—CNBC's Tom DiChristopher contributed to this report.

http://www.cnbc.com/id/102531124

'Grand Bargain' on Land Use in Utah Offers Something for Everyone

Legislation in the works would set aside some areas for wilderness, others for energy use; congressional officials hope deal could be replicated across the West

By
JIM CARLTON
March 26, 2015 8:03 a.m. ET

MONTICELLO, Utah—San Juan County Commissioner Phil Lyman made a defiant point about land use when he led an unauthorized ride of all-terrain-vehicle users into a nearby scenic canyon last May after it had been closed by the Bureau of Land Management to protect archaeological artifacts.

Yet only 10 months later, at a recent meeting with land protection proponents, Lyman chatted amiably about the need to make compromises in resource management.

The new attitude came thanks to a proposed federal law some call the "Grand Bargain." Under the legislation being finalized, San Juan and some other counties in Utah would agree to wilderness and other restrictions on public lands in return for getting other areas designated for energy and other uses.

"No one is walking away from this until we get an agreement," Mr. Lyman said at the March 19 meeting.

The gathering among oft-warring groups was facilitated by an aide to Utah's congressional delegation, which has been working for three years to broker a rare accord on how the West's vast public lands are used. Called the Utah Public Lands Initiative, the bill to be released in draft form over the next few weeks could set aside at least 1.5 million acres of backcountry for wilderness and hundreds of thousands more for economic activities such as oil and gas exploration—appeasing interest groups on all sides.

As of now, eight of Utah's 29 counties would be included in the pact. Besides San Juan, they include Daggett, Uintah, Carbon, Duchesne, Emery, Grand and Summit counties, all in the eastern part of the state.

Congressional officials said such a deal could be replicated across the West in areas where local communities have frequently clashed with federal officials from the Bureau of Land Management, U.S. Forest Service and other agencies over access and use. The federal government owns about half the land in the West; in Utah, 57% of the state is federally owned.

"We're doing something of great significance and hopefully it will bring people's blood pressure down," said Rep. Jason Chaffetz, who is co-sponsoring the legislation with fellow Utah Republican Rep. Rob Bishop, chairman of the House Committee on Natural Resources.

After the draft legislation goes through more public vetting, a final bill is expected to be introduced in Congress by late spring. Backers hope for bipartisan support as environmental groups supporting it are often allied with Democratic lawmakers on Capitol Hill.

"Just the fact we are talking to each other about what we want and what we can live with—these are conversations we have not had before," said Paul Spitler, an official with the Wilderness Society, a national donor-supported nonprofit based in Washington, D.C., dedicated to wilderness conservation. "Everybody knows we have been battling for 30 years and we can certainly battle for the next 30 years. It's pretty refreshing to see a new approach."

The decision on which lands to protect and develop has largely been left to local counties, often working with—rather than against—traditional adversaries, including environmental groups. Republican-led Utah, with its spectacular canyons, has been a hotbed of conflict. Counties have sued over issues such as closures of four-wheel-drive roads in federally controlled backcountry, while the Utah Legislature in 2012 passed a bill with largely symbolic value requiring the U.S. to turn over most federal land to the state.

Smaller land bills have been attempted in Congress, but failed to reduce tensions substantially because they lacked enough geographic reach, said Cody Stewart, policy director for Republican Gov. Gary Herbert, who supports the bill. Mr. Stewart said the previous approach limited where

land trades could take place to resolve conflicts, such as moving an energy lease from the middle of a proposed wilderness area to an energy zone.

In 2012, Mr. Bishop began working on a new model: get a group of counties to agree to a land accord. Around that time, environmental groups began ramping up calls for President Barack Obama to designate millions of acres in Utah land as national monuments. He hasn't acted on those requests. Fearing such a move could shut out traditional uses such as grazing, officials in many of the counties said they felt compelled to negotiate.
"This was a situation where you either participate, or run the risk of a…monument being created from Washington, D.C.," said Lynn Jackson, member of the Grand County Council.

Since then, the congressman and his staff, later joined by other members of the Utah delegation, have attended about 1,000 meetings, including in the counties involved. At first, many of the groups' goals were far apart. The Southern Utah Wilderness Alliance, for example, initially called for as much as 5.5 million acres of new wilderness, but has since scaled back that amount substantially. "We entered this knowing no one would get everything they wanted, including us," said Scott Groene, executive director of the alliance.

Counties, too, have had to bargain. Energy-rich Uintah County, for example, is willing to drop its long-standing opposition to a wilderness designation for parts of Desolation Canyon if environmentalists agree to allow limited drilling near sensitive areas such as the Book Cliffs, which have been studied by geologists and are home to wildlife including Rocky Mountain elk and golden eagles. "Nobody in the county is excited about wilderness coming in, but if it gives us what we want there needs to be some compromise," said Jon Stearmer, chief deputy county attorney.

Yet even as a final accord seems within reach, tensions remain. Here in the southeastern corner of the state, one of the main points of contention is between a Navajo tribal group and county commissioners over the size of a proposed protected area. The Utah Diné Bikéyah tribal group has proposed to cordon off 1.9 million acres to protect areas including Cedar Mesa and Bears Ears, which they consider sacred. On a recent tour of the area, spiritual leaderJonah

Yellowman pointed at an old test drilling site in a red-rock desert called Valley of the Gods, where he said Navajos believe the spirits of some ancestors come in with the fog.

"This is what we're trying to stop," said Mr. Yellowman, 63 years old, touching a rusted pipe.

A committee appointed by San Juan County commissioners, though, supports smaller protected areas of about 600,000 acres. In return, Mr. Lyman, the county commissioner, said he hopes other land can be set aside in an energy zone. Both sides agree the Cedar Mesa area, full of archaeological artifacts, should be protected, and that they should look for other common ground.

"For it to work, everyone needs to give a little," Fred Ferguson, Rep. Chaffetz's chief of staff, said at the meeting in the San Juan County courthouse.

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http://www.wsj.com/articles/grand-bargain-on-land-use-in-utah-offers-something-for-everyone-1427371382

YOU REALLY FRACKED UP THIS TIME, FEDS

Three ways the new drilling rules for federal lands fall short.

BY BRIAN PALMER | @PALMERBRIAN | *23 hours ago*

PHOTO: MIKE EISENFELD

That hissing noise you heard on Friday was the sound of thousands of environmentalists sighing in disappointment. The Bureau of Land Management releasednew rules last week to govern fracking on federal lands (which accounts for about a tenth of the country's natural-gas drilling). The general view among health and environmental advocates is that the standards don't go far enough.

"The BLM should have taken the highest standards from each state's rules, but it didn't do that," says Amy Mall, senior policy analyst in NRDC's land and wildlife program. (Disclosure.) "It's significant that the administration acknowledged the dangers of fracking, but it's a missed opportunity."

As it has fueled the natural gas boom of the last decade, fracking has become one of the country's most contentious environmental issues. Unlike starving polar bears, drilling in the Arctic National Wildlife Refuge, or clear-cutting the rainforest, hydraulic fracturing for oil and gas is happening right in our communities.

As of 2013, more than 15.3 million Americans lived within a mile of an active fracking well. Adults lease their property to drilling companies, while children play in yards as truckloads of fracking fluid rumble past. With reports of fracking contaminating drinking water, polluting air, and increasing earthquake activity, getting these rules right is important. Here are three ways in which the BLM didn't.

WHAT'S GOING DOWN THAT HOLE?

At a typical fracking site, drillers pump tens of thousands of gallons of chemicals into the ground. If that ground is on your property, in your neighborhood, or on federal land, you should have the right to know what's in all that fracking fluid. The new rules give you that right—almost. Drillers can still evade the disclosure requirement by claiming that the composition of their special frack sauce is a trade secret.

Drilling recipes are a little like those "natural flavors" in a can of Coke—the government lets the company keep them a mystery. In this case, however, the secret ingredients are toxic or carcinogenic, like benzene and formaldehyde.

These chemicals are brought through neighborhoods in trucks, stored on-site, and sometimes spilled on adjacent property.

The trade-secret exception isn't just a general transparency issue—it makes it harder to catch polluters. A worried landowner or local official can't test for the presence of fracking fluid in the water supply if they don't know what they're looking for.

Emergency responders are kept in the dark, too. In 2008, an oil worker stumbled into the emergency room at Mercy Regional Medical Center in Durango, Colorado, covered in a fracking fluid called ZetaFlow. The nurse who treated him inhaled the fumes, suffered multiple organ failures, and nearly died. During the course of her treatment, Weatherford, the manufacturer of ZetaFlow, refused to tell doctors what was in the fluid, because it was a trade secret. Colorado has since amended its laws to prevent a repeat of the incident. The federal government should do the same.

WHO'S THE BOSS?

The Bureau of Land Management can exempt an area—or even an entire state—from some of the rules if the state has existing laws that "satisfy the objectives" of those regulations. The BLM's goal is to avoid the duplication of regulatory efforts, but there's a big problem here.

Imagine you're a federal inspector. You're poking around a fracking site on federal land, and you notice something is wrong with the well. Maybe the concrete wasn't poured properly, or the piping isn't secure enough to prevent fluid from leaking into the groundwater. Before you cite the well operator or notify your superiors, however, you remember that this area has been exempted from federal regulation because state laws "satisfy the objectives." What do you do? The regulations don't really say. Can you charge the

operator under the state's law? Should you simply notify state authorities of the problem? Good luck with that.

State authorities are notoriously unwilling to enforce their fracking laws. According to an investigative report by *Greenwire*, 96 percent of fracking violations in Texas go unpunished. West Virginia, where an enormous amount of fracking activity occurs, issued only 19 penalties in an entire year. In many cases, unfortunately, state enforcement means no enforcement.

IS NOTHING SACRED?

Government officials create management plans for federal lands every 10 to 15 years, designating areas that will or won't be open to drilling. That doesn't stop oil and gas companies from asking to drill every year, though. When the feds say no, the company often waits a year or two and asks again, and again, and again. Every time a request comes in, it kicks off a fight between industry, the government, and environmentalists. There is little in our federal laws and regulations to guide officials in their decision-making, and every potential drilling site is examined on a nearly ad hoc basis. And drilling companies only need one "yes" to destroy sensitive lands forever.

The BLM could have used its new rules as an opportunity either to permanently ban drilling in certain locations or, at least, to provide clear principles to guide agency officials in their decisions. Sensitive wildlife habitat, for example, or areas near groundwater supplies or recreation sites could have been made off-limits to drillers.

The question now is whether these rules are the beginning of an era of increased oversight or the federal government's last word on fracking. One thing is for certain: Americans will continue to have lots to say on the matter.

http://www.onearth.org/earthwire/new-fracking-rules-fall-short

Bundy Supporters Heading To Nevada Legislature

CARSON CITY, Nev. (AP) — Southern Nevada rancher Cliven Bundy and supporters are planning to swarm the Nevada Legislature in support of a bill seeking to reclaim land from the federal government.

Bundy and his supporters plan to show up in force to support AB 408, which is scheduled for a hearing Tuesday.

The bill is sponsored by Republican Assemblywoman Michele Fiore and would require the federal government to obtain permission to use land within the state's borders. The proposal also strips the federal government of state water rights and would allow county commissions to parcel out state land forindustry use.

Bundy's conflict with the federal government and Bureau of Land Management over unpaid grazing fees drew national attention to Nevada last spring.

http://lasvegas.cbslocal.com/2015/03/25/bundy-supporters-heading-to-nevada-legislature/

Final Rules Released for Hydraulic Fracturing on Federal and Tribal Lands

Article By:

Ronald J. Tenpas

Ted B. Bosquez, IV

The Bureau of Land Management contends that its new rules are consistent with state regulations and industry standards, but stakeholders believe that the rules are unnecessary or simply miss the mark.

On March 20, the Bureau of Land Management (BLM) released its long-awaited final rules (BLM Rules or the Rules) that regulate hydraulic fracturing on federal and tribal lands. The Rules establish requirements for a wide range of practices, such as well construction standards, management of flowback waters, and disclosure of fracturing fluids. Having deliberated for nearly three years and reviewed roughly 1.5 million comments, the BLM described the released Rules as "consistent with industry guidance [and] the voluntary practice of operators, and some are required by state regulations."

Both the regulated community and environmental groups have disagreed. Industry groups have raised concerns that the Rules are unnecessary or otherwise burdensome

and costly, whereas environmental groups complain that the Rules do not go far enough. Although the Rules are slated to take effect in three months, they may be delayed by litigation.

The BLM Rules

On May 11, 2012, the BLM published for public comment proposed rules that govern hydraulic fracturing practices on federal and tribal lands. In May 2013, the BLM responded to industry feedback by revising the proposed rules and allowing another round of public comment. Nearly two years later, the BLM released its final Rules, which cover the following:

- Well construction—Well integrity is critical to withstanding the extreme temperatures and pressure beneath the surface and to prevent gas and fluids from escaping into the surrounding rock. Well construction standards must reduce risk of environmental harm within the constraints of operational realities. The BLM Rules include requirements relating to predrilling plans, environmental site reviews, casing and cementing standards, monitoring, testing, reporting, and plugging. Most state regulations also cover these categories, but, as always, the devil is in the details, as discussed below.

- Flowback storage—All wells, whether hydraulically fractured or not, produce large volumes of salt water (i.e., "flowback"). The fluids are then stored in pits and/or tanks until they are reused or disposed of. Contrary to what they originally proposed, the BLM Rules prohibit storage in open-air pits and instead limit operators to above-ground tanks with a capacity of less than 500 barrels.

