

105TH CONGRESS  
2D SESSION

# S. 2106

To expand the boundaries of Arches National Park, Utah, to include portions of certain drainages that are under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Seep Draw owned by the State of Utah, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 21, 1998

Mr. BENNETT (for himself and Mr. HATCH) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To expand the boundaries of Arches National Park, Utah, to include portions of certain drainages that are under the jurisdiction of the Bureau of Land Management, and to include a portion of Fish Seep Draw owned by the State of Utah, 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 “Arches National Park  
5 Expansion Act of 1998”.

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

2 (a) BOUNDARY EXPANSION.—The first section of  
3 Public Law 92–155 (16 U.S.C. 272) is amended—

4 (1) by striking “That (a) subject to” and in-  
5 serting the following:

6 **“SECTION 1. ESTABLISHMENT OF PARK.**

7 “(a) IN GENERAL.—

8 “(1) INITIAL BOUNDARIES.—Subject to”; and

9 (2) by striking “Such map” and inserting the  
10 following:

11 “(2) EXPANDED BOUNDARIES.—Effective on  
12 the date of enactment of this paragraph, the bound-  
13 ary of the park shall include the area consisting of  
14 approximately 3,140 acres and known as the ‘Lost  
15 Spring Canyon Addition’, as depicted on the map  
16 entitled ‘Boundary Map, Arches National Park, Lost  
17 Spring Canyon Addition’, numbered 138/60,000–B,  
18 and dated April 1997.

19 “(3) MAPS.—The maps described in paragraphs  
20 (1) and (2)”.

21 (b) INCLUSION OF LAND IN PARK.—Section 2 of  
22 Public Law 92–155 (16 U.S.C. 272a) is amended—

23 (1) by striking “SEC. 2. The Secretary” and in-  
24 serting the following:

25 **“SEC. 2. ACQUISITION OF PROPERTY.**

26 “(a) IN GENERAL.—The Secretary”; and

1 (2) by adding at the end the following:

2 “(b) LOST SPRING CANYON ADDITION.—As soon as  
3 practicable after the date of enactment of this subsection,  
4 the Secretary shall transfer jurisdiction over the Federal  
5 land contained in the Lost Spring Canyon Addition from  
6 the Bureau of Land Management to the National Park  
7 Service.”.

8 (c) LIVESTOCK GRAZING.—Section 3 of Public Law  
9 92–155 (16 U.S.C. 272b) is amended—

10 (1) by striking “SEC. 3. Where” and inserting  
11 the following:

12 **“SEC. 3. LIVESTOCK GRAZING.**

13 “(a) IN GENERAL.—In a case in which”; and

14 (2) by adding at the end the following:

15 “(b) LOST SPRING CANYON ADDITION.—

16 “(1) CONTINUATION OF GRAZING LEASES, PER-  
17 MITS, AND LICENSES.—In the case of any grazing  
18 lease, permit, or license with respect to land in the  
19 Lost Spring Canyon Addition that was issued before  
20 the date of enactment of this subsection, the Sec-  
21 retary shall, subject to periodic renewal, continue the  
22 grazing lease, permit, or license for a period equal  
23 to the lifetime of the holder of the grazing lease,  
24 permit, or license as of that date plus the lifetime

1 of any direct descendants of the holder born before  
2 that date.

3 “(2) RETIREMENT.—A grazing lease, permit, or  
4 license described in paragraph (1) shall be perma-  
5 nently retired at the end of the period described in  
6 paragraph (1).

7 “(3) PERIODIC RENEWAL.—Until the expiration  
8 of the period described in paragraph (1), the holder  
9 (or descendant of the holder) of a grazing lease, per-  
10 mit, or license shall be entitled to renew the lease,  
11 permit, or license periodically, subject to such limita-  
12 tions, conditions, or regulations as the Secretary  
13 may prescribe.

14 “(4) SALE.—A grazing lease, permit, or license  
15 described in paragraph (1) may be sold during the  
16 period described in paragraph (1) only on the condi-  
17 tion that the purchaser shall, immediately upon ac-  
18 quisition, permanently retire the lease, permit, or li-  
19 cense.

