creek Mountains Wilderness—Pro-  
13      posed” and dated \_\_\_\_\_, and which shall be  
14      known as the Deep Creek Mountains Wilderness.

15              (43) Certain lands in the Nutters Hole Wilder-  
16      ness Study Area comprised of approximately 3,647  
17      acres, as generally depicted on a map entitled “Nut-  
18      ters Hole Wilderness—Proposed” and dated  
19      \_\_\_\_\_, and which shall be known as the Nutters  
20      Hole Wilderness.

21              (44) Certain lands in the Cougar Canyon Wil-  
22      derness Study Area comprised of approximately  
23      6,408 acres, including those lands located in the  
24      State of Nevada, as generally depicted on a map en-  
25      titled “Cougar Canyon Wilderness—Proposed” and

1       dated \_\_\_\_\_, and which shall be known as the  
2       Cougar Canyon Wilderness.

3               (45) Certain lands in the Red Mountain Wilder-  
4       ness Study Area comprised of approximately 9,216  
5       acres, as generally depicted on a map entitled “Red  
6       Mountain Wilderness—Proposed” and dated  
7       \_\_\_\_\_, and which shall be known as the Red  
8       Mountains Wilderness.

9               (46) Certain lands in the Deep Creek Wilder-  
10      ness Study Area comprised of approximately 3,063  
11      acres, as generally depicted on a map entitled “Deep  
12      Creek Wilderness—Proposed” and dated \_\_\_\_\_,  
13      and which shall be known as the Deep Creek Wilder-  
14      ness.

15              (47) Certain lands within the Dirty Devil Wil-  
16      derness Study Area comprised of approximately  
17      75,854 acres, as generally depicted on a map enti-  
18      tled “Dirty Devil Wilderness—Proposed” and dated  
19      \_\_\_\_\_, and which shall be known as the Dirty  
20      Devil Wilderness.

21              (48) Certain lands within the Horseshoe Can-  
22      yon South Wilderness Study Area comprised of ap-  
23      proximately 11,392 acres, as generally depicted on a  
24      map entitled “Horseshoe Canyon South Wilder-  
25      ness—Proposed” and dated \_\_\_\_\_, and which

1 shall be known as the Horseshoe Canyon South Wil-  
2 derness.

3 (49) Certain lands in the French Spring-Happy  
4 Canyon Wilderness Study Area comprised of ap-  
5 proximately 12,343 acres, as generally depicted on a  
6 map entitled “French Spring-Happy Canyon Wilder-  
7 ness—Proposed” and dated \_\_\_\_\_, and which  
8 shall be known as the French Spring-Happy Canyon  
9 Wilderness.

10 (b) MAP AND DESCRIPTION.—As soon as practicable  
11 after the date of enactment of this Act, the Secretary of  
12 the Interior (hereafter in this Act referred to as the “Sec-  
13 retary”) shall file a map and a legal description of each  
14 area designated as wilderness by subsection (a) with the  
15 Committee on Resources of the House of Representatives  
16 and the Committee on Energy and Natural Resources of  
17 the Senate. Each such map and description shall have the  
18 same force and effect as if included in this Act, except  
19 that corrections of clerical and typographical errors in  
20 each such map and legal description may be made. Each  
21 such map and legal description shall be on file and avail-  
22 able for public inspection in the office of the Director of  
23 the Bureau of Land Management, and the office of the  
24 State Director of the Bureau of Land Management in the  
25 State of Utah, Department of the Interior.

1 **SEC. 3. ADMINISTRATION OF WILDERNESS AREAS.**

2 (a) IN GENERAL.—Subject to valid existing rights,  
3 each area designated by this Act as wilderness shall be  
4 administered by the Secretary in accordance with this Act,  
5 the Wilderness Act (16 U.S.C. 1131 et seq.), and section  
6 603 of the Federal Land Policy and Management Act of  
7 1976. Any lands or interest in lands within the boundaries  
8 of an area designated as wilderness by this Act that is  
9 acquired by the United States after the date of enactment  
10 of this Act shall be added to and administered as part  
11 of the wilderness area within which such lands or interests  
12 in lands are located.

13 (b) MANAGEMENT PLANS.—The Secretary shall, as  
14 soon as possible, prepare plans to manage the areas des-  
15 ignated by this Act as wilderness.

16 (c) LIVESTOCK.—Grazing of livestock in areas des-  
17 ignated as wilderness by this Act, where established prior  
18 to the date of the enactment of this Act, shall—

19 (1) continue and not be curtailed, phased out or  
20 rendered economically infeasible due to wilderness  
21 designation or management; and

22 (2) be administered in accordance with section  
23 4(d)(4) of the Wilderness Act (16 U.S.C.  
24 1133(d)(4)) and the guidelines set forth in House  
25 Report 96–1126.

