

105TH CONGRESS
1ST SESSION

H. R. 2283

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 Sheep 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 Sheep Draw, which is currently owned by the State of Utah.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 1997

Mr. CANNON (for himself, Mr. HANSEN, Mr. COOK, Mr. SALMON, Mr. SHADEGG, Mr. KOLBE, Mrs. CHENOWETH, Mrs. CUBIN, Mr. CRAPO, Mr. PASTOR, Mr. CUNNINGHAM, Mr. MCKEON, Mr. HERGER, Mr. ENSIGN, Mr. GIBBONS, Mr. ISTOOK, Mr. WATTS of Oklahoma, Mr. ENGLISH of Pennsylvania, Mr. LINDER, Mr. KIND, Mr. GOODLATTE, Ms. LOFGREN, Mr. GILCREST, Mr. SMITH of Texas, Mr. MANZULLO, Mr. WICKER, Mr. FOX of Pennsylvania, Mr. PACKARD, Ms. DUNN, Mr. SMITH of New Jersey, Mr. SMITH of Oregon, Mr. SCHIFF, Mr. SESSIONS, Mr. HASTINGS of Washington, Mr. REDMOND, Mr. BARRETT of Nebraska, Mr. EHLERS, Mr. OXLEY, Mr. SNOWBARGER, and Mr. BONO) introduced the following bill; which was referred to the Committee on Resources

A BILL

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 Sheep 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 Sheep Draw, which is currently owned by the State of Utah.

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 “Arches National Park
5 Expansion Act of 1997”.

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

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

10 (1) by inserting after the first sentence the fol-
11 lowing new sentence: “Effective on the date of the
12 enactment of the Arches National Park Expansion
13 Act of 1997, the boundary of the park shall also in-
14 clude the area consisting of approximately 3,140
15 acres and known as the ‘Lost Spring Canyon Addi-
16 tion’, as depicted on the map entitled ‘Boundary
17 Map, Arches National Park, Lost Spring Canyon
18 Addition’, numbered 138/60,000–B, and dated April
19 1997.”; and

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

22 (b) INCLUSION OF LAND IN PARK.—Section 2 of
23 Public Law 92–155 (16 U.S.C. 272a) is amended by add-
24 ing 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—

13 (1) by inserting “(a)” before “Where”; and
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 lease, permit, or license shall continue in effect for
21 a period of time equal to the lifetime of the permittee as
22 of that date and any direct descendants of the permittee
23 born before that date. Any such grazing lease, permit, or
24 license shall be permanently retired at the end of such pe-
25 riod. Pending the expiration of such period, the permittee

1 (or a descendant of the permittee who holds the lease, per-
2 mit, or license) shall be entitled to periodically renew the
3 lease, permit, or license, subject to such limitations, condi-
4 tions, or regulations as the Secretary may prescribe.

5 “(2) Any such grazing lease, permit, or license may
6 be sold at any time during the period specified in para-
7 graph (1), except that the term of the sold lease, permit,
8 or license shall not exceed 10 years or the date on which
9 the lease, permit, or license is permanently retired under
10 paragraph (1), whichever occurs first. A subsequent pur-
11 chaser may retire the lease, permit, or license (or any por-
12 tion thereof) before the date on which the lease, permit,
13 or license would otherwise expire.”.

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

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

23 “(2) The inclusion of the Lost Spring Canyon Addi-
24 tion in the park shall not affect the operation or mainte-
25 nance by the Northwest Pipeline Corporation (or its suc-

1 cessors or assigns) of the natural gas pipeline that passes
2 through the Lost Spring Canyon Addition on the date of
3 the enactment of the Arches National Park Expansion Act
4 of 1997.”.

5 (e) EFFECT ON SCHOOL TRUST LANDS.—

6 (1) FINDINGS.—The Congress finds that the
7 following:

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

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

20 (C) It is in the interest of the State of
21 Utah and the United States for the parcel to be
22 exchanged for Federal lands of equivalent value
23 outside the Lost Spring Canyon Addition, in
24 order to permit Federal management of all
25 lands within the Lost Spring Canyon Addition.

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

4 **“SEC. 8. LAND EXCHANGE INVOLVING SCHOOL TRUST**
5 **LANDS.**

6 “(a) EXCHANGE REQUIREMENT.—If, not later than
7 one year after the date of the enactment of the Arches
8 National Park Expansion Act of 1997, and in accordance
9 with this section, the State of Utah offers to transfer all
10 right, title and interest of the State in and to the parcel
11 of school trust lands described in subsection (b)(1) to the
12 United States, the Secretary of the Interior shall accept
13 the offer on behalf of the United States and, within 180
14 days after the date of such acceptance, transfer to the
15 State of Utah all right, title and interest of the United
16 States in and to the parcel of land described in subsection
17 (b)(2). The exchange of lands under this section shall be
18 subject to valid existing rights, and each party shall suc-
19 ceed to the rights and obligations of the other party with
20 respect to any lease, right-of-way, or permit encumbering
21 the exchanged lands.

22 “(b) DESCRIPTION OF PARCELS.—

23 “(1) STATE CONVEYANCE.—The parcel of
24 school trust lands to be conveyed by the State of
25 Utah under subsection (a) is section 16, township 23

1 south, range 22 east of the Salt Lake base and me-
2 ridian.

3 “(2) FEDERAL CONVEYANCE.—The parcel of
4 Federal lands to be conveyed by the Secretary of the
5 Interior consists of approximately 639 acres and is
6 identified as lots 1 through 12 located in the
7 $S^{1/2}N^{1/2}$, $N^{1/2}N^{1/2}N^{1/2}S^{1/2}$ of section 1, township 25
8 south, range 18 east, Salt Lake base and meridian.

9 “(3) EQUIVALENT VALUE.—The Federal lands
10 described in paragraph (2) are of equivalent value to
11 the State school trust lands described in paragraph
12 (1).

13 “(c) MANAGEMENT BY STATE.—At least 60 days be-
14 fore undertaking or permitting any surface disturbing ac-
15 tivities to occur on the lands acquired by the State under
16 this section, the State shall consult with the Utah State
17 Office of the Bureau of Land Management concerning the
18 extent and impact of such activities on Federal lands and
19 resources and conduct, in a manner consistent with Fed-
20 eral laws, inventory, mitigation, and management activi-
21 ties in connection with any archaeological, paleontological,
22 and cultural resources located on the acquired lands. To
23 the extent consistent with applicable law governing the use
24 and disposition of State school trust lands, the State shall
25 preserve existing grazing, recreational, and wildlife uses

1 of the acquired lands. Nothing in this subsection shall be
2 construed to preclude the State from authorizing or under-
3 taking surface or mineral activities authorized by existing
4 or future land management plans for the acquired lands.

5 “(d) IMPLEMENTATION.—Administrative actions nec-
6 essary to implement the land exchange described in this
7 section shall be completed within 180 days after the date
8 of the enactment of the Arches National Park Expansion
9 Act of 1997.”.

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