- Disclosure of fracturing fluids—Wells are hydraulically fractured through the high-pressure injection of water with trace additives necessary to reduce friction, prop fractures open, and otherwise ensure safe and successful operation. Most states require operators to disclose the added constituents, subject to trade secret protections. Similarly, the BLM Rules require operators to submit disclosure reports to the FracFocus website within 30 days after completing well stimulation.

The BLM framed its Rules to be consistent with existing state regulations and industry practice, sufficient to ensure environmental protection, and not unduly burdensome or costly. However, as discussed below, few agree with its assessment.

Response to the BLM Rules

Well Construction Standards

Industry groups have criticized the proposed well construction standards as creating costs with no discernible environmental advantages. For example, the definition of "usable water" set forth in the Rules highlights this problem. As explained in our January 14, 2015 LawFlash, the proposed rules provided that, consistent with state rules and industry standards, operators would need to install casing at depths that protect usable water. The industry expressed concern that the proposed "usable water" definition of waters that contain up to 10,000 parts per million of total dissolved solids (ppm TDS), in fact, is generally considered to identify water that in reality has no potential use because treatment (e.g., reverse osmosis systems) would be too expensive. Also, waters that contain up to 10,000 ppm TDS generally cohabitate in formations with oil and gas resources; thus, casing installation would have to encounter the target zones, which makes development impractical. The industry argued that such measures were anticipated to come at significant cost and would discourage development on federal lands.

In its Rules, the BLM declined to modify the definition of "usable water." It explained that, despite some apparent confusion, 10,000 ppm TDS has served as the US Environmental Protection Agency's standard for usable water under the Safe Drinking Water Act for decades. As such, it concluded that the Rules would not require any operational changes or result in additional costs. Further, it rejected arguments that water containing 10,000 ppm TDS has no potential use and projected that future water scarcity and technological advancements may increase their utility. The BLM, thus, refused to change its definition of "usable water" in the Rules as requested by industry.

Management of Flowback Waters

Industry groups also oppose the above-ground tank storage requirement. In practice, flowback has been stored in pits (which are open to the air) or tanks (which are entirely closed off). Historically, only a few states have restricted the use of open pits. For example, Michigan has required that flowback be stored in tanks, and Mississippi has permitted open-air storage only if no other means are available. Recently, regulators have increasingly restricted the use of open-air pits to store flowback water. In late 2014, Illinois promulgated rules that limited flowback storage in open pits to no more than one week. And, earlier this month, the Pennsylvania Department of Environmental Protection confirmed its intentions to prohibit open pits and impose more stringent requirements for impoundments once its proposed rules are finalized, potentially in spring 2016.

Although the BLM's proposed rules permitted storage in either tanks or lined pits, the BLM since has elected to prohibit the use of open-air pits, subject to demonstration that use of tanks "is infeasible for environmental, public health or safety reasons." However, according to the BLM, "such exceptions should be limited and rarely granted."

The BLM and environmental groups claim that all pits, regardless of construction, liners, or oversight, create too high a risk of releases into the environment. They posit that tanks, which are fully enclosed, minimize that risk. Tanks, however, are much more expensive. Under the BLM Rules, tank size will be limited to a capacity of 500 barrels (15,750 gallons). For reference, a single well can often generate hundreds of thousands of gallons of flowback, which would therefore require dozens of tanks. Accordingly, under the Rules, operators could expect to spend significantly more to store the same volume of fluids in tanks rather than in pits.

Disclosure of Fracturing Fluids

The BLM Rules' fracturing fluid disclosure requirements generally received favorable industry reaction but criticism from environmental organizations. Industry groups described the Rules as representing a reasonable, convenient, and commonplace approach. By contrast, environmental groups have raised concerns about the trade secret protections included in the Rules. The disclosure requirements in the Rules are far from novel, as they are equivalent to those adopted in a majority of oil- and gas-producing states. Generally, the Rules call for disclosures to be made using FracFocus, an existing reporting and disclosure platform.

The BLM's use of FracFocus is consistent with prevailing practices. FracFocus is not new. It first went online in April 2011 and has been used to register more than 94,000 wells across the United States. According to the FracFocus website, as of February 1, 2015, 22 of the 27 states that require chemical disclosure either use or are considering using FracFocus. It is a joint venture between the Groundwater Protection Council (which operates it) and the American Petroleum Institute and America's Natural Gas Alliance (which fund it). Industry groups have stood behind it—for example, only months after the website was created, the Marcellus Shale Coalition required all of its members (effectively all operators active in the region) to submit reports to FracFocus.

The Rules' protections for trade secret information are also not novel. Operators are entitled to trade secret protection in all states with chemical disclosure rules, and more general trade secret protection laws and regulations are standard throughout the country.

Environmental groups have criticized the Rules for failing to provide an adequate exception for disclosures to address medical emergencies. The groups argue that operators should be required to disclose trade secret information to medical personnel, particularly in the event of an emergency. State rules vary on this subject—some require disclosure to medical personnel and some do not; some limit disclosure to medical emergencies, while others extend it to general diagnosis and treatment. Notwithstanding these hydraulic fracturing–specific rules, federal Occupational Safety and Health Administration regulations generally require disclosure to medical personnel who treat on-site workers as may other state-specific exceptions.

Conclusion

Immediately after the Rules' release, the Independent Petroleum Association of America and Western Energy Alliance jointly petitioned a federal court to review the Rules and invalidate them.[1] This challenge may also call into question whether the Rules will take effect in 90 days as planned if a stay of their implementation is also sought.

If and when the Rules do go into effect, operators should pay special attention to several unique and complicating considerations. First, the BLM Rules apply only to hydraulic fracturing operations on federal and tribal lands. As such, two wells in the same state may be subject to different rules to the extent that one is on public land and the other is on private property. Further, operations on federal and tribal lands will be subject not only to the BLM Rules, but also to the respective state's operating requirements, including those that relate to permitting and notice, to the extent that they do not conflict with BLM regulations. Under some circumstances, a state may even enforce its rules, despite normally lacking jurisdiction on federal and tribal lands.

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[1]. *Independent Petroleum Association of America v. Jewell*, Civ. No .15-cv-41-F (D.Wyo. March 20, 2015).

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http://www.natlawreview.com/print/article/final-rules-released-hydraulic-fracturing-federal-and-tribal-lands

Republican, Democratic lawmakers voice concerns about new drilling rules

By KEVIN FREKING, Associated Press

WASHINGTON (AP) — Republican and Democratic lawmakers in the House have found something in common: Many have issues with the Obama administration's new regulations requiring companies that drill for oil and natural gas to disclose chemicals used in hydraulic fracturing.

Republicans say the new regulations, announced last week, will delay new drilling projects and take marginal lands out of production. Democratic lawmakers say the regulations are so mild that they won't change current operating standards.

The lawmakers' complaints were aired Thursday during a House subcommittee hearing called to review the Bureau of Land Management's budget for the coming fiscal year.

Bureau Director Neil Kornze said fracking is taking place in 32 states, and the new federal regulations were aimed primarily at those states with limited or no regulation of the practice. He projected that the new regulations would increase costs by about $11,000 per well.

"We think the confidence that this brings to the American public, and the protection it brings to groundwater and other resources, we believe it's worth it," Kornze said.

The new rule will take effect in June. It also updates requirements for well construction and disposal of water and other fluids used in fracking, as the drilling method is more commonly known.

The rule has been under consideration for more than three years, drawing criticism from the oil and gas industry and environmental groups alike.

Rep. Doug Lamborn, R-Colo., said he wished the rule would only have been applied to states that aren't regulating fracking. He said states such as his are already doing a good job of ensuring the environment is not harmed.

Lamborn pointed out that the oil and gas industry has projected the regulations would cost far more to comply with than what the government has projected. Those additional costs will discourage the industry from drilling on federal lands, which would eliminate jobs and drive away federal revenue.

The new rule has drawn heavy criticism from some states where fracking is common. Wyoming filed a legal challenge Thursday and petitioned the federal district court in Wyoming to review the regulation and determine whether it should be set aside. The state claimed in its challenge that the rule exceeds the Bureau of Land Management's jurisdiction and unlawfully interferes with the state's hydraulic fracturing regulations.

Rep. Alan Lowenthal, D-Calif., said complaints were overblown. If the state laws regarding fracking are stronger than the new federal rule, and many of them are, the state law wins out. He said he would challenge the industry to point to requirements in the federal regulation that they don't already have in place.

Rep. Raul Grijalva, D-Ariz., said the regulation was so lax it was like requiring the auto industry to ensure that every car has a steering wheel and a brake pedal. "This rule does absolutely nothing," Grijalva said.

Fracking involves pumping huge volumes of water, sand and chemicals underground to split open rocks to allow oil and gas to flow. Improved technology has allowed energy companies to gain access to huge stores of natural gas underneath states from Wyoming to New York but has also raised widespread concerns about whether it leads to groundwater contamination and even earthquakes.

http://www.usnews.com/news/politics/articles/2015/03/26/lawmakers-unhappy-with-new-fracking-rules

Unprecedented Sage Grouse Protection Deal Signed in Nevada

RENO, Nev. — An unprecedented attempt to protect sage grouse habitat across parts of more than 900 square miles of privately owned land in Nevada will begin under a deal Thursday involving the federal government, an environmental group and the world's largest gold mining company.

The agreement comes as the U.S. Fish and Wildlife Service approaches a fall deadline for a decision on whether to protect the greater sage grouse, a bird roughly the size of a chicken that ranges across the West, under the Endangered Species Act.

Commercial operations, including mining companies and oil and gas producers, are entering into such deals in an effort to keep the bird

off the threatened or endangered list because the classification would place new restrictions on their work.

The deal involves Barrick Gold Corp., The Nature Conservancy and the U.S. Interior Department's Bureau of Land Management and Fish and Wildlife Service. It establishes a "conservation bank," providing the mining firm credit for enhancing critical habitat, in exchange for flexibility in future operations. It aims to preserve and restore more habitat than is lost through development while at the same time providing Barrick with more certainty as it maps out new mining plans.

"This is the kind of creative, voluntary partnership that we need to help conserve the greater sage grouse, while sustaining important economic activities on western rangelands," Interior Secretary Sally Jewell said.

The agreement "strikes the right balance between economic development and conservation," said Michael Brown, executive director of Barrick's U.S. operations.

Similar efforts already are underway on a much smaller scale involving ranching operations in Oregon and Wyoming.

Scientists estimate the sage grouse population is less than half what it was in the early 19th century it inhabited an estimated 450,000 square miles of sagebrush across the West.

Growing threats to its nesting grounds include wildfires, invasive plants, livestock grazing, mining and oil and gas exploration. The risks have led land managers to consider new protections.

It's difficult to estimate what Barrick will spend on the conversation efforts but it "likely will be in the millions," company lawyer Patrick Malone said. He said much of the bird's most important range in Nevada is on private land.

"The bird benefits in ways that can only really happen through this public-private partnership," Malone told The Associated Press.

Michael Cameron, The Nature Conservancy's associate state director for Nevada, acknowledged the agreement may not be embraced by some conservation groups who argue against development of any lands with habitat critical to the survival of the sage grouse.

"Our overriding objective in this is to achieve lofty conservation results on the ground," Cameron told the AP. "Certainly, in a case like this where we have the potential to achieve conservation

improvements on potentially hundreds of thousands of acres, it is the kind of opportunity, frankly, that we have an obligation to try to approve."

BLM Nevada Director Amy Leuders likes the advance nature of the agreement. She said, "It's certainly to the benefit of the sage grouse and its habitat for conservation actions to occur before other impacts from mining operations occur."

http://www.nytimes.com/aponline/2015/03/26/us/ap-nv-nevada-sage-grouse-barrick-gold.html?_r=0

EE NEWS

OVERSIGHT:

Watchdog panel clears tax offender, FOIA, workforce bills

Robin Bravender, E&E reporter
Published: Thursday, March 26, 2015

The House Oversight and Government Reform Committee yesterday approved a measure by voice vote from Chairman Jason Chaffetz (R-Utah) to make people with "seriously delinquent" tax debts ineligible for federal jobs.

But the passage of **H.R. 1563**, the "Federal Employee Tax Accountability Act," came despite staunch opposition from committee Democrats who see the measure as an unfair attack against federal employees.

Ranking member Elijah Cummings (D-Md.) said he's "steadfast" in opposing the bill that would require agencies to fire federal workers who fail to pay their taxes.

A recent IRS report showed that 97 percent of government employees were in compliance with tax laws in 2014 -- a higher rate than House members and their staffs, as well as members of the public, Cummings said. He added that there are existing remedies to address the 3 percent of the workforce in noncompliance.

"I do not understand why we are considering a change in the law to fix a problem that does not exist," he said. "Clearly the legislation is designed to punish federal employees. ... I just think so often federal employees are made to be viewed in a negative light."

Rep. Gerry Connolly (D-Va.) said the bill "is not well received by our workforce. They see it as another attack on them and especially when there isn't really a problem in the federal workforce."

Chaffetz defended the effort as a way to target "bad apples" in the government.

"I get perhaps a bit sensitive about the idea that the intent of the bill ... is done to disparage federal employees," he said. "I greatly appreciate federal employees."

Chaffetz added that workers who are making a conscious effort to comply with tax laws would be exempted from termination under the bill. "But unfortunately, there are a series of people who don't pay their federal taxes. They just literally thumb their nose at the American taxpayers, and they say that [they're] not going to pay their taxes. That's just fundamentally not right."

The committee passed several other measures by voice vote yesterday, including a bill that would prohibit people with seriously delinquent tax debts from being awarded government contracts or grants.

H.R. 1562, the "Contracting and Tax Accountability Act," from Chaffetz and Rep. Jackie Speier (D-Calif.), received bipartisan support from the panel.