1       (d) STATE FISH AND WILDLIFE.—In accordance  
2 with section 4(d)(7) of the Wilderness Act (16 U.S.C.  
3 1131(d)(7)), nothing in this Act shall be construed as af-  
4 fecting the jurisdiction or responsibilities of the State of  
5 Utah with respect to fish and wildlife management activi-  
6 ties, including water development, predator control, trans-  
7 planting animals, stocking fish, hunting, fishing and trap-  
8 ping.

9       (e) PROHIBITION OF BUFFER ZONES.—The Con-  
10 gress does not intend that designation of an area as wil-  
11 derness by this Act lead to the creation of protective pe-  
12 rimeters or buffer zones around the area.

13       (f) OIL SHALE RESERVE NUMBER TWO.—The area  
14 known as “Oil Shale Reserve Number Two” within Deso-  
15 lation Canyon Wilderness (as designated by section  
16 2(a)(1)), located in Carbon County, Utah, shall not be re-  
17 served for oil shale purposes after the date of the enact-  
18 ment of this Act and shall be under the sole jurisdiction  
19 of and managed by the Bureau of Land Management.

20       (g) ROADS AND RIGHTS-OF-WAY AS BOUNDARIES.—  
21 Unless depicted otherwise on a map referred to by this  
22 Act, where roads form the boundaries of the areas des-  
23 ignated as wilderness by this Act, the wilderness boundary  
24 shall be set back from the center line of the road as fol-  
25 lows: 300 feet for high standard roads such as paved high-



1 ways; and 100 feet for roads equivalent to high standard  
 2 logging roads and dirt roads used for right-of-way mainte-  
 3 nance.

4 (h) LAND ACQUISITION BY EXCHANGE OR PUR-  
 5 CHASE.—The Secretary shall offer to acquire from non-  
 6 governmental entities lands and interests in lands located  
 7 within or adjacent to areas designated as wilderness by  
 8 this Act. Lands may be acquired under this subsection  
 9 only by exchange or purchase from willing sellers.

10 **SEC. 4. WATER RIGHTS.**

11 (a) NO FEDERAL RESERVATION.—Nothing in this  
 12 Act or any other Act of Congress shall constitute or be  
 13 construed to constitute either an express or implied Fed-  
 14 eral reservation of water or water rights for any purpose  
 15 arising from the designation of areas as wilderness by this  
 16 Act.

17 (b) ACQUISITION AND EXERCISE OF WATER RIGHTS  
 18 UNDER UTAH LAW.—The United States may acquire and  
 19 exercise such water rights as it deems necessary to carry  
 20 out its responsibilities on any lands designated as wilder-  
 21 ness by this Act pursuant to the substantive and proce-  
 22 dural requirements of the State of Utah. Nothing in this  
 23 Act shall be construed to authorize the use of eminent do-  
 24 main by the United States to acquire water rights for such  
 25 lands. Within areas designated as wilderness by this Act,

1 all rights to water granted under the laws of the State  
2 of Utah may be exercised in accordance with the sub-  
3 stantive and procedural requirements of the State of Utah.

4 (c) EXERCISE OF WATER RIGHTS GENERALLY  
5 UNDER UTAH LAWS.—Nothing in this Act shall be con-  
6 strued to limit the exercise of water rights as provided  
7 under Utah State laws.

8 **SEC. 5. NATIVE AMERICAN CULTURAL AND RELIGIOUS**  
9 **USES.**

10 In recognition of the past use of portions of the areas  
11 designated as wilderness by this Act by Native Americans  
12 for traditional cultural and religious purposes, the Sec-  
13 retary shall assure nonexclusive access from time to time  
14 to those sites by Native Americans for such purposes, in-  
15 cluding (but not limited to) wood gathering for personal  
16 use or collecting plants or herbs for religious or medicinal  
17 purposes. Such access shall be consistent with the purpose  
18 and intent of the Act of August 11, 1978 (42 U.S.C. 1996;  
19 commonly referred to as the “American Indian Religious  
20 Freedom Act”).

21 **SEC. 6. WILDERNESS RELEASE.**

22 (a) FINDING.—The Congress finds and directs that  
23 all public lands in the State of Utah administered by the  
24 Bureau of Land Management have been adequately stud-  
25 ied for wilderness designation pursuant to sections 202

1 and 603 of the Federal Land Policy and Management Act  
2 of 1976 (43 U.S.C. 1712 and 1782).

