

Union Calendar No. 226

105TH CONGRESS
1ST Session

H. R. 2283

[Report No. 105-385]

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.

NOVEMBER 6, 1997

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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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. GILCHREST, 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

NOVEMBER 6, 1997

Additional sponsors: Mr. FALCOMA, Mr. HAYWORTH, Mr. ADERHOLT, Mr. DICKS, Mr. QUINN, Ms. CHRISTIAN-GREEN, Mr. METCALF, Mr. POMBO, Ms. WOOLSEY, and Mr. GALLEGLY

NOVEMBER 6, 1997

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on July 29, 1997]

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 Stat.*
9 *422) is amended as follows:*

10 *(1) By inserting after the first sentence the fol-*
11 *lowing new sentence: “Effective on the date of the en-*
12 *actment of the Arches National Park Expansion Act*
13 *of 1997, the boundary of the park shall also include*
14 *the area consisting of approximately 3,140 acres and*

1 *known as the ‘Lost Spring Canyon Addition’, as de-*
2 *scribed on the map entitled ‘Boundary Map, Arches*
3 *National Park, Lost Spring Canyon Addition’, num-*
4 *bered 138/60,000–B, and dated April 1997.’.*

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

7 **(b) INCLUSION OF LAND IN PARK.**—*Section 2 of Public*
8 *Law 92–155 (16 U.S.C. 272a) is amended by adding at*
9 *the end the following new sentences: “As soon as possible*
10 *after the date of the enactment of the Arches National Park*
11 *Expansion Act of 1997, the Secretary of the Interior shall*
12 *transfer jurisdiction over the Federal lands contained in the*
13 *Lost Spring Canyon Addition from the Bureau of Land*
14 *Management to the National Park Service. The lands in-*
15 *cluded in the park pursuant to the Arches National Park*
16 *Expansion Act of 1997 shall be administered in accordance*
17 *with the laws and regulations applicable to the park.”.*

18 **(c) PROTECTION OF EXISTING GRAZING PERMIT.**—
19 *Section 3 of Public Law 92–155 (16 U.S.C. 272b) is amend-*
20 *ed as follows:*

21 (1) *By inserting “(a)” before “Where”.*

22 (2) *By adding at the end the following new sub-*
23 *section:*

24 *“(b)(1) In the case of any grazing lease, permit, or*
25 *license with respect to lands within the Lost Spring Canyon*

1 *Addition that was issued before the date of the enactment*
2 *of the Arches National Park Expansion Act of 1997, the*
3 *Secretary of the Interior shall, subject to periodic renewal,*
4 *continue such lease, permit, or license for a period of time*
5 *equal to the lifetime of the permittee as of that date and*
6 *any direct descendants of the permittee born before that*
7 *date. Any such grazing lease, permit, or license shall be per-*
8 *manently retired at the end of such period. Pending the ex-*
9 *piration of such period, the permittee (or a descendant of*
10 *the permittee who holds the lease, permit, or license) shall*
11 *be entitled to periodically renew the lease, permit, or license,*
12 *subject to such limitations, conditions, or regulations as the*
13 *Secretary may prescribe.*

14 “(2) *Any such grazing lease, permit, or license may*
15 *be sold during the period specified in paragraph (1) only*
16 *on the condition that the purchaser shall, immediately upon*
17 *such acquisition, permanently retire such lease, permit, or*
18 *license. Nothing in this subsection shall affect other provi-*
19 *sions concerning leases, permits, or licenses under the Tay-*
20 *lor Grazing Act.*

21 “(3) *Any portion of any grazing lease, permit, or li-*
22 *cence with respect to lands within the Lost Spring Canyon*
23 *Addition shall be administered by the National Park Serv-*
24 *ice.”.*

1 (d) *WITHDRAWAL FROM MINERAL ENTRY AND LEAS-*
2 *ING; PIPELINE MANAGEMENT.*—Section 5 of Public Law
3 92–155 (16 U.S.C. 272d) is amended by adding at the end
4 *the following new subsection:*

