

106TH CONGRESS  
2D SESSION

# H. R. 4579

To provide for the exchange of certain lands within the State of Utah.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2000

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

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## A BILL

To provide for the exchange of certain lands within 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 “Utah West Desert  
5 Land Exchange Act of 2000”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—The Congress finds the following:

8 (1) The State of Utah owns approximately  
9 95,095.19 acres of land, as well as approximately  
10 11,187.60 acres of mineral interests, located in the  
11 West Desert region of Utah and contained wholly or

1 partially within certain wilderness study areas cre-  
2 ated pursuant to section 603 of the Federal Lands  
3 Policy and Management Act of 1976, or proposed by  
4 the Bureau of Land Management for wilderness  
5 study area status pursuant to section 202 of that  
6 Act. These lands were granted by the Congress to  
7 the State of Utah pursuant to the Utah Enabling  
8 Act of 1894 (chapter 138; 23 Stat. 107), to be held  
9 in trust for the benefit of the State's public school  
10 system and other public institutions. The lands are  
11 largely scattered in checkerboard fashion amidst the  
12 Federal lands comprising the remainder of such ex-  
13 isting and proposed wilderness study areas.

14 (2) Many of the State trust lands within exist-  
15 ing and proposed wilderness study areas in the West  
16 Desert region may contain significant economic  
17 quantities of mineral resources, including gold, sil-  
18 ver, copper, nickel, lead, phosphates, oil, natural gas,  
19 and other energy and metalliferous minerals, and  
20 may also have substantial market value for rec-  
21 reational and agricultural uses. Certain of these  
22 lands, like the Federal lands comprising the remain-  
23 der of the existing and proposed wilderness study  
24 areas, have substantial noneconomic scientific, his-  
25 toric, scenic, recreational, and natural resources.

1           (3) Development of surface and mineral re-  
2           sources on State trust lands within existing or pro-  
3           posed wilderness study areas, or the sale of such  
4           lands into private ownership, could be incompatible  
5           with management of such lands for nonimpairment  
6           of their wilderness characteristics pursuant to sec-  
7           tion 603(c) of the Federal Land Policy and Manage-  
8           ment Act of 1976 or with future congressional des-  
9           ignation of the lands as wilderness.

10           (4) The United States owns lands and interests  
11           in lands outside of existing and proposed wilderness  
12           study areas that can be transferred to the State of  
13           Utah in exchange for the West Desert wilderness  
14           inholdings without jeopardizing Federal management  
15           objectives or needs.

16           (5) The large presence of State trust land  
17           inholdings in existing and proposed wilderness study  
18           areas in the West Desert region makes land and re-  
19           source management in these areas difficult, costly,  
20           and controversial for both the State of Utah and the  
21           United States.

22           (6) It is in the public interest to reach agree-  
23           ment on exchange of such inholdings, on terms fair  
24           to both the State of Utah and the United States.  
25           Such an agreement, subject to ratification by the

1 Congress, would save much time and delay in meet-  
2 ing the legitimate expectations of the State school  
3 and institutional trusts, in simplifying management  
4 of Federal lands, and in avoiding the significant  
5 time and expense associated with administrative land  
6 exchanges.

7 (7) The State of Utah and the United States  
8 have reached an agreement under which the State  
9 would exchange all its State trust lands within speci-  
10 fied wilderness study areas and areas identified as  
11 having wilderness characteristics in the West Desert  
12 region for various Federal lands and interests in  
13 lands outside of those areas but in the same region  
14 of Utah. The agreement also provides for the State  
15 to convey to the United States approximately 483  
16 acres of land in Washington County, Utah, that has  
17 been designated as critical habitat for the Desert  
18 Tortoise, a threatened species, for inclusion in the  
19 Red Cliffs Desert Reserve.

20 (8) Because the inholdings to be acquired by  
21 the Federal Government include properties within  
22 some of the most spectacular wild areas in the west-  
23 ern United States, and because a mission of the  
24 Utah School and Institutional Trust Lands Adminis-  
25 tration is to produce economic benefits for Utah's

1 public schools and other beneficiary institutions, the  
2 exchange of lands called for in this agreement will  
3 resolve longstanding environmental conflicts with re-  
4 spect to the existing and proposed wilderness study  
5 areas, place important natural lands into public  
6 ownership, and further the interests of the State  
7 trust lands, the school children of Utah, and these  
8 conservation resources.

9 (9) Under this agreement taken as a whole, the  
10 State interests to be conveyed to the United States  
11 by the State of Utah, and the Federal interests to  
12 be conveyed to the State of Utah by the United  
13 States, are approximately equal in value.

14 (b) PURPOSE.—The purpose of this Act is to enact  
15 into law and direct prompt implementation of this agree-  
16 ment, and thereby to further the public interest by consoli-  
17 dating State and Federal lands into manageable units  
18 while facilitating the protection of lands with significant  
19 scientific, cultural, and natural resources.

20 **SEC. 3. RATIFICATION OF THE AGREED EXCHANGE BE-**  
21 **TWEEN THE STATE OF UTAH AND THE DE-**  
22 **PARTMENT OF THE INTERIOR.**

23 (a) AGREEMENT.—The State of Utah and the De-  
24 partment of the Interior have agreed to exchange certain  
25 Federal lands and mineral interests in the State of Utah

1 for lands and mineral interests of approximately equal  
2 value managed by the Utah School and Institutional Trust  
3 Lands Administration wholly or partially within certain  
4 existing and proposed wilderness study areas in the West  
5 Desert region of Utah.

6 (b) RATIFICATION.—All terms, conditions, proce-  
7 dures, covenants, reservations, and other provisions set  
8 forth in the document entitled “Agreement for Exchange  
9 of Lands—West Desert State-Federal Land Consolida-  
10 tion”, dated May 30, 2000 (in this Act referred to as “the  
11 Agreement”), are hereby incorporated in this Act, are rati-  
12 fied and confirmed, and set forth the obligations of the  
13 United States, the State of Utah, and the Utah School  
14 and Institutional Trust Lands Administration, as a matter  
15 of Federal law.

16 **SEC. 4. CONVEYANCES.**

17 (a) CONVEYANCES.—All conveyances under sections  
18 2 and 3 of the Agreement shall be completed within 70  
19 days after the date of the enactment of this Act.

20 (b) MAPS AND LEGAL DESCRIPTIONS.—

21 (1) IN GENERAL.—The maps and legal descrip-  
22 tions referred to in the Agreement depict the lands  
23 subject to the conveyances under the Agreement.

24 (2) PUBLIC AVAILABILITY.—The maps and de-  
25 scriptions referred to in the Agreement shall be on

1 file and available for public inspection in the offices  
2 of the Secretary of the Interior and the Utah State  
3 Director of the Bureau of Land Management.

4 (3) CONFLICT.—In case of any conflict between  
5 the maps and the legal descriptions in the Agree-  
6 ment, the legal descriptions shall control.

7 **SEC. 5. COSTS.**

8 The United States and the State of Utah shall each  
9 bear its own respective costs incurred in the implementa-  
10 tion of this Act.

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