Cummings applauded the effort, saying the bill would "ensure that responsible contractors no longer have to compete with tax delinquents."

FOIA, seasonal workers, anti-discrimination bills

H.R. 653, the "FOIA Oversight and Implementation Act," also won the committee's approval. The bill sponsored by Cummings and former Oversight Chairman Darrell Issa (R-Calif.) aims to provide the public with greater access to information.

Among other things, it would establish a "presumption of openness" by barring agencies from withholding information unless an agency foresees that disclosure would cause "specific identifiable harm" or the disclosure is prohibited by law. It would also change the Freedom of Information Act to limit to 25 years the amount of time agencies can keep documents secret by claiming that they would reveal the deliberative process.

"This bill, if passed, would be a landmark reform of the law," Cummings said. "The availability of information that sheds light on the workings of government is essential for a heathy democracy; strengthening the law will help ensure that basic principles of transparency are not a matter of executive discretion."

H.R. 1531, the "Land Management Workforce Flexibility Act," also cleared the panel.

The bill from Connolly is co-sponsored by GOP Reps. Rob Bishop of Utah and Don Young of Alaska. It aims to give temporary seasonal employees in federal agencies the opportunity to compete on even footing with federal employees for vacant permanent positions.

"This bill is really about a matter I think of simple justice," Connolly said yesterday. "We have thousands of seasonal workers, year after year, season after season, mostly in the Western states, who put themselves at risk to put out wildfires. ... But because they are deemed seasonal and temporary, they are actually ineligible for competing with federal positions."

His bill "simply allows this category of workers to compete when there are openings as if they were a normal regular federal employee," he said.

The "Fed. Employee Antidiscrimination Act," **H.R. 1557**, sponsored by Cummings, was also easily approved with bipartisan support. The measure intends to strengthen the government's anti-discrimination laws and expand government accountability for enforcing those laws.

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http://www.eenews.net/eedaily/2015/03/26/stories/1060015793

BUDGET:

Senate starts 'vote-a-rama' with carbon tax, land sell-off

Nick Juliano, E&E reporter

Published: Thursday, March 26, 2015

Around noon today, the Senate started voting. It is not expected to stop until well after midnight.

The series of roll calls that started as *Greenwire* was being published will feature votes on whether the federal government should sell off all the land it owns outside of national parks, monuments and preserves and whether Congress should rule out a tax on carbon dioxide emissions.

Sen. Roy Blunt (R-Mo.) yesterday had to suddenly pull his amendment seeking a point of order against a carbon tax because it was non-germane, but he has replaced it with a less prescriptive amendment encouraging Congress to consider prohibiting a carbon tax that will get a vote early this afternoon.

Also expected in the first round of votes is an amendment from Sen. Lisa Murkowski (R-Alaska), who leads the Energy and Natural Resources Committee, proposing the consideration of the sale or transfer of "any Federal land that is not within the boundaries of a National Park, National Preserve, or National Monument."

Before voting is complete -- sometime early tomorrow morning, aides expect -- senators will consider dozens of amendments posing their views on all manner of controversial policies. In the energy and environment realm, this will likely mean addressing a cross-section of issues encompassing air and water regulations, endangered species protections, offshore energy development, ownership of public lands, tax incentives for various energy sources, and climate change, among others.

The votes will come on nonbinding amendments to the annual budget resolution -- which is considered under special procedures that allow for the freewheeling marathon known as a "vote-a-rama."

The purpose of the process is twofold -- forcing politically difficult votes that can serve as fodder for campaign ads and testing support for legislative priorities that may come up later this year. It also will provide more data for the ideological scorecards kept by organizations such as the League of Conservation Voters on the left and American Energy Alliance on the right.

Voting began earlier this week, and yesterday saw action on amendments related to climate change and U.S. EPA's Clean Water Act jurisdiction rulemaking -- votes that illustrated both aspects of the process.

Sen. Bernie Sanders' (I-Vt.) amendment that called on Congress to recognize that climate change is driven by human activity and to produce legislation to address it fell one vote short of majority support, but it did draw yes votes from three Republicans facing tough re-election races next year -- Sens. Kelly Ayotte of New Hampshire, Mark Kirk of Illinois and Rob Portman of Ohio, who did not support a similar amendment in January. Sen. Lindsey Graham (R-S.C.), who is mulling a presidential campaign, also supported the amendment (***E&E Daily***, March 26).

Clues to future policymaking came on an amendment from Sen. John Barrasso (R-Wyo.), which was seen as a referendum on EPA's water rule. It won support from Sen. Amy Klobuchar (D-Minn.), who voted against a similar proposal two years ago, and would have cleared 60 votes if all senators had been present. With a majority of House members already on record against the rule, it is more likely now to be a target of an appropriations rider later this year (***E&E Daily***, March 26).

More than 60 amendments were pending this morning, and senators continued to come to the floor to offer amendments on an array of issues of both national and local interest.

The following is a list of key amendments expected to see votes today. Under budget rules requiring germaneness, the amendments typically would establish a "deficit-neutral reserve fund" within the budget that would encourage authorizing committees to craft corresponding legislation and allow the budget levels to be adjusted accordingly.

- Sens. Orrin Hatch (R-Utah) and James Inhofe (R-Okla.) amendment to create a reserve fund related to blocking the Bureau of Land Management's and EPA's rules related to hydraulic fracturing on public lands.
- Sen. Mike Rounds (R-S.D.) amendment to establish a reserve fund to prevent EPA and the Fish and Wildlife Service from "engaging in closed-door settlement agreements that ignore impacted States and counties."
- Sen. Steve Daines (R-Mont.) amendment to establish a reserve fund limiting national monument designations.
- Sen. Cory Gardner (R-Colo.) amendment to establish a reserve fund relating to protecting privately held water rights and permits.

- Sen. Maria Cantwell (D-Wash.) amendment to establish a reserve fund relating to a comprehensive approach to crude-by-rail safety, a topic she introduced legislation on yesterday (***EnergyWire***, March 26).
- Sen. Dean Heller (R-Nev.) amendment to establish a reserve fund relating to blocking an endangered species listing for the greater sage grouse before entering conservation agreements with the 11 states where it lives.
- Sen. Chris Coons (D-Del.) amendment to establish a reserve fund relating to preserving mandatory appropriations for agricultural conservation programs.
- Sen. Sheldon Whitehouse (D-R.I.) amendment aimed at raising taxes on the wealthy to invest in infrastructure and repairing damage from wildfires.
- Whitehouse amendment to establish a reserve fund relating to campaign finance reform and corporate disclosure.
- Sen. Bill Cassidy (D-La.) amendment to establish a reserve fund to promote offshore energy production.
- Cassidy amendment to establish a spending-neutral reserve fund relating to the manufacturing and construction permitting implications of EPA's proposed lower ozone air quality standard.
- Sen. Michael Bennet (D-Colo.) amendment aimed at extending the renewable energy production and investment tax credits for "a reasonable period of time."
- Sen. John Thune (R-S.D.) amendment to delay EPA's implementation of a tighter ozone standard (***E&ENews PM***, March 25).

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http://www.eenews.net/greenwire/2015/03/26/stories/1060015839

PUBLIC LANDS:

'Grand Bargain' over Utah estate appeals for compromise

Published: Thursday, March 26, 2015

Impending legislation from Utah's congressional delegation is showing signs of softening the positions of local politicians and environmentalists as it attempts to broker a deal over public land use in the state.

The "Grand Bargain" would designate some federal lands in Utah, which is 57 percent federally owned, as protected while other areas would be open for energy and other development. The deal would span eight counties, including some that have been at odds with federal officials for decades.

"Hopefully, it will bring people's blood pressure down," said Rep. Jason Chaffetz (R-Utah), who is sponsoring the bill with fellow Rep. Rob Bishop (R-Utah), chairman of the House Committee on Natural Resources.

At a meeting in San Juan County, Utah, Chaffetz's chief of staff, Fred Ferguson, said "everyone needs to give a little." That includes San Juan County Commissioner Phil Lyman, who, just 10 months ago, led an unauthorized all-terrain-vehicle ride through a protected scenic canyon, but at the meeting last week, Lyman appeared ready to deal (***Greenwire***, April 14, 2014).

"No one is walking away from this until we get an agreement," he said.

Many counties are looking to come to the table out of fear that President Obama could designate millions of acres as national monuments, shutting out grazing and other uses. Officials in many of the counties said they felt compelled to negotiate.

Bargain proponents are hopeful that environmental groups and American Indian tribes will come on board, along with their Democratic allies in Congress.

"Just the fact we are talking to each other about what we want and what we can live with -- these are conversations we have not had before," said Paul Spitlerof with the Wilderness Society. "Everybody knows we

have been battling for 30 years, and we can certainly battle for the next 30 years. It's pretty refreshing to see a new approach."

The bill is expected this spring (Jim Carlton, ***Wall Street Journal***, March 26). **-- DTB**
http://www.eenews.net/greenwire/2015/03/26/stories/1060015821

FEDERAL WORKFORCE:

EPA, Interior, DOE employees owe $20M in back taxes

Robin Bravender, E&E reporter
Published: Thursday, March 26, 2015

Workers at U.S. EPA, the Interior Department and the Energy Department owe more than $20 million in combined back taxes, new data show.

Overall, federal civilian employees owed $1.14 billion in taxes in 2014, up from $1.08 billion in 2013, according to IRS **data** released this week by the House Oversight and Government Reform Committee.

And about 4 percent of nearly 2.9 million civilian federal workers -- more than 100,000 people -- were delinquent on their taxes in 2014, the IRS report shows. The percentage of workers who owed taxes or hadn't filed returns dropped slightly from 2013, when the delinquency rate was 4.07 percent.

Those delinquent taxpayers included thousands of employees from energy and environmental agencies, although workers at EPA, Interior and DOE had better taxpaying records than the average federal employee.

At EPA, 2.7 percent of the staff was delinquent on paying taxes in 2014. The report found that about 430 employees of the agency's staff of 15,850 owed cash to the government, adding up to about $6 million.

About 2.8 percent of Interior Department employees owed taxes. About 1,940 of the agency's workforce of nearly 70,000 people were found to be delinquent, owing a combined $12 million.

The delinquency rate was even lower at DOE, where 2.1 percent of employees were behind on taxes. Of the department's 15,000 staffers, about 315 people owed a total of $3.3 million.

The IRS data were released as lawmakers are pushing efforts to target tax offenders through legislation.

Yesterday, the Oversight and Government Reform Committee approved legislation to make people with "seriously delinquent" tax debts ineligible for federal jobs. **H.R. 1563**, the "Federal Employee Tax Accountability Act," was introduced by Oversight Chairman Jason Chaffetz (R-Utah).

"It is disconcerting that federal civilian employees owe more than one billion dollars in back taxes," Chaffetz said this week in a statement. "These employees are not exempt from their civic responsibility to fulfill tax obligations and those who refuse to pay what they owe should be held accountable."

House Democrats painted that legislation as a way to unfairly target government workers.

Rep. Gerry Connolly (D-Va.) said yesterday that the bill "is not well-received by our workforce. They see it as another attack on them and especially when there isn't really a problem in the federal workforce" (***E&E Daily***, March 26).

A separate bill in the Senate would block tax-delinquent federal employees from receiving bonuses.

Sen. Pat Roberts (R-Kan.) in January introduced **S. 303**, which would prevent government workers from getting cash awards if they're deemed to have racked up "seriously delinquent" tax debt.
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PUBLIC LANDS:

Wyo. launches legal fight against BLM fracking rule

Ellen M. Gilmer, E&E reporter
Published: Thursday, March 26, 2015

Wyoming today became the first state to formally challenge the Obama administration's new rule for drilling on public and Indian lands, filing a lawsuit in U.S. District Court for the District of Wyoming that calls the regulation an overreach of federal authority.

The suit is the second legal challenge since the rule's unveiling less than a week ago. Industry groups sued last Friday, arguing that the Bureau of Land Management's three-year rulemaking process relied on insufficient data and resulted in regulations that duplicate state law.

The rule, which requires disclosure of chemicals used in hydraulic fracturing and regulates well construction and wastewater management, has drawn heated criticism from all sides over the past week. Industry complains that the rule is an expensive threat to jobs and energy security, while states and tribes argue that fracking regulation is their turf, and environmentalists say the new requirements do little to protect the air, water and land surrounding drilling operations.

With more than 4 million acres of federal land hosting oil and gas production, Wyoming is among the Western states most affected by BLM regulations, said BakerHostetler attorney Mark Barron.

"Wyoming's interest in this lawsuit is obvious," Barron, who is representing industry in the other legal challenge, said in a statement yesterday. "The State's leadership in regulating oil and gas development, and particularly the process of hydraulic fracturing, disproves the myth of the regulatory gap upon which Interior's final rule is premised."

In the state's **petition for review** filed yesterday, Senior Assistant Attorney General Michael McGrady argues that BLM exceeded its authority by regulating fracking as a form of underground injection, despite a provision of the Safe Drinking Water Act that designates U.S. EPA as the sole regulator of "underground injection control" and a provision of the 2005 Energy Policy Act that exempts hydraulic fracturing from EPA's oversight.

"If Congress intended ... to create special BLM or Interior Department programs for regulating underground injections outside the Safe Drinking Water Act, Congress would have said so, as it has in other environmental regulatory contexts," the filing says, arguing that fracking should be left to the states to regulate.

Gov. Matt Mead (R) last week touted his state's regulations for drilling as some of the strictest in the nation and slammed BLM for being "late to the game" and establishing a rule that "complicates compliance." Wyoming's rules for fracking chemical disclosure are stricter than those of most other producing states.

