

105TH CONGRESS
1ST SESSION

H. R. 2283

IN THE SENATE OF THE UNITED STATES

NOVEMBER 10, 1997

Received

NOVEMBER 13, 1997

Read twice and referred to the Committee on Energy and Natural Resources

AN ACT

To expand the boundaries of Arches National Park in the State of Utah to include portions of the following drainages: Salt Wash, Lost Spring Canyon, Fish Seep Draw, Clover Canyon, Cordova Canyon, Mine Draw, and Cottonwood Wash, which are currently under the jurisdiction of the Bureau of Land Management, and to include

a portion of Fish Seep Draw, which is currently owned by the State of Utah.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Arches National Park Expansion Act of 1997”.

SEC. 2. EXPANSION OF ARCHES NATIONAL PARK, UTAH.

(a) BOUNDARY EXPANSION.—Subsection (a) of the first section of Public Law 92–155 (16 U.S.C. 272; 85 Stat. 422) is amended as follows:

(1) By inserting after the first sentence the following new sentence: “Effective on the date of the enactment of the Arches National Park Expansion Act of 1997, the boundary of the park shall also include the area consisting of approximately 3,140 acres and known as the ‘Lost Spring Canyon Addition’, as depicted on the map entitled ‘Boundary Map, Arches National Park, Lost Spring Canyon Addition’, numbered 138/60,000–B, and dated April 1997.”.

(2) In the last sentence, by striking “Such map” and inserting “Such maps”.

(b) INCLUSION OF LAND IN PARK.—Section 2 of Public Law 92–155 (16 U.S.C. 272a) is amended by adding at the end the following new sentences: “As soon as

1 possible after the date of the enactment of the Arches Na-
2 tional Park Expansion Act of 1997, the Secretary of the
3 Interior shall transfer jurisdiction over the Federal lands
4 contained in the Lost Spring Canyon Addition from the
5 Bureau of Land Management to the National Park Serv-
6 ice. The lands included in the park pursuant to the Arches
7 National Park Expansion Act of 1997 shall be adminis-
8 tered in accordance with the laws and regulations applica-
9 ble to the park.”.

10 (c) PROTECTION OF EXISTING GRAZING PERMIT.—
11 Section 3 of Public Law 92–155 (16 U.S.C. 272b) is
12 amended as follows:

13 (1) By inserting “(a)” before “Where”.

14 (2) By adding at the end the following new sub-
15 section:

16 “(b)(1) In the case of any grazing lease, permit, or
17 license with respect to lands within the Lost Spring Can-
18 yon Addition that was issued before the date of the enact-
19 ment of the Arches National Park Expansion Act of 1997,
20 the Secretary of the Interior shall, subject to periodic re-
21 newal, continue such lease, permit, or license for a period
22 of time equal to the lifetime of the permittee as of that
23 date and any direct descendants of the permittee born be-
24 fore that date. Any such grazing lease, permit, or license
25 shall be permanently retired at the end of such period.

1 Pending the expiration of such period, the permittee (or
2 a descendant of the permittee who holds the lease, permit,
3 or license) shall be entitled to periodically renew the lease,
4 permit, or license, subject to such limitations, conditions,
5 or regulations as the Secretary may prescribe.

6 “(2) Any such grazing lease, permit, or license may
7 be sold during the period specified in paragraph (1) only
8 on the condition that the purchaser shall, immediately
9 upon such acquisition, permanently retire such lease, per-
10 mit, or license. Nothing in this subsection shall affect
11 other provisions concerning leases, permits, or licenses
12 under the Taylor Grazing Act.

13 “(3) Any portion of any grazing lease, permit, or li-
14 cense with respect to lands within the Lost Spring Canyon
15 Addition shall be administered by the National Park Serv-
16 ice.”.

17 (d) WITHDRAWAL FROM MINERAL ENTRY AND
18 LEASING; PIPELINE MANAGEMENT.—Section 5 of Public
19 Law 92–155 (16 U.S.C. 272d) is amended by adding at
20 the end the following new subsection:

21 “(c)(1) Subject to valid existing rights, Federal lands
22 within the Lost Spring Canyon Addition are hereby appro-
23 priated and withdrawn from entry, location, selection,
24 leasing, or other disposition under the public land laws,
25 including the mineral leasing laws.