20 “(5) TAYLOR GRAZING ACT.—Nothing in this  
21 subsection affects other provisions concerning leases,  
22 permits, or licenses under the Act of June 28, 1934  
23 (commonly known as the ‘Taylor Grazing Act’) (48  
24 Stat. 1269, chapter 865; 43 U.S.C. 315 et seq.).



1 Pipeline Corporation (or its successors or assigns) of  
2 the natural gas pipeline and related facilities located  
3 in the Lost Spring Canyon Addition on the date of  
4 enactment of this paragraph.”.

5 (e) EFFECT ON SCHOOL TRUST LAND.—

6 (1) FINDINGS.—Congress finds that—

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

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

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

1           (2) LAND EXCHANGE.—Public Law 92–155 (16  
2           U.S.C. 272 et seq.) is amended by adding at the end  
3           the following:

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

6           “(a) EXCHANGE REQUIREMENT.—

7                   “(1) IN GENERAL.—If, not later than 1 year  
8           after the date of enactment of this section, and in  
9           accordance with this section, the State of Utah of-  
10          fers to transfer all right, title, and interest of the  
11          State in and to the school trust land described in  
12          subsection (b)(1) to the United States, the Sec-  
13          retary—

14                   “(A) shall accept the offer on behalf of the  
15          United States; and

16                   “(B) not later than 180 days after the  
17          date of acceptance, shall convey to the State of  
18          Utah all right, title, and interest of the United  
19          States in and to the land described in sub-  
20          section (b)(2).

21                   “(2) SIMULTANEOUS CONVEYANCES.—Title to  
22          the school trust land shall be conveyed at the same  
23          time as conveyance of title to the Federal lands by  
24          the Secretary.

1           “(3) VALID EXISTING RIGHTS.—The land ex-  
 2           change under this section shall be subject to valid  
 3           existing rights, and each party shall succeed to the  
 4           rights and obligations of the other party with respect  
 5           to any lease, right-of-way, or permit encumbering  
 6           the exchanged land.

7           “(b) DESCRIPTION OF PARCELS.—

8           “(1) STATE CONVEYANCE.—The school trust  
 9           land to be conveyed by the State of Utah under sub-  
 10          section (a) is section 16, Township 23 South, Range  
 11          22 East of the Salt Lake base and meridian.

12          “(2) FEDERAL CONVEYANCE.—The Federal  
 13          land to be conveyed by the Secretary consists of ap-  
 14          proximately 639 acres, described as lots 1 through  
 15          12 located in the S $\frac{1}{2}$ N $\frac{1}{2}$  and the N $\frac{1}{2}$ N $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$   
 16          of section 1, Township 25 South, Range 18 East,  
 17          Salt Lake base and meridian.

18          “(3) EQUIVALENT VALUE.—The Federal land  
 19          described in paragraph (2) shall be considered to be  
 20          of equivalent value to that of the school trust land  
 21          described in paragraph (1).

22          “(c) MANAGEMENT BY STATE.—

23          “(1) IN GENERAL.—At least 60 days before un-  
 24          dertaking or permitting any surface disturbing ac-  
 25          tivities to occur on land acquired by the State of

1 Utah under this section, the State shall consult with  
2 the Utah State Office of the Bureau of Land Man-  
3 agement concerning the extent and impact of such  
4 activities on Federal land and resources and con-  
5 duct, in a manner consistent with Federal law, in-  
6 ventory, mitigation, and management activities in  
7 connection with any archaeological, paleontological,  
8 and cultural resources located on the acquired lands.

9 “(2) PRESERVATION OF EXISTING USES.—To  
10 the extent that it is consistent with applicable law  
11 governing the use and disposition of State school  
12 trust land, the State shall preserve existing grazing,  
13 recreational, and wildlife uses of the acquired lands  
14 in existence on the date of enactment of this section.

15 “(3) ACTIVITIES AUTHORIZED BY MANAGEMENT  
16 PLAN.—Nothing in this subsection precludes the  
17 State of Utah from authorizing or undertaking a  
18 surface or mineral activity that is authorized by a  
19 land management plan for the acquired land.

20 “(d) IMPLEMENTATION.—Administrative actions nec-  
21 essary to implement the land exchange under this section  
22 shall be completed not later than 180 days after the date  
23 of enactment of this section.”.

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