Wyoming's lawsuit comes just after the Independent Petroleum Association of American and Western Energy Alliance filed a similar challenge last week, arguing that the rule is an abuse of power that is "not properly tailored to achieve a legitimate government purpose."

Both lawsuits ask the district court to vacate the rule.

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ENDANGERED SPECIES:

Interior, world's largest gold miner team up to save Nev. grouse habitat

Scott Streater, E&E reporter
Published: Thursday, March 26, 2015

The Interior Department today announced a major new agreement with the world's largest gold mining company to set up the nation's largest greater sage grouse conservation bank system in Nevada, a move designed to allow economically important mining activity to continue without harming habitat for the imperiled bird.

The **agreement** announced today establishes a conservation bank that allows Barrick Gold of North America to earn credits for mitigation projects it funds that enhance sage grouse habitat on several private Nevada ranches covering more than 500,000 acres the company owns, as well as on federal lands where the company owns grazing allotments covering hundreds of thousands of acres.

In total, the conservation bank agreement covers about 900 square miles of private and public lands in central Nevada, said Louis Schack, a spokesman for Barrick Gold of North America in Salt Lake City, Utah.

The Bureau of Land Management and the Fish and Wildlife Service will oversee the "Barrick Nevada Sage Grouse Bank Enabling Agreement," which commits Barrick to participate in habitat protection and restoration projects that achieve a "net conservation benefit" for the grouse. This net benefit will be accomplished "by encouraging greater gains in functional sage grouse habitat through preservation and restoration than what is lost through development activities," according to the agreement.

In exchange, Barrick will obtain assurances that the voluntary compensatory mitigation measures taken by the company, when verified as providing a net conservation gain to the species, will be accounted for by BLM and the Fish and Wildlife as the agencies review the company's future proposed mining operations, according to Interior's summary of the agreement.

Barrick's mining and ranching operations are located in areas that include habitat for the greater sage grouse. BLM manages 21 million acres of grouse habitat in Nevada, which is home to as few as 28,000 birds.

Interior Secretary Sally Jewell said she believes the conservation bank announced today could be significant for Nevada's sage grouse population.

"This is the kind of creative, voluntary partnership that we need to help conserve the greater sage grouse while sustaining important economic activities on western rangelands," Jewell said today in a statement.

The Nevada agreement is the second conservation bank the Obama administration has established this month.

The Fish and Wildlife Service last week announced a partnership with the state of Wyoming to establish the nation's first conservation bank for the sage grouse on a 235,000-acre ranch in central Wyoming (***E&ENews PM***, March 18).

The Wyoming conservation bank will allow for oil and gas, mining, and other industries to buy credits within a sensitive state-designated "core sage grouse area" that could then be used to mitigate impacts elsewhere.

Wyoming is home to nearly half the remaining sage grouse, whose range extends across 11 Western states covering 165 million acres.

Nevada ranks second in this category to Wyoming, BLM Nevada State Office Director Amy Lueders said in an interview.

The Nevada and Wyoming conservation banks could prove significant as Fish and Wildlife evaluates the status of the bird. FWS must decide by Sept. 30 whether to propose listing the greater sage grouse for protection under the Endangered Species Act.

"Through landscape level mitigation efforts, conservation banks, credit exchanges, conservation easements, and conservation assistance programs, we are advancing partnership efforts that are redefining how we achieve our conservation goals across the American West," Jewell said in her statement.

As part of the Nevada conservation bank agreement, BLM, Fish and Wildlife, and Barrick will use a "Sage-grouse Conservation Forecasting Tool" developed by the Nature Conservancy that uses satellite imagery to create maps of current habitat conditions, according to the group.

Regulators and scientists can then employ predictive computer models that simulate the natural patterns of vegetation change over time to identify which restoration actions will be most helpful to sage grouse, they say.

While the majority of land, including sage grouse habitat, in Nevada is federally owned, a significant portion of riparian and wet meadow habitat that is crucial to the sage grouse's life cycle is located on private lands, according to the Interior summary.

Barrick's private ranches in Elko, Eureka and Lander counties include large tracts of current and former wet meadow habitat, Lueders said.

"Some of the most critical habitat, such as wet meadows and riparian areas, are disproportionately on private lands," she said. "This really allows us to achieve some conservation actions that are really important for sage grouse because they are so limiting."

Michael Cameron, associate director of the Nature Conservancy's Nevada chapter, said the goal of the latest agreement is to "help inform decisions that protect, manage and restore vital wildlife habitat on potentially hundreds of thousands of acres of land."

It's also designed to balance the need to protect the grouse with the economic benefits of the mining industry in the state, Lueders said.

"The goal is to protect the best sage grouse habitat while also allowing for the certainty of economic benefits and providing for net conservation benefits," she said. "I think it's a good model. We're very excited about it. "

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FEDERAL AGENCIES:

White House plan would shrink government real estate holdings

Robin Bravender, E&E reporter
Published: Thursday, March 26, 2015

A new plan from the White House aims to squeeze federal agencies into smaller, more efficient spaces.

The Obama administration yesterday released a revised national **strategy** that will require agencies to reduce their property footprints starting in 2016 and continuing over the next several years.

The plan comes after the administration's "Freeze the Footprint" policy in 2013 sought to keep the government's real estate footprint steady. It requires agencies to dispose of existing properties in order to acquire new ones and set a timeline for agencies to halt their real estate growth.

The agencies have either already frozen or cut their footprints, or are on a path to do so by the end of fiscal 2015, the White House said.

Government-occupied space was cut by 21.4 million square feet between fiscal 2012 and fiscal 2014, according to the administration. In 2014 alone, the government disposed of 7,350 buildings and slashed $17 million from annual operation and maintenance costs.

The administration is planning to improve the use of government-owned buildings and reduce its excess and underutilized properties.

"Consolidating properties and collocating agency office space is not only commonsense, but will provide more convenient access to the public and allow for upgraded facilities to provide more modern work environments for federal employees to conduct their business," wrote Dave Mader, controller for the White House Office of Management and Budget.

The federal government is the largest real property owner in the country, with an inventory of 300,000 buildings that require about $21 billion of annual operation and maintenance costs.

Sen. Tom Carper of Delaware, the top Democrat on the Homeland Security and Governmental Affairs Committee, applauded the administration's strategies.

"Taxpayers should not have to pay for the government to lease or own buildings that it does not need," Carper said in a statement.

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PUBLIC LANDS:

'Vote-a-rama' fights ahead on species, monuments, transfers to states

Emily Yehle and Nick Juliano, E&E reporters
Published: Thursday, March 26, 2015

Lawmakers' views on a bevy of public lands issues will be on record and ripe for political campaigning by the early morning hours tomorrow.

The Senate began the first round of votes at noon today on dozens of nonbinding amendments to the annual budget resolution. The "vote-a-rama" will allow -- or force -- senators to lay down their support or opposition on a wide array of issues.

In the coming hours, that will include a few long-standing controversies over the use of federal land and the implementation of the Endangered Species Act. First up: an amendment from Energy and Natural Resources Chairwoman Lisa Murkowski (R-Alaska) that would support the selling or transfer of federal lands to states and local governments.

In a statement on the Senate floor yesterday, Murkowski prefaced the introduction of the provision by asserting that while oil production is "going gangbusters" on state and private lands, it is "not happening" on federal lands. With traditional and renewable energy production, it "is incredibly hard to develop any type of energy on Federal lands," she said.

Her amendment would enable the transfer of federal land to states for such development. Land within a national park, national preserve or a national monument would be protected and not eligible.

In an interview today, Murkowski stressed her amendment doesn't identify any particular parcels to be sold or exchanged and that any details would have to be worked out through the committee.

"It doesn't name anything, it isn't specific to anything. It gives the opportunity and then you would come back. Say, for instance, you want to purchase something for access or development, then you have to come back and go through the legislative process," Murkowski said in a brief interview.

"It's not unlike what we saw with the public lands package that was attached to NDAA," she added, referring to last year's defense authorization bill, "where you saw so many different public lands bills, it's basically kind of setting up for a similar kind of process."

Murkowski said she did not necessarily have parcels in Alaska in mind to be sold but was aware of concerns in other states with a large federal footprint.

"I know that within different states, different localities there is frustration that they haven't been able to get much going on federal lands: 'Boy if we had an opportunity to access it, things would be different,'" she said. "And so what it does is it makes that available allowance."

Sen. Cory Gardner (R-Colo.) said he was concerned that the amendment is worded too broadly and would likely vote against it, but he welcomed an opportunity to examine how to improve federal land management.

"Look, I think we have a lot of pent-up frustration with the way the administration has handled public lands," he said. But the concerns should be addressed in "a way that we ought to be able to bring everybody to the table to work through."

National monuments, sage grouse

Also on the vote-a-rama roster is an amendment from Sen. Steve Daines (R-Mont.) that would require the president to gain support from local and state governments before proposing a national monument.

In the last two years, President Obama has designated or expanded a dozen national monuments using the Antiquities Act. That has angered Republicans, who accuse Obama of sidestepping the usual public process and flouting Congress.

"Too often these unilateral designations completely ignore the needs of the local community -- the farmers and ranchers, the sportsmen and small business owners directly impacted by these new designations," Daines said on the Senate floor, adding that his amendment "ensures the people affected most by these designations have a seat at the table and their voices are heard."

The National Wildlife Federation blasted the amendment as undermining an important tool to protect lands.

The Antiquities Act "has been used to protect some of our most important places from the Statue of Liberty to the Grand Canyon and this amendment would only serve to make it harder to protect our special places," the group said in a statement.

NWF also took aim at an amendment from Sen. Mike Rounds (R-S.D.) that would require state and local government support before U.S. EPA or the Fish and Wildlife Service enter into what Republicans call "sue and settle" agreements.

While Republicans assert that the agreements -- which settle lawsuits -- set agency priorities, environmentalist and Democrats say the lawsuits merely allow citizens to force agencies to do their mandated duty. A 2011 settlement between FWS and environmental groups, for example, set a schedule for the agency to consider the listing of hundreds of species.

Rounds called his amendment a "fix" that ensures local governments "are given a say in settlement agreements that will have impacts within their borders." Republicans have unsuccessfully tried to pass similar bills in the past.

But Western state officials will more likely keep an eye on Sen. Dean Heller's (R-Nev.) narrower amendment on FWS's impending decision on whether to list the greater sage grouse.

The agency is set to decide before September whether the grouse needs protections under the Endangered Species Act -- a deadline set by that 2011 settlement.

Heller's amendment would require the Interior Department to enter into candidate conservation agreements with 11 states before making a listing decision on the sage grouse. It would also require that state plans have the "opportunity" to show results.

"If the federal government adds the sage grouse to the endangered species list, it would devastate rural economies across these affected states, including Nevada," Heller said on the Senate floor. "States must be given an opportunity to show they can foster a sustainable sage grouse population."

Even if the amendment passes, it won't change the listing schedule. Like all amendments in the vote-a-rama, it's symbolic.

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Begin forwarded message:

From: "Ferguson, Fred" <Fred.Ferguson@mail.house.gov>
Date: March 26, 2015 at 10:35:47 AM EDT
To: "Ferguson, Fred" <Fred.Ferguson@mail.house.gov>
Subject: ICYMI - WSJ: ŒGrand Bargain¹ on Land Use in Utah Offers Something for Everyone

'Grand Bargain' on Land Use in Utah Offers Something for Everyone

Legislation in the works would set aside some areas for wilderness, others for energy use; congressional officials hope deal could be replicated across the West

http://www.wsj.com/articles/grand-bargain-on-land-use-in-utah-offers-something-for-everyone-1427371382

By JIM CARLTON

March 26, 2015 8:03 a.m. ET **2 COMMENTS**

MONTICELLO, Utah—San Juan County Commissioner Phil Lyman made a defiant point about land use when he led an unauthorized ride of all-terrain-vehicle users into a nearby scenic canyon last

May after it had been closed by the Bureau of Land Management to protect archaeological artifacts.

Yet only 10 months later, at a recent meeting with land protection proponents, Lyman chatted amiably about the need to make compromises in resource management.

The new attitude came thanks to a proposed federal law some call the "Grand Bargain." Under the legislation being finalized, San Juan and some other counties in Utah would agree to wilderness and other restrictions on public lands in return for getting other areas designated for energy and other uses.

"No one is walking away from this until we get an agreement," Mr. Lyman said at the March 19 meeting.

The gathering among oft-warring groups was facilitated by an aide to Utah's congressional delegation, which has been working for three years to broker a rare accord on how the West's vast public lands are used. Called the Utah Public Lands Initiative, the bill to be released in draft form over the next few weeks could set aside at least 1.5 million acres of backcountry for wilderness and hundreds of thousands more for economic activities such as oil and gas exploration—appeasing interest groups on all sides.

ENLARGE

As of now, eight of Utah's 29 counties would be included in the pact. Besides San Juan, they include Daggett, Uintah, Carbon, Duchesne, Emery, Grand and Summit counties, all in the eastern part of the state.

Congressional officials said such a deal could be replicated across the West in areas where local communities have frequently clashed with federal officials from the Bureau of Land Management, U.S. Forest Service and other agencies over access and use. The federal government owns about half the land in the West; in Utah, 57% of the state is federally owned.

"We're doing something of great significance and hopefully it will bring people's blood pressure down," said Rep. Jason Chaffetz, who is co-sponsoring the legislation with fellow Utah Republican Rep. Rob Bishop, chairman of the House Committee on Natural Resources.

After the draft legislation goes through more public vetting, a final bill is expected to be introduced

in Congress by late spring. Backers hope for bipartisan support as environmental groups supporting it are often allied with Democratic lawmakers on Capitol Hill.

"Just the fact we are talking to each other about what we want and what we can live with—these are conversations we have not had before," said Paul Spitler, an official with the Wilderness Society, a national donor-supported nonprofit based in Washington, D.C., dedicated to wilderness conservation. "Everybody knows we have been battling for 30 years and we can certainly battle for the next 30 years. It's pretty refreshing to see a new approach."

ENLARGE

From left, San Juan County commissioners Rebecca Benally, Bruce Adams and Phil Lyman. *PHOTO: JIM CARLTON/THE WALL STREET JOURNAL*

The decision on which lands to protect and develop has largely been left to local counties, often working with—rather than against—traditional adversaries, including environmental groups. Republican-led Utah, with its spectacular canyons, has been a hotbed of conflict. Counties have sued over issues such as closures of four-wheel-drive roads in federally controlled backcountry, while the Utah Legislature in 2012 passed a bill with largely symbolic value requiring the U.S. to turn over most federal land to the state.

Smaller land bills have been attempted in Congress, but failed to reduce tensions substantially because they lacked enough geographic reach, said Cody Stewart, policy director for Republican Gov. Gary Herbert, who supports the bill. Mr. Stewart said the previous approach limited where land trades could take place to resolve conflicts, such as moving an energy lease from the middle of a

proposed wilderness area to an energy zone.

In 2012, Mr. Bishop began working on a new model: get a group of counties to agree to a land accord. Around that time, environmental groups began ramping up calls for President Barack Obama to designate millions of acres in Utah land as national monuments. He hasn't acted on those requests. Fearing such a move could shut out traditional uses such as grazing, officials in many of the counties said they felt compelled to negotiate.

"This was a situation where you either participate, or run the risk of a…monument being created from Washington, D.C.," said Lynn Jackson, member of the Grand County Council.

Willie Grayeyes, foreground, and behind him Jonah Yellowman of the Utah Diné Bikéyah tribal group, which wants to cordon off land considered sacred. *PHOTO: DAWN KISH FOR THE WALL STREET JOURNAL*

Since then, the congressman and his staff, later joined by other members of the Utah delegation, have attended about 1,000 meetings, including in the counties involved. At first, many of the groups' goals were far apart. The Southern Utah Wilderness Alliance, for example, initially called for as much as 5.5 million acres of new wilderness, but has since scaled back that amount substantially. "We entered this knowing no one would get everything they wanted, including us," said Scott Groene, executive director of the alliance.

Counties, too, have had to bargain. Energy-rich Uintah County, for example, is willing to drop its long-standing opposition to a wilderness designation for parts of Desolation Canyon if environmentalists agree to allow limited drilling near sensitive areas such as the Book Cliffs, which have been studied by geologists and are home to wildlife including Rocky Mountain elk and golden

eagles. "Nobody in the county is excited about wilderness coming in, but if it gives us what we want there needs to be some compromise," said Jon Stearmer, chief deputy county attorney.

Yet even as a final accord seems within reach, tensions remain. Here in the southeastern corner of the state, one of the main points of contention is between a Navajo tribal group and county commissioners over the size of a proposed protected area. The Utah Diné Bikéyah tribal group has proposed to cordon off 1.9 million acres to protect areas including Cedar Mesa and Bears Ears, which they consider sacred. On a recent tour of the area, spiritual leader Jonah Yellowman pointed at an old test drilling site in a red-rock desert called Valley of the Gods, where he said Navajos believe the spirits of some ancestors come in with the fog.

ENLARGE

Butler Wash in Cedar Mesa, which is full of archaeological artifacts that both sides agree should be protected. *PHOTO: DAWN KISH FOR THE WALL STREET JOURNAL*

"This is what we're trying to stop," said Mr. Yellowman, 63 years old, touching a rusted pipe.

A committee appointed by San Juan County commissioners, though, supports smaller protected areas of about 600,000 acres. In return, Mr. Lyman, the county commissioner, said he hopes other land can be set aside in an energy zone. Both sides agree the Cedar Mesa area, full of archaeological artifacts, should be protected, and that they should look for other common ground.

"For it to work, everyone needs to give a little," Fred Ferguson, Rep. Chaffetz's chief of staff, said at the meeting in the San Juan County courthouse.

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Conversation Contents

Fwd: FW: NNC Bears Ears legislation

Attachments:

/300. Fwd: FW: NNC Bears Ears legislation/1.1 Unamended NNC Bears Ears Supporting Resolution March 12, 2015.pdf
/300. Fwd: FW: NNC Bears Ears legislation/1.2 NCA Proposal- Backgrounder final 12-8-14 (13).docx

"Harding, Stephenne" <stephenne_harding@ios.doi.gov>

From:	"Harding, Stephenne" <stephenne_harding@ios.doi.gov>
Sent:	Mon Mar 16 2015 11:35:29 GMT-0600 (MDT)
To:	Nicole Buffa <nicole_buffa@ios.doi.gov>, Jenna Whitlock <jwhitloc@blm.gov>, Neil Kornze <nkornze@blm.gov>
Subject:	Fwd: FW: NNC Bears Ears legislation
Attachments:	Unamended NNC Bears Ears Supporting Resolution March 12, 2015.pdf NCA Proposal- Backgrounder final 12-8-14 (13).docx

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---------- Forwarded message ----------
From: **Bill Hedden** <(b) (6)
Date: Fri, Mar 13, 2015 at 6:00 PM
Subject: FW: NNC Bears Ears legislation
To: stephenne_harding@ios.doi.gov

Stephenne,

My staff sent this message about yesterday's Navajo Tribal Council action on the Bears Ears proposal. The attached supporting resolution, with minor amendments as noted below, was passed 15-0 after about 90 minutes of debate.

Bill Hedden

435-259-5284

From: Natasha K. Hale [mailto:njohnson@grandcanyontrust.org]

FOR COMMITTEE USE ONLY

Sent: Friday, March 13, 2015 2:30 PM
To: Bill Hedden
Subject: NNC Bears Ears legislation

Bill,

Let me know if you have any questions. I've attached the two page NCA Proposal background paper because the council made amendments on the floor to add some of the language in this two pager into the supporting legislation. The final copy of the legislation should be done by early next week.

N

--

Natasha K. Hale (Johnson)

Native America Program Manager
Grand Canyon Trust

2601 North Fort Valley Road

Flagstaff, AZ 86001
Office: (928) 774-7488

Fax: (928) 774-7570

The mission of the Grand Canyon Trust is to protect and restore the Colorado Plateau — its spectacular landscapes, flowing rivers, clean air, diversity of plants and animals, and areas of beauty and solitude.

www.grandcanyontrust.org

--

Stephenne Harding
Deputy Director
Congressional and Legislative Affairs
Department of the Interior
Stephenne_Harding@ios.doi.gov

FOR COMMITTEE USE ONLY

202-208-6174 (desk)
202-341-8080 (cell)

FOR COMMITTEE USE ONLY

LEGISLATIVE SUMMARY SHEET
Tracking No. 0074-15

DATE: February 20, 2015

TITLE OF RESOLUTION: PROPOSED STANDING COMMITTEE RESOLUTION, AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁI' COMMITTEE; SUPPORTING THE UTAH DINÉ BIKEYAH CONSERVATION PROPOSAL FOR THE FEDERAL DESIGNATION OF BEAR'S EARS NATIONAL CONSERVATION AREA/NATIONAL MONUMENT IN SAN JUAN COUNTY, UTAH, TO PROTECT NATIVE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

PURPOSE: The purpose of the resolution is to support the Utah Diné Bikeyah conservation proposal for the federal designation of some 1.9 million acres of land in San Juan County, Utah, as the Bear's Ears National Conservation Area/National Monument and wilderness to forever protect federal lands for their cultural, natural, scenic and archaeological values. The Bear's Ears region is the ancestral home of the Diné and many other Southwestern Native American Tribes and includes the birthplace of Navajo Headman Manuelito and is world renowned for its integrity and abundance of archaeological sites. This legislation seeks a collaborative management role for the Navajo Nation and other Tribal governments to ensure that traditional stewardship practices, wisdom, and cultural activities are elevated in the future management of this cultural landscape. Utah Navajo communities have been involved in developing and advancing the proposal to protect an area they depend upon for food, medicine, firewood and their spiritual well-being.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

15-240-1

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5-DAY BILL HOLD PERIOD: [illegible]
Website Posting Time/Date: 12:04pm 2/26/15
Posting End Date: 3/2/2015
Eligible for Action: 3/3/2015

Resources & Development Committee

THENCE

Naa'bik'íyáti' Committee

PROPOSED STANDING COMMITTEE RESOLUTION

23rd NAVAJO NATION COUNCIL – First Year, 2015

INTRODUCED BY

(Walter Phelps)

(Prime Sponsor)

TRACKING NO. 0076-15

AN ACTION

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁI' COMMITTEE; SUPPORTING THE UTAH DINÉ BIKEYAH CONSERVATION PROPOSAL FOR THE FEDERAL DESIGNATION OF BEAR'S EARS NATIONAL CONSERVATION AREA/NATIONAL MONUMENT IN SAN JUAN COUNTY, UTAH, TO PROTECT NATIVE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

WHEREAS

1. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. §102(A). All powers not delegated are reserved to the Navajo Nation Council. 2 N.N.C. §102(B). The Navajo Nation Council shall supervise all powers delegated. 2 N.N.C. §102(C).
2. The Naabik'íyáti' Committee is one of five standing committees of the Navajo Nation Council and is comprised of all twenty-four members of the Navajo Nation Council. The Committee is authorized to assist and coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 180 and 701(A)(6).

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3. The Navajo Nation includes communities in San Juan County, Utah; these communities depend on federal lands and resources within San Juan County, Utah; a copy of a Memorandum of Understanding between the Utah Dine Bikeyah, A Utah Non-Profit Corporation and the Navajo Nation Division of Natural Resources is attached as Exhibit B; and
4. The Navajo Nation members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and
5. Bear's Ears area within San Juan County, Utah, is part of the proposed National Conservation Area/National Monument to consist of 1.9 million acres and would include additional Wilderness units within and outside of its boundary. This region is the ancestral home of many Southwestern Native American Tribes, including the Navajo, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribes which assert their affiliation, occupation and enduring use of these lands. The Bear's Ears region is also the birthplace of Navajo Headman Manuelito; and
6. The proposed National Conservation Area/National Monument is bordered on the west by the Colorado River and on the south by the San Juan River and the Navajo Nation; the proposed National Conservation Area/National Monument is characterized by prodigious topographic diversity and striking landforms containing intricately rich ecological systems; the Navajo and other Tribes depend upon the land within the proposed National Conservation Area/National Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the proposed National Conservation Area/National Monument's centerpiece, offers sprawling vistas of Comb and Butler Washes, and extends beyond to Moki, Red, Dark, Grand Gulch, and White canyons that each support verdant ribbons of riparian habitat. Desert bighorn sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of ponderosa pine, spruce, fir and aspen, providing a home to mule deer, elk, black bear and mountain lion, sacred icons of the mesa's original peoples. Paramount for the

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Navajo, the majority of the regions inhabitants, is the proper management of the proposed National Conservation Area/National Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices; and

7. This region contains unsurpassed cultural and paleontological resources; the proposed National Conservation Area/National Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the proposed National Conservation Area/National Monument boundaries: Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the proposed National Conservation Area/National Monument's 19 distinct geologic units are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations; and
8. The proposed National Conservation Area/National Monument has been inhabited for more than 12,000 years by multiple indigenous cultures, which crossed, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleoindian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of varying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. While other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. The heaviest occupation of the proposed National Conservation Area/National Monument lands was perhaps by the Formative Period Peoples (AD 100-AD 1300) who left very large numbers of archaeological sites ranging from small lithic scatters to large highly complex village sites; and
9. The proposed National Conservation Area/National Monument includes Bureau of Land Management Wilderness Study Areas and lands with Wilderness Characteristics and U.S. Forest Service Roadless Areas. Vast, remote desert

mesas cut by sheer walled serpentine canyons provide unparalleled solitude and scenic quality that is comparable to or exceeds those found in nearby national parks and monuments, such as Canyonlands, Arches, Grand Staircase, Natural Bridges, Hovenweep, and Mesa Verde; and

10. Priority Management values to protect within the proposed National Conservation Area/National Monument are: archaeological, wildlife, natural and scenic resources. An essential aspect of the proposed National Conservation Area/National Monument's management is to better protect these resources and to ensure their ongoing and sustainable use; and
11. Native Americans have unique and important cultural and historical ties to the land, its wildlife and other natural resources; and the Navajo people have traditional ties to this particular landscape for hunting, medicinal herbs, food gathering, firewood gathering and the grazing of livestock; and
12. Native Americans have shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and
13. These areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices; and
14. To prevent this rapid destruction of lands in the San Juan County region important to Native peoples, formal protection as a national conservation area or national monument is required; and
15. Formal protection of the area as a National Conservation Area/National Monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:
    A. Protection will be permanent, part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of

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cultural, historical and ecological values that define Native connections to these lands.

B. Protection as a national conservation area or national monument creates important opportunities for Native American co-management of these resources and increased funding for protection with an emphasis on conservation and preservation of the region's cultural and natural resources.

C. Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be comprehensive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.

D. Protection of the region as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and prioritization of staffing, resources and cooperation with Native peoples.

16. It is in the best interest of the Navajo Nation to support the federal designation of 1.9 million acres in San Juan County, Utah, as the Bear's Ears National Conservation Area/National Monument. Resolutions in support of the federal designation are attached as Exhibit A.

THEREFORE BE IT RESOLVED, that the NAVAJO NATION COUNCIL'S NAABIK'ÁYÁTI' COMMITTEE extends its support for:

1. Designation of the 1.9 million acres in San Juan County, Utah, as the Bear's Ears National Conservation Area/National Monument.
2. Designation of identified roadless areas as wilderness under the Wilderness Act.
3. Establishment of Collaborative Management Agreement(s) between the Navajo Nation, other Tribes and the federal government to improve management and elevate the Native American voice in the long-term sustainable management of the region.

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EXHIBIT
A

Congress of the United States

Washington, DC 20515

February 4, 2015

Dear Public Lands Initiative Participants,

The Utah Public Lands Initiative (PLI) has transformed the way local communities confront federal land management issues in Utah. February 15 will mark the three-year anniversary of this multi-county, grassroots planning process. The goal then was to bring land-use certainty, economic development, land conservation, and enhanced land management models to eastern Utah counties. We're pleased to report that our goals are still very much attainable and we are on track to move forward in the near future.

A coalition of counties, tribal leaders, and over 120 different interest groups has crafted more than 60 detailed proposals outlining each group's desired land-management outcomes. Our offices have hosted nearly 1,000 meetings, driven over 50,000 miles, and spent countless hours digesting maps, bill language, and broad-ranging policy proposals. Our county partners have also led local working groups, lands councils, and public meetings to assist their efforts in identifying areas and policies that merit consideration in PLI.

The next step in the process will involve the release of a map and a legislative proposal. The draft map and proposal will be crafted by our offices and released to the public on March 27, 2015. The draft map and proposal will include areas and policy provisions that have been discussed over the past three years. The draft will attempt to incorporate the ideas and recommendations of the various participating entities including counties, tribes, the State of Utah, conservation organizations, SITLA, and others interest groups.

Our offices will give deference to local zones of agreement and consensus where they exist. In areas where consensus has not been reached, our offices will do our best to minimize local impacts. We recognize that some groups may oppose the draft proposal and while we welcome comments and the opportunity to address these concerns, we realize it's impossible to achieve 100% consensus.

Thank you for your participation in PLI. Virtually all local officials, interest group leaders, and members of the public have participated in good-faith and want to see PLI succeed. We would not be on the cusp of a paradigm shift of this magnitude without each of these people and their efforts. Thank you.

Sincerely,

Rob Bishop
Member of Congress

Orrin Hatch
U.S. Senator

Jason Chaffetz
Member of Congress

Mike Lee
U.S. Senator

Chris Stewart
Member of Congress

Mia Love
Member of Congress

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THE HOPI TRIBE

Herman G. Honanie
CHAIRMAN

Alfred Lomahquahu Jr.
VICE-CHAIRMAN

September 30, 2014

President Barack Obama
The White House
1600 Pennsylvania Ave., NW
Washington, D.C.

Senator Orin Hatch
104 Hart Senate Office Building
Washington, D.C. 20510

Senator Mike Lee
316 Hart Senate Office Building
Washington, D.C. 20510

Congressman Rob Bishop
123 Cannon Building
Washington, D.C. 20515

Congressman Jason Chaffetz
2464 Rayburn House Office Building
Washington, D.C. 20515

Congressman Jim Matheson
2211 Rayburn House Office Building
Washington, D.C. 20515

Congressman Chris Stewart
323 Cannon House Office Building
Washington, D.C. 20515

Dear Mr. President, Senators and Congressmen,

On behalf of Hopi people, Hopisenom, I have the honor of providing the Hopi Tribe's support for the designation of the greater Cedar Mesa area including Alkali Ridge and Montezuma Canyon in southeastern Utah as a National Conservation Area or National Monument.

Pursuant to the enclosed Hopi Tribal Council Resolution H-70-94, the Hopi Tribe claims cultural affiliation to ancestral puebloan cultural groups in the greater Cedar Mesa area. The Hopi Cultural Preservation Office supports the identification and avoidance of prehistoric archaeological sites and Traditional Cultural Properties, and we consider the prehistoric archaeological sites of our ancestors to be "footprints" and Traditional Cultural Properties. Therefore, we appreciate your solicitation of our input and your efforts to address our concerns.

Hopi migration is intimately associated with a sacred Covenant between the Hopi people and *Màasaw*, the Earth Guardian, in which the Hopi people made a solemn promise to protect the land by serving as stewards of the Earth. In accordance with this Covenant, ancestral Hopi clans

traveled through and settled on the lands in and around southeastern Utah during their long migration to *Tuuwanasavi*, the Earth Center on the Hopi Mesas.

The land is a testament of Hopi stewardship through thousands of years, manifested by the "footprints" of ancient villages, sacred springs, migration routes, pilgrimage trails, artifacts, petroglyphs, and the physical remains of buried *Hisatsinom*, the "People of Long Ago," all of which were intentionally left to mark the land as proof that the Hopi people have fulfilled their Covenant. The Hopi ancestors buried in the area continue to inhabit the land, and they are intimately associated with the clouds that travel out across the countryside to release the moisture that sustains all life.

The Hopi footprints and clouds are part of a living, sacred landscape that nourishes and sustains Hopi identity. This landscape is steeped in cultural values and maintained through oral traditions, songs, ceremonial dances, pilgrimages, and stewardship. As a cultural landscape, the archaeological sites and physical terrain situates the Hopi people in time and space, providing a geographical conception of history and religion that connects the past, present and future. These lands are part of our ancestral lands. Hopi history and cultural values associated with ancestral sites and landscapes are deep and abiding.

We are fully aware that over the last few decades the archaeological, natural and geographic resources in the region have been severely impacted by looting, federal management inadequacies, industrial development, and rampant visitation including increased motorized and recreational access and inappropriate all terrain vehicle use. We have encouraged the BLM to enforce the laws protecting cultural and natural resources on public land in San Juan County and not to acquiesce to local political and illegal actions by proposing to make illegal motorized trails into legal motorized roads on public lands that contain irreplaceable cultural resources that have been looted for over a Century and continue to be looted today.

We appreciate the Friends of Cedar Mesa and National Trust for Historic Preservation for working with the Hopi Tribe and other tribes culturally associated to the area to develop proposals that will enhance the protection of cultural landscapes and the sites within them in San Juan County.

And therefore, the Hopi Tribe and Hopi Cultural Preservation Office supports Congressional action to designate the greater Cedar Mesa area as a National Conservation Area. Based on over century of looting and grave robbing, we also support a provision in the designation that provides for protection and preservation and avoidance of our ancestor's human remains. Such a designation could accomplish the goal of prioritizing protection of cultural resources while also allowing flexibility in management of traditional Native American uses.

However, if Congress fails to act quickly to protect this landscape, we urge the President to be ready to preserve this imperiled resource as a National Monument before the end of this term.

Should you have any questions or need additional information, please contact Leigh Kuwanwisiwma, Director, Hopi Cultural Preservation Office at lkuwanwisiwma@hopi.nsn.us or 928-734-3611. Thank again you for your consideration.

Respectfully,

Herman G. Honanie, Chairman
THE HOPI TRIBE

FOR COMMITTEE USE ONLY

Alex Bitsinnie
President

Jamie R. Holgate
Vice-President

Ella Jean Badoni
Secretary/Treasurer

Lucille S. Krause
Grazing Committee Member

Jonathan Nez
Council Delegate

RESOLUTION OF THE NAVAJO MOUNTAIN CHAPTER OF THE NAVAJO NATION

RESOULUTION NO: NM05-309-2014

SUPPORTING THE EFFORTS OF UTAH DINE' BIKE' YAH, INC PURSUANT TO PROPOSED LAND DESIGNATION FOR A NATIONAL MONUMENT AND/OR NATIONAL CONSERVATION AREA WITHIN THE SOUTH EASTERN STATE OF UTAH AND IN SAN JUAN COUNTY OF THE STATE OF UTAH.

WHEREAS:

1. The Navajo Mountain Chapter is recognized as local government body of the Navajo Nation Government pursuant to 2.N.N.C., Section 4004; and vested with the authority to discuss all matters affecting the Navajo people and its nation; furthermore, pursuant to 2 N.N.C., Section 4028, (a) the local Navajo chapter is authorized to made recommend to appropriate entities to the Navajo Nation and other local agencies for appropriate relief or actions of the matters impacting; and

2. The Navajo people of Navajo Mountain, Utah are apart of the San Juan County residents just as their forefathers did for generations before them and according to the Federal laws they have unique political recognition whereby they are citizen of the Navajo Nation, San Juan County, the State of Utah and the United States America; and

3. By virtue of the Civil Rights Act, these Navajo people have the same and equal rights as other ethnic groups throughout the United States; therefore, their interest in the public land (Bureau of Land Management) is perpetual and dating back long before the discovery; and

4. Furthermore, the area of interest and proposed for land designation reflects a very high interest for the Native American people throughout the Colorado Plateau, more specifically, the Navajo people have traditional ties to this particular landscape for hunting, medicinal herbs and organic food gathering areas plus firewood gathering and grazing of livestock before Columbus sat foot on this continent and even before of the Treaty of 1886, between the Navajo people's Headmen and the Federal Government.

NOW, THEREFORE BE IT RESOLVED THAT:

The Navajo Mountain Chapter hereby supports the efforts of Utah Dine' Bike'yah, Inc pursuant to proposed land designation for a national monument and/or national conservation area within the south eastern State of Utah and in San Juan County of the State of Utah.

FOR COMMITTEE USE ONLY

CERTIFICATION

I, hereby certify that the foregoing resolution was considered at a duly called chapter meeting at Navajo Mountain Chapter at Navajo Mountain, Navajo Nation (Utah) at which a quorum was present and the same was passed by a vote of 25 in favor, 00 opposed and 00 abstained on this 21 day of May, 2014.

Motion: Margaret Bitsinnie

Second: Clarita Drake

Alex Bitsinnie, President

Ella J. Badoni, Secretary /Treasurer

Jamie Holgate, Vice- President

Lucille Saganitso Krause

FOR COMMITTEE USE ONLY

All Pueblo Council of Governors

2401 12th Street NW Suite 200 N Albuquerque NM 87104

Officers
Governor E. Paul Torres, Chairman
Governor Arlen Quetawki, Vice Chairman
Governor Terry Aguilar, Secretary

Acoma
Cochiti
Isleta
Jemez
Laguna
Nambe
Ohkay Owingeh
Picuris
Pojoaque
San Felipe
Sandia
San Ildefonso
Santa Ana
Santa Clara
Santo Domingo
Taos
Tesuque
Ysleta Del Sur
Zia
Zuni

RESOLUTION

ALL PUEBLO COUNCIL OF GOVERNORS

RESOLUTION NO. APCG 2014-17

Support for the Protection of Cultural Resources and Sacred Sites on Public Lands in the Greater Cedar Mesa region

WHEREAS, the All Pueblo Council of Governors ("APCG") is comprised of the Pueblos of Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, San Felipe, San Ildefonso, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Zia and Zuni, and one pueblo in Texas, Ysleta del Sur, each having the sovereign authority to govern their own affairs;

WHEREAS, the purpose of the All Pueblo Council of Governors is to advocate, foster, protect, and encourage the social, cultural & traditional well-being of the Pueblo Nations; and

WHEREAS, through their inherent & sovereign rights, the All Pueblo Council of Governors will promote the language, health, economic, and educational advancement of all Pueblo people; and

WHEREAS, each APCG member is a federally recognized Pueblo Nation within the United States with the sovereign right to protect its traditional cultural properties and sacred sites, whether or not they are located within each pueblo's current exterior boundaries; and

WHEREAS, the protection of the traditional cultural properties and sacred sites of Pueblo people is paramount to each pueblo's cultural preservation now and into the future; and

WHEREAS, the greater Cedar Mesa region is located in southeast Utah and includes the Montezuma Canyon, the Indian Creek Corridor and Beef Basin; and

WHEREAS, the greater Cedar Mesa region includes hundreds of thousands of sites of vital importance to the pueblo peoples' identity and history, including villages, shrines, burials, rock paintings and etchings, ancestral dwellings, and ancient roads; and

WHEREAS, these ancestral sites are under constant threat of grave digging, cultural vandalism, looting of cultural sites, indiscriminate off-road vehicle use that damages areas sacred to Pueblo peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to traditional practices; and

WHEREAS, to prevent the rapid destruction of the lands in the Greater Cedar Mesa region, the Pueblos are seeking the formal and permanent protection mechanism, such as a National Conservation Area or a National Monument; and

WHEREAS, the APCG believes the Greater Cedar Mesa region needs to be a National Conservation Area or a National Monument because it will provide important consistency and

quality management of these lands and define standard principles of management, establish consultation with Native Americans, and emphasize the primacy of conservation and preservation of the region's cultural and natural resources; and

WHEREAS, through consultation and coordination with the APCG's member cultural preservation offices, or designated offices, APCG seeks to exercise administrative responsibilities to negotiate and enter into agreements with the necessary and proper entities which will ensure protection, preservation and management of these sacred ancestral sites and regions for the Pueblo people and its members; and

WHEREAS, while the APCG recognizes the important role of other tribes and groups in advocating for protection of the area, APCG's support of a designation for the greater Cedar Mesa area should not be perceived as support for any specific proposal for the area. Discussion of many details of management and boundaries are ongoing and the APCG intends to have an active voice in those discussions;

NOW, THEREFORE, BE IT RESOLVED THAT the All Pueblo Council of Governors supports the permanent, long-term protection of cultural resources and sacred sites on public lands in the Greater Cedar Mesa region through designation such as a National Conservation Area or a National Monument.