3 (b) RELEASE.—Except as provided in subsection (c),  
4 any public lands administered by the Bureau of Land  
5 Management in the State of Utah not designated wilder-  
6 ness by this Act shall not be subject to section 603(c) of  
7 the Federal Land Policy and Management Act of 1976  
8 (43 U.S.C. 1783(c)) but shall be managed for multiple  
9 uses in accordance with land management plans adopted  
10 pursuant to section 202 of such Act (43 U.S.C. 1712).

11 (c) CONTINUING WILDERNESS STUDY AREAS STA-  
12 TUS.—The following wilderness study areas which are  
13 under study status by States adjacent to the State of Utah  
14 shall continue to be subject to section 603(c) of the Fed-  
15 eral Land Policy and Management Act of 1976 (43 U.S.C.  
16 1782(c)):

17 (1) Bull Canyon; UT-080-419/CO-010-001.

18 (2) Wrigley Mesa/Jones Canyon/Black Ridge  
19 Canyon West; UT-060-116/117/CO-070-113A.

20 (3) Squaw/Papoose Canyon; UT-060-227/CO-  
21 030-265A.

22 (4) Cross Canyon; UT-060-229/CO-030-265.

23 **SEC. 7. EXCHANGE RELATING TO SCHOOL AND INSTITU-**  
24 **TIONAL TRUST LANDS.**

25 (a) FINDINGS.—The Congress finds that—

1           (1) approximately 142,041 acres of school and  
2           institutional trust lands are located within or adja-  
3           cent to areas designated as wilderness by this Act;

4           (2) such lands were originally granted to the  
5           State of Utah for the purpose of generating support  
6           for the public schools through the development of  
7           natural resources and other methods; and

8           (3) it is in the interest of the State of Utah for  
9           such lands to be exchanged for interests in Federal  
10          lands located outside of wilderness areas to accom-  
11          plish this purpose.

12          (b) INDEMNITY SELECTIONS PERMITTED.—

13           (1) The State of Utah shall be entitled to select  
14           unappropriated public lands of equivalent value with-  
15           in the State of Utah pursuant to sections 2275 and  
16           2276 of the Revised Statutes (43 U.S.C. 851–852)  
17           in lieu of lands granted or reserved to the State that  
18           are located within the boundaries of any area des-  
19           ignated by Congress as part of the National Wilder-  
20           ness Preservation System pursuant to Public Law  
21           88–577 (78 Stat. 890; 16 U.S.C. 1131–1136) (com-  
22           monly known as the “Wilderness Act of 1964”). The  
23           selection of indemnity lands pursuant to this section  
24           may be made without regard to whether title to  
25           lands granted or reserved to the State has vested;

1 provided, however, that the selection of any lands in  
2 lieu of sections granted or reserved to the State shall  
3 be a waiver by the State of all right, title, and inter-  
4 est in the granted or reserved sections. Such selec-  
5 tion shall occur within 2 years of the date of enact-  
6 ment of this Act.

7 (2) Upon the selection by the State of Utah of  
8 indemnity lands in lieu of base lands within a Fed-  
9 eral reservation, and the State's waiver of all right,  
10 title, and interest in the base lands, the United  
11 States shall succeed to all rights of the State under  
12 any lease or permit encumbering the base lands,  
13 subject, however, to all obligations of the State  
14 under and with respect to that lease or permit.

15 (3) In the event that base lands for which in-  
16 demnity selections are available pursuant to this sec-  
17 tion were granted or reserved to the State of Utah  
18 for purposes other than support of the State's com-  
19 mon schools pursuant to sections 7, 8, and 12 of the  
20 Utah Enabling Act (Act of July 16, 1894, ch. 138;  
21 28 Stat. 107), indemnity selections made pursuant  
22 to this section shall be held by the State for the pur-  
23 pose for which the base lands were granted or re-  
24 served.

1           (4) The Secretary of the Interior may not  
2       refuse to accept any indemnity selection made by the  
3       State of Utah pursuant to this section by reason of  
4       section 7 of the Act of June 28, 1934 (48 Stat.  
5       1272, as amended; 43 U.S.C. 315f) (commonly  
6       known as the “Taylor Grazing Act”).

7       (c) AUTHORIZATION OF REIMBURSEMENT OF UTAH  
8       SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINIS-  
9       TRATION FOR COSTS OF EXCHANGE.—There are author-  
10      ized to be appropriated such sums as are necessary to re-  
11      imburse the Utah School and Institutional Trust Lands  
12      Administration for all costs incurred in order to complete  
13      the exchange specified in this section.

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