5 “(c)(1) *Subject to valid existing rights, Federal lands*
6 *within the Lost Spring Canyon Addition are hereby appro-*
7 *priated and withdrawn from entry, location, selection, leas-*
8 *ing, or other disposition under the public land laws, includ-*
9 *ing the mineral leasing laws.*

10 “(2) *The inclusion of the Lost Spring Canyon Addi-*
11 *tion in the park shall not affect the right of Northwest Pipe-*
12 *line Corporation (or its successors or assigns) to operate*
13 *the natural gas pipeline located within the park and the*
14 *Addition on the date of enactment of this Act and to main-*
15 *tain the pipeline and related facilities in a manner consist-*
16 *ent with the requirements of the Natural Gas Pipeline Safe-*
17 *ty Act of 1968 (49 U.S.C. 60201 et seq.).”*

18 (e) *EFFECT ON SCHOOL TRUST LANDS.*—

19 (1) *FINDINGS.*—*The Congress finds the following:*

20 (A) *A parcel of State school trust lands,*
21 *more specifically described as section 16, town-*
22 *ship 23 south, range 22 east, of the Salt Lake*
23 *base and meridian, is partially contained within*
24 *the Lost Spring Canyon Addition included with-*

1 *on behalf of the United States and, within 180 days after*
2 *the date of such acceptance, transfer to the State of Utah*
3 *all right, title and interest of the United States in and to*
4 *the parcel of land described in subsection (b)(2). Title to*
5 *the State lands shall be transferred at the same time as*
6 *conveyance of title to the Federal lands by the Secretary*
7 *of the Interior. The exchange of lands under this section*
8 *shall be subject to valid existing rights, and each party shall*
9 *succeed to the rights and obligations of the other party with*
10 *respect to any lease, right-of-way, or permit encumbering*
11 *the exchanged lands.*

12 “(b) *DESCRIPTION OF PARCELS.—*

13 “(1) *STATE CONVEYANCE.—The parcel of school*
14 *trust lands to be conveyed by the State of Utah under*
15 *subsection (a) is section 16, township 23 south, range*
16 *22 east of the Salt Lake base and meridian.*

17 “(2) *FEDERAL CONVEYANCE.—The parcel of Fed-*
18 *eral lands to be conveyed by the Secretary of the Inte-*
19 *rior consists of approximately 639 acres and is iden-*
20 *tified as lots 1 through 12 located in the S^{1/2}N^{1/2} and*
21 *the N^{1/2}N^{1/2}N^{1/2}S^{1/2} of section 1, township 25 south,*
22 *range 18 east, Salt Lake base and meridian.*

23 “(3) *EQUIVALENT VALUE.—The Federal lands*
24 *described in paragraph (2) are of equivalent value to*

1 *the State school trust lands described in paragraph*
2 *(1).*

3 “(c) *MANAGEMENT BY STATE.*—*At least 60 days before*
4 *undertaking or permitting any surface disturbing activities*
5 *to occur on the lands acquired by the State under this sec-*
6 *tion, the State shall consult with the Utah State Office of*
7 *the Bureau of Land Management concerning the extent and*
8 *impact of such activities on Federal lands and resources*
9 *and conduct, in a manner consistent with Federal laws, in-*
10 *ventory, mitigation, and management activities in connec-*
11 *tion with any archaeological, paleontological, and cultural*
12 *resources located on the acquired lands. To the extent con-*
13 *sistent with applicable law governing the use and disposi-*
14 *tion of State school trust lands, the State shall preserve ex-*
15 *isting grazing, recreational, and wildlife uses of the ac-*
16 *quired lands. Nothing in this subsection shall be construed*
17 *to preclude the State from authorizing or undertaking sur-*
18 *face or mineral activities authorized by existing or future*
19 *land management plans for the acquired lands.*

20 “(d) *IMPLEMENTATION.*—*Administrative actions nec-*
21 *essary to implement the land exchange described in this sec-*
22 *tion shall be completed within 180 days after the date of*
23 *the enactment of the Arches National Park Expansion Act*
24 *of 1997.”.*

Amend the title so as to read: “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 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.”.