1 “(2) The inclusion of the Lost Spring Canyon Addi-
2 tion in the park shall not affect the operation or mainte-
3 nance by the Northwest Pipeline Corporation (or its suc-
4 cessors or assigns) of the natural gas pipeline and related
5 facilities located in the Lost Spring Canyon Addition on
6 the date of the enactment of the Arches National Park
7 Expansion Act of 1997.”.

8 (e) EFFECT ON SCHOOL TRUST LANDS.—

9 (1) FINDINGS.—The Congress finds the follow-
10 ing:

11 (A) A parcel of State school trust lands,
12 more specifically described as section 16, town-
13 ship 23 south, range 22 east, of the Salt Lake
14 base and meridian, is partially contained within
15 the Lost Spring Canyon Addition included with-
16 in the boundaries of Arches National Park by
17 the amendment by subsection (a).

18 (B) The parcel was originally granted to
19 the State of Utah for the purpose of generating
20 revenue for the public schools through the de-
21 velopment of natural and other resources lo-
22 cated on the parcel.

23 (C) It is in the interest of the State of
24 Utah and the United States for the parcel to be
25 exchanged for Federal lands of equivalent value

1 outside the Lost Spring Canyon Addition, in
2 order to permit Federal management of all
3 lands within the Lost Spring Canyon Addition.

4 (2) LAND EXCHANGE.—Public Law 92–155 is
5 amended by adding at the end the following new sec-
6 tion:

7 **“SEC. 8. LAND EXCHANGE INVOLVING SCHOOL TRUST**
8 **LANDS.**

9 “(a) EXCHANGE REQUIREMENT.—If, not later than
10 one year after the date of the enactment of the Arches
11 National Park Expansion Act of 1997, and in accordance
12 with this section, the State of Utah offers to transfer all
13 right, title and interest of the State in and to the parcel
14 of school trust lands described in subsection (b)(1) to the
15 United States, the Secretary of the Interior shall accept
16 the offer on behalf of the United States and, within 180
17 days after the date of such acceptance, transfer to the
18 State of Utah all right, title and interest of the United
19 States in and to the parcel of land described in subsection
20 (b)(2). Title to the State lands shall be transferred at the
21 same time as conveyance of title to the Federal lands by
22 the Secretary of the Interior. The exchange of lands under
23 this section shall be subject to valid existing rights, and
24 each party shall succeed to the rights and obligations of

1 the other party with respect to any lease, right-of-way, or
2 permit encumbering the exchanged lands.

3 “(b) DESCRIPTION OF PARCELS.—

4 “(1) STATE CONVEYANCE.—The parcel of
5 school trust lands to be conveyed by the State of
6 Utah under subsection (a) is section 16, township 23
7 south, range 22 east of the Salt Lake base and me-
8 ridian.

9 “(2) FEDERAL CONVEYANCE.—The parcel of
10 Federal lands to be conveyed by the Secretary of the
11 Interior consists of approximately 639 acres and is
12 identified as lots 1 through 12 located in the
13 $S\frac{1}{2}N\frac{1}{2}$ and the $N\frac{1}{2}N\frac{1}{2}N\frac{1}{2}S\frac{1}{2}$ of section 1, town-
14 ship 25 south, range 18 east, Salt Lake base and
15 meridian.

16 “(3) EQUIVALENT VALUE.—The Federal lands
17 described in paragraph (2) are of equivalent value to
18 the State school trust lands described in paragraph
19 (1).

20 “(c) MANAGEMENT BY STATE.—At least 60 days be-
21 fore undertaking or permitting any surface disturbing ac-
22 tivities to occur on the lands acquired by the State under
23 this section, the State shall consult with the Utah State
24 Office of the Bureau of Land Management concerning the
25 extent and impact of such activities on Federal lands and

1 resources and conduct, in a manner consistent with Fed-
2 eral laws, inventory, mitigation, and management activi-
3 ties in connection with any archaeological, paleontological,
4 and cultural resources located on the acquired lands. To
5 the extent consistent with applicable law governing the use
6 and disposition of State school trust lands, the State shall
7 preserve existing grazing, recreational, and wildlife uses
8 of the acquired lands. Nothing in this subsection shall be
9 construed to preclude the State from authorizing or under-
10 taking surface or mineral activities authorized by existing
11 or future land management plans for the acquired lands.

12 “(d) IMPLEMENTATION.—Administrative actions nec-
13 essary to implement the land exchange described in this
14 section shall be completed within 180 days after the date
15 of the enactment of the Arches National Park Expansion
16 Act of 1997.”.

Passed the House of Representatives November 9,
1997.

Attest:

ROBIN H. CARLE,
Clerk.