CERTIFICATION

We, the undersigned officials of the All Pueblo Council of Governors hereby certify that the foregoing Resolution No. APCG 2014-17 was considered and adopted at a duly called council meeting held on the 19th day of November 2014, and at which time a quorum was present and the same was approved by a vote of 17 in favor, 0 against, 0 abstain, and 8 absent.

ALL PUEBLO COUNCIL OF GOVERNORS

By: _____
Governor E. Paul Torres, APCG Chairman

ATTEST:

_____
Governor Terry Aguilar, APCG Secretary

HUALAPAI TRIBAL COUNCIL
RESOLUTION NO. 06-2015
OF THE GOVERNING BODY OF THE
HUALAPAI TRIBE OF THE HUALAPAI RESERVATION
PEACH SPRINGS, ARIZONA

TITLE: Support for conservation of the Bear's Ears region to protect cultural, historical, and natural resources on federal lands in San Juan County, UT

WHEREAS, we, the Hualapai Tribe does hereby establish and submit the following resolution; and,

WHEREAS, the Hualapai Tribe recognizes the historic and ongoing ties to the lands, animals, plants, resources of San Juan County, Utah by Native American people; and

WHEREAS, the proposed *Bear's Ears National Conservation Area/ National Monument* is the ancestral home of many Southwestern Native American Tribes, including the Navajo, the Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah ●uray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the White Mountain and Jicarilla Apache Tribes, all of whom assert their affiliation, occupation and enduring use of these Conservation Area/ Monument lands; and

WHEREAS, the proposed National Conservation Area/ National Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation reservation, the Conservation Area/ Monument is characterized by prodigious topographic diversity and striking landforms. Containing an intricately rich ecological system, the Navajo and other Tribes depend upon the proposed Conservation Area/ Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the Conservation Area/ Monument's centerpiece offers sprawling vistas while Comb and Butler Washes, as well as Moki, Red, Dark, Grand Gulch, and White canyons support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce, Fir and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions current inhabitants, is the proper management of the proposed Conservation Area/ Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices.

WHEREAS, the proposed National Conservation Area/ Monument includes towering cliffs and mesas bisected by sheer canyons, which expose sedimentary layers revealing a geologic history stretching back to when a sea covered this landscape. Containing unsurpassed cultural and paleontological resources, the proposed Conservation Area/ Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the proposed Conservation Area/ Monument boundaries: Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the proposed Conservation Area/ Monument's 19 distinct geologic units are scientifically significant vertebrate and non-

vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations.

WHEREAS, the proposed National Conservation Area/ National Monument has been inhabited for greater than 12,000 years by multiple indigenous cultures, who utilized, traveled through, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleoindian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of varying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. Other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. Perhaps the most intensive occupation of the proposed Conservation Area/ Monument lands was during the time that archaeologists have called the Formative Period (AD 100 – AD 1300), which resulted in very large numbers of archaeological sites ranging from small lithic scatters to large, highly complex village sites. The region continued to be occupied and utilized by the ancestors of present-day Southern Paiute, Ute, Navajo, Apache, and various Puebloan cultures for many centuries, up until modern times.

WHEREAS, the proposed Bear's Ears Conservation Area/ National Monument is comprised of primarily Bureau of Land Management Wilderness Study Areas and lands with Wilderness Characteristics and U.S. Forest Service Roadless Areas. Vast, remote desert mesas cut by sheer walled serpentine canyons provide unparalleled solitude and scenic quality that is comparable to or exceeds those found in nearby national parks and monuments, such as Canyonlands, Arches, Grand Staircase, Natural Bridges, Hovenweep, and Mesa Verde.

WHEREAS, priority management values to protect within the proposed Conservation Area/ Monument are: cultural, archaeological, wildlife, and natural & scenic resources. An essential aspect of the proposed Conservation Area/ Monument's management is to better protect these resources and to ensure their ongoing and sustainable use.

WHEREAS, Native Americans have unique and important cultural and historical ties to the land and its wildlife and other natural resources; and

WHEREAS, Native Americans' connections to the land support Native life and culture in important, life sustaining ways, including: subsistence hunting, fishing and gathering of nature's materials for medicinal, spiritual and other uses, preservation of tribal sacred places, and as sources of economic development; and

WHEREAS, Native American have shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and

WHEREAS, southeastern Utah includes many areas of vital importance to Native peoples' identity and history;

WHEREAS, these areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices;

WHEREAS, to prevent this rapid destruction of lands in southeastern Utah is important to Native peoples, formal protection as a national conservation area or national monument is required;

WHEREAS, formal protection of southeastern Utah lands as a National Conservation Area/ Monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:

- Protection will be a permanent part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of cultural, historical and ecological values that define Native connections to these lands.
- Protection as a national conservation area or national monument creates important opportunities for consultation of Native Americans and participation in management of these resources and increased funding for the protection of these resources with an emphasis on conservation and preservation of the region's cultural and natural resources.
- Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be comprehensive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.
- Protection of lands in southeastern Utah as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and a prioritization of staffing, resources and cooperation with Native peoples.

NOW THEREFORE BE IT RESOLVED, that the Hualapai Tribe extends its support for the Bear's Ears National Conservation Area or National Monument designation that reflects the will and the values of Native peoples whose identities, histories, cultures and futures are inextricably tied to these lands.

CERTIFICATION

I, the undersigned as Chairwoman of the Hualapai Tribal Council hereby certify that the Hualapai Tribal Council of the Hualapai Tribe is composed of nine (9) members of whom nine (9) constituting a quorum were present at a **Regular Council meeting** held on this **9th day of February 2015;** and that the foregoing resolution was duly adopted by a vote of **(9) in favor, (0) opposed;** pursuant to authority of Article V, Section (a) of the Constitution of the Hualapai Tribe approved March 13, 1992.

Sherry J. Counts, Chairwoman
HUALAPAI TRIBAL COUNCIL

ATTEST:

Adeline Crozier, Assist. Secretary
HUALAPAI TRIBAL COUNCIL

FOR COMMITTEE USE ONLY

The Legislative Branch
The Navajo Nation

LoRenzo Bates
Pro tem Speaker of the Navajo Nation Council

RESOLUTION OF THE
NAVAJO UTAH COMMISSION
OF THE NAVAJO NATION COUNCIL

NUCAUG-616-14

SUPPORTING CONSERVATION DESIGNATION TO PROTECT CULTURAL, HISTORICAL, AND NATURAL RESOURCES ON FEDERAL LANDS IN SAN JUAN COUNTY, UTAH

WHEREAS, the Navajo Utah Commission is a subunit of the Navajo Nation and hereby establish and submit the following resolution; and,

WHEREAS, the Navajo Utah Commission recognizes the historic and ongoing ties to the lands, animals, plants, resources of San Juan County, Utah by Native American people; and

WHEREAS, the Diné Bikéyah, *the Peoples Sacred Land*, National Conservation Area/ Monument is the ancestral home of many additional Southwestern Native American Tribes, including the Navajo, accompanied by the, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribe, assert their affiliation, occupation and enduring use of these Conservation Area/ Monument lands; and

WHEREAS, the National Conservation Area/ Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation Reservation, the Conservation Area/ Monument is characterized by prodigious topographic diversity and striking landforms. Containing an intricately rich ecological system, the Navajo and other Tribes depend upon the Conservation Area/ Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the Conservation Area/ Monument's centerpiece offers sprawling vistas while Comb and Butler Washes, as well as Moki, Red, Dark, Grand Gulch, and White canyons support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce, Fir and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions inhabitants, is the proper management of the Conservation Area/ Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices.

WHEREAS, the National Conservation Area/ Monument includes towering cliffs and mesas bisected by sheer canyons expose sedimentary layers revealing a geologic history stretching back to when a sea covered this landscape. Containing unsurpassed cultural and

Navajo Utah Commission • P.O. Box 570 • Montezuma Creek, Utah 84534
Phone: 435-651-3508 • Fax: 435-651-3511

paleontological resources; the Conservation Area/ Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the Conservation Area/ Monument boundaries; Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the Conservation Area/ Monument's 19 distinct geologic units are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations.

WHEREAS, the National Conservation Area/ Monument has been inhabited for greater then 12,000 years by multiple indigenous cultures, who crossed, and built civilizations on these lands. At the Lime Ridge Clovis site is evidence of Paleoindian occupation and the archaeological record indicates widespread use between 6000 B.C. and A.D. 100 by Archaic Peoples. Possessing numerous Archaic Period sites of varying size and complexity are Cedar Mesa, Elk Ridge, and Montezuma Canyon. While other notable sites include Alkali Ridge, Cowboy Cave, Old Man Cave, and Dust Devil Cave. The heaviest occupation of the Conservation Area/ Monument lands was perhaps by the Formative Period Peoples, (AD 100-AD 1300) who left very large numbers of archaeological sites ranging from small lithic scatters to large highly complex village sites.

WHEREAS, the Conservation Area/ Monument is comprised of primarily Bureau of Land Management Wilderness Study Areas and lands with Wilderness Characteristics and U.S. Forest Service Roadless Areas. Vast, remote desert mesas cut by sheer walled serpentine canyons provide unparalleled solitude and scenic quality that is comparable to or exceeds those found in nearby national parks and monuments, such as Canyonlands, Arches, Grand Staircase, Natural Bridges, Hovenweep, and Mesa Verde.

WHEREAS, priority management values to protect within the Conservation Area/ Monument are: archaeological, wildlife, natural and scenic resources. An essential aspect of the Conservation Area/ Monument's management is to better protect these resources and to ensure their ongoing and sustainable use.

WHEREAS, Native Americans have unique and important cultural and historical ties to the land and its wildlife and other natural resources; and

WHEREAS, Native Americans' connections to the land support Native life and culture in important, life sustaining ways, including: subsistence hunting, fishing and gathering of nature's materials for medicinal, spiritual and other uses, preservation of tribal sacred places and as sources of economic development; and

WHEREAS, Native American shave shown quality and excellence in managing lands and natural resources to protect the cultural integrity of the homeland of Native peoples; and

WHEREAS, the Greater Cedar Mesa region of southeastern Utah includes many areas of vital importance to Native peoples' identity and history;

WHEREAS, these areas are under constant threat of cultural vandalism, looting of Native cultural sites, indiscriminate off road vehicle use that damages areas sacred to Native peoples, energy development footprints that negatively impact lands of historic and cultural importance, and general degradation of wildlife and plant habitats of importance to Native traditional practices;

WHEREAS, to prevent this rapid destruction of lands in the Greater Cedar Mesa region important to Native peoples, formal protection as a national conservation area or national monument is required;

WHEREAS, formal protection of the Greater Cedar Mesa region as a national conservation area/ monument will provide important consistency and quality to management of these lands, and define principles of management that will positively affect Native values on these lands in the following ways:

- Protection will be permanent, part of a national system of protected lands that carry strong and clear legal definitions of the primacy of conservation of cultural, historical and ecological values that define Native connections to these lands.
- Protection as a national conservation area or national monument creates important opportunities for consultation of Native Americans and participation in management of these resources and increased funding for the protection of these resources with an emphasis on conservation and preservation of the region's cultural and natural resources.
- Protection should be at the largest landscape level possible, providing connectivity of wildlife and plant habitats, ecological integrity of the region and be comprehensive in its protection of Native sacred sites, which cannot be considered out of the context of the larger landscape.
- Protection of the Greater Cedar Mesa region as a national conservation area or national monument will be a top priority for concerned federal agencies, with public involvement and a prioritization of staffing, resources and cooperation with Native peoples.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Utah Commission hereby extends its support for a National Conservation Area or National Monument designation that reflects the will and the values of Native peoples whose identities, histories, cultures and futures are inextricably tied to these lands.

CERTIFICATION

We, hereby certify that the foregoing resolution was duly considered by Navajo Utah Commission at a duly called meeting in Tse Bonito, New Mexico at which a quorum was present and the same was passed by a vote of 6 in favor, 0 opposed, and 0 abstentions, this 13th day of August, 2014.

Herman Daniels, Jr., Chairperson
NAVAJO UTAH COMMISSION

MOTION: Herman Farley
SECOND: Brenda Brown

Council Delegates:
Davis Filfred
Kenneth Maryboy

Aneth Chapter

Aneth, (Navajo Nation) Utah

RESOLUTION OF
THE ANETH CHAPTER

AC-AUG-10-161

Chapter Officers:
John Billie, President
Bill Todachennie , Vice-President
Brenda Brown, Secretary/Treasurer
Calvin Thomas, Grazing Committee

THE ANETH CHAPTER MOVES TO ACCEPT AND SUPPORT THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

WHEREAS:

1. Pursuant to 2 NTC Section 4002, The Aneth Chapter is a duly certified chapter of the Navajo Nation who has the power and authority to approve and rescind resolutions enacted thru its membership; and

2. Through the Established Plan of Operations, The Aneth Chapter delegates the authority to the Elected Chapter Officers to enact plans that are in the best interest of the community; and

3. The Aneth Chapter has the authority to act on behalf of its community to recommend, support, and approve community related projects; and

4. The Aneth Chapter has accept to support the announcement made by Utah State Senator, Bob Bennett on March 23rd, 2010, of the intention to pursue the creation of a Congressional Land-Use Bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and Monuments and the zoning of different regions of the county for protection and development; and

5. Senator Bennett's office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and

6. The Utah Navajo are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests; and

7. The Aneth Chapter accepts and approves this request, which was presented before the Aneth Chapter Membership in which a legal quorum was present.

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PAGE TWO OF ANETH CHAPTER RESOLUTION NUMBER: AC-AUG-10-161

THE ANETH CHAPTER MOVES TO ACCEPT AND SUPPORT THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

NOW THEREFORE BE IT RESOLVED THAT;

1. The Aneth Chapter accepts and supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's Office on August 18, 2010.

2. The Aneth Chapter supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.

3. The Aneth Chapter supports the designation of current road less areas in San Juan County, Utah as wilderness.

4. The Aneth Chapter community members will identify motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.

CERTIFICATION

We hereby certify that this forgoing resolution was duly considered by the Aneth Chapter Membership at a duly called meeting at which a quorum was Present and that an approval was passed with a vote of 26 in Favor, 3Opposed And 2 Abstained this 17 th Day, the Month of August, in the year 2010.

Motioned by: Mr. Davis Filfred
Seconded by: Mr. Robert Whitehorse

John Billie, Aneth Chapter President

Bill Todachennie, Aneth Chapter Vice-President

Brenda Brown, Aneth Chapter Secretary/Treasurer

Davis Filfred, Council Delegate

Kenneth Maryboy, Council Delegate

RESOLUTION OF THE OLIJATO CHAPTER

SUPPORTING THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

WHEREAS

1. OLIJATO CHAPTER is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and

2. OLIJATO CHAPTER includes community members that live in San Juan County and depend on its federal lands and resources; and

3. OLIJATO CHAPTER community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and

4. On March 23rd, 2010, Utah Senator Bob Bennett announced the intention to pursue the creation of a Congressional land-use bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and monuments, and the zoning of different regions of the county for protection and development; and

5. Senator Bennett's office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and

6. The Utah Navajo are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests.

THEREFORE, BE IT RESOLVED, the official position of the OLIJATO CHAPTER, regarding the creation of San Juan County Land-Use Legislation is as follows:

1. The OLIJATO CHAPTER supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's office on _____, 2010.

2. The OLIJATO CHAPTER supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.

3. The OLIJATO CHAPTER supports the designation of current roadless areas in San Juan County as wilderness.

4. OLIJATO CHAPTER community members are in the process of identifying motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.

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NOW THEREFORE BE IT RESOLVED THAT:

1. Oljato Chapter endorses the preparation of a "Short-Term Water System Improvements Project PER (PER Project) with accompanying Environmental investigation to support the funding and design of water system improvements; and
2. Oljato Chapter recommends that the PER Project be performed as an extension of Navajo Utah Chapters Regional Water Plan Study with San Juan County, Utah continuing to serve as contract administrator; and
3. The Oljato Chapter requests the use of the Navajo Revitalization Funds chapter allocation to fund the PER Project.

CERTIFCATION

We hereby certify that the foregoing resolution was considered at a duly called meeting at Oljato Chapter, Navajo Nation, at which a quorum was present ant that the same was passed by a vote of 50 in favor, 0 opposed, and 0 abstained, this 8th day of August, 2010.

Motioned By: Carl Holiday Seconded By: Frank Haycock

NAME, President

Shirley Benally, Sec/Treasure

Grazing Officer

Council Delegate

RED MESA CHAPTER

Red Mesa, Navajo Nation, Utah

Resolution RM- 011-08-09-10

RESOLUTION OF THE RED MESA CHAPTER SUPPORTING THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

WHEREAS:

1. RED MESA CHAPTER is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and

2. RED MESA CHAPTER includes community members that live in San Juan County and depend on its federal lands and resources; and

3. RED MESA CHAPTER community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and

4. On March 23rd, 2010, Utah Senator Bob Bennett announced the intention to pursue the creation of a Congressional land-use bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and monuments, and the zoning of different regions of the county for protection and development; and

5. Senator Bennett's office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and

6. The Utah Navajo are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests.

THEREFORE, BE IT RESOLVED, the official position of the RED MESA CHAPTER, regarding the creation of San Juan County Land-Use Legislation is as follows:

1. The RED MESA CHAPTER supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's office on _____, 2010.

2. The RED MESA CHAPTER supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.

3. The RED MESA CHAPTER supports the designation of current roadless areas in San Juan County as wilderness.

4. RED MESA CHAPTER community members are in the process of identifying motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.

We hereby certify that the foregoing resolution was duly considered by the RED MESA CHAPTER at a duly called Regular meeting at Red Mesa Chapter , NAVAJO NATION, Utah, at which a quorum was present and that the same was passed by a vote of 31 in favor, 00 opposed, and 00 abstained, this 9th day of August, 2010.

Motioned by: Mr. Sam Dee Seconded by: Ms. Fannie Clark

Herman Farley, President

Kenneth Maryboy, Council Delegate

Doris J. Tsinnijinnie, Vice-President

Davis Filfred, Council Delegate

Marlene Dee-Ben, Secretary/Treasurer

FOR COMMITTEE USE ONLY

TEEC NOS POS CHAPTER GOVERNMENT

P. O. Box 106, Teec Nos Pos, Arizona, Navajo Nation 86514
Highway 160 BIA School Road #5114 Chapter Government Building
Telephone #928-656-3662 Facsimile #928-656-3661

TNPCH-42-01d

RESOLUTION OF THE TEEC-NOS-POS CHAPTER

SUPPORTING THE "UTAH NAVAJO SAN JUAN COUNTY LAND-USE LEGISLATIVE PROPOSAL" TO PROTECT NAVAJO RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

WHEREAS

1. **TEEC-NOS-POS CHAPTER** is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and
2. **TEEC-NOS-POS CHAPTER** includes community members that live in San Juan County and depend on its federal lands and resources; and
3. **TEEC-NOS-POS CHAPTER** community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and
4. **On March 23rd, 2010,** Utah Senator Bob Bennett announced the intention to pursue the creation of a Congressional land-use bill that will likely result in the designation of wilderness, boundary and management changes to National Parks and monuments, and the zoning of different regions of the county for protection and development; and
5. **Senator Bennett's** office has requested information from the Utah Navajo related to land use, natural resource use, and motorized access needs of the Utah Navajo community members; and
6. **The Utah Navajos** are in the process of creating a land plan to inform this and future land management processes in which the Tribe holds interests.

THEREFORE, BE IT RESOLVED, the official position of the TEEC CHAPTER, regarding the creation of San Juan County Land-Use Legislation is as follows:

1. **TEEC-NOS-POS CHAPTER** supports the "Utah Navajo Land-Use Proposal" submitted to Senator Bennett's office on August 12, 2010.
2. **TEEC-NOS-POS CHAPTER** supports the designation of a special management area (such as a National Conservation Area) in which the Navajo people's interests in these landscapes are acknowledged and co-management, shared decision-making, and revenue sharing are explored.
3. **TEEC-NOS-POS CHAPTER** supports the designation of current roadless areas in San Juan County as wilderness.
4. **TEEC-NOS-POS CHAPTER** community members are in the process of identifying motorized access routes to ensure that routes currently used to access ceremonial, hunting, gathering, and firewood collecting sites are not disrupted by wilderness designation.

CERTIFICATION

We hereby certify that the foregoing resolution was duly considered by the TEEC CHAPTER at a duly called Regular meeting at Teec Nos Pos Chapter, NAVAJO NATION, Arizona, at which a quorum was present and that the same was passed by a vote of 26 in favor, 0 opposed, and 01 abstained, this 12 day of AUGUST, 2009. MOTION BY: Wallace Todacheeny SECOND BY: Elsie Dee

Roy Kady, President

John MacDonald, Sr., Vice President

Verma Francisco, Sec./Treas

Francis Redhouse, Council Delegate

Dale Redhouse, Grazing Officer

CHAPTER OFFICERS

Roy Kady PRESIDENT | John MacDonald, Sr. VICE PRESIDENT | Verma Francisco SECRETARY/TREASURER | Dale Redhouse GRAZING OFFICER

ADMINISTRATION:

Francis Redhouse COUNCIL DELEGATE | May Howard COMMUNITY SERVICE COORDINATOR | Susie Joe OFFICE SPECIALIST

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Herman Daniels Jr., President
Albert Holliday, Vice President
LaNell Menard-Parrish, Secretary/Treasurer
Shirlee A. Bedonie, CSC

Jonathan Nez, Council Delegate
Benedict Daniels, Grazing Official
Peggy Abrigo, AMS
Phone: 435-727-5850 Fax: 5852

Scanned & emailed
11/18/14 - sp

Oljato Chapter; PO Box 360455; Monument Valley, Utah 84536

RESOLUTION OF THE OLJATO CHAPTER

Resolution No: OLJ 11-15-2014

SUPPORTING THE UTAH DINE BIKEYAH CONSERVATION PROPOSAL IN SAN JUAN COUNTY, UTAH TO PROTECT DINE' RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

WHEREAS, OLJATO CHAPTER is officially recognized and certified as a political unit of the Navajo Tribal Government pursuant to Navajo Tribe Council Resolution No. CJ-20-55; and

WHEREAS, OLJATO CHAPTER includes community members that live in San Juan County and depend on its federal lands and resources; and

WHEREAS, OLJATO CHAPTER community members occupy a special status as both U.S. citizens and members of the Navajo Nation whose ancestral lands encompass all of San Juan County; and

WHEREAS, the Diné Bikéyah, *the Peoples Sacred Land*, is a National Conservation Area/ National Monument proposal of 1.9 million acres in size and includes additional Wilderness units within and outside of its boundary. This region is the ancestral home of many Southwestern Native American Tribes, including the Navajo, Hopi, Zuni, Acoma, Zia, and Jemez Pueblos along with the Ute Mountain, Southern, and Uintah Ouray Utes, the San Juan, Kaibab, and Utah Paiute Tribes and the Jicarilla Apache Tribe, assert their affiliation, occupation and enduring use of these lands; and

WHEREAS, the National Conservation Area/ Monument is bordered on the west by the Colorado River and on the south by the San Juan River and Navajo Nation Reservation, the Conservation Area/ Monument is characterized by prodigious topographic diversity and striking landforms. Containing intricately rich ecological systems, the Navajo and other Tribes depend upon the Conservation Area/ Monument to sustain their traditional livelihoods and cultural practices. Cedar Mesa, the Conservation Area/ Monument's centerpiece offers sprawling vistas while Comb and Butler Washes, and extends beyond to Moki, Red, Dark, Grand Gulch, and White canyons that each support verdant ribbons of riparian habitat. Desert Bighorn Sheep grace the lower desert lands while the 11,000 foot Abajo Mountains host forests of Ponderosa Pine, Spruce, Fir and Aspen, providing a home to Mule Deer, Elk, Black Bear and Mountain Lion, sacred icons of the mesa's original peoples. Paramount for the Navajo, the majority of the regions inhabitants are the proper management of the Conservation Area/ Monument's native plants and wildlife that are food, shelter and medicine and its cultural sites that are central to their spiritual practices.

WHEREAS, this region contains unsurpassed cultural and paleontological resources; the Conservation Area/ Monument is world renowned for the integrity and abundance of its archaeological resources. Six cultural special management areas are within the Conservation Area/ Monument boundaries; Alkali Ridge National Historic Landmark, the Hole-in-the-Rock Historical Trail and the Grand Gulch, Big Westwater Ruin, Dance Hall Rock, Sand Island Petroglyph Panel, the Newspaper Rock Petroglyph Panel, and the Butler Wash Archaeological District National Register site. Also occurring in the Conservation Area/ Monument's 19 distinct geologic units are scientifically significant vertebrate and non-vertebrate paleontological resources that are particularly abundant in the Cedar Mountain, Burro Canyon, Morrison, and Chinle Formations.

FOR COMMITTEE USE ONLY

Ysleta del Sur Pueblo
TRIBAL RESOLUTION

TC-055-13
Pertaining to National Trust for Historic Preservation Implementation

WHEREAS, The Tribal Council (the "Council") of the Ysleta del Sur Pueblo (the "Pueblo"), is the duly constituted traditional governing body of the Ysleta del Sur Pueblo exercising all inherent governmental power, fiscal authority, and tribal sovereignty as recognized in sections 101 and 104 of the Act of August 18, 1987 (the Ysleta del Sur Pueblo Restoration Act), 101 Stat. 666, Public Law No. 100-89; and,

WHEREAS, the Pueblo has operated from time immemorial as a Native American political sovereign without organic or written constitution, charter, or by-laws; and,

WHEREAS, the Pueblo governs itself by oral tradition; and,

WHEREAS, the Council, has authorized the Governor or in his absence the Lieutenant Governor of the Pueblo to act for the Tribe in the signing of this resolution; and,

WHEREAS, the civil and criminal law authority of the Pueblo is vested in the Council consisting of the Cacique, Governor, Lt. Governor, Aguacil, War Captain and four (4) Council members; and,

WHEREAS, The Ysleta del Sur Pueblo is culturally affiliated with all known Puebloan groups including the 19 New Mexico Pueblos, the Hopi Tribe of Arizona, and all Ancestral Puebloan groups including so-called "Anasazi" peoples and sites.

WHEREAS, All Pueblos have a basis for claiming cultural affiliation from all Ancestral Pueblo sites in the San Juan region. As a Tanoan speaking group, Ysleta del Sur maintains the same oral traditions which states that Tanoan speaking groups lived in the Four Corners region centuries ago.

WHEREAS, Ysleta del Sur Pueblo supports the National Trust for Historic Preservation's Implementation of a Cultural Resourse Preservation and Land Management Plan in San Juan County, Utah.

WHEREAS, Ysleta del Sur Pueblo supports the Utah Navajo in its proposed creation of the Dine' Bikeyah National Conservation Area, and its efforts to protect cultural and biological resources.

NOW, THEREFORE, BE IT RESOLVED, by the Ysleta del Sur Pueblo Tribal Council as follows:

1. Accepts that all Pueblos have a basis for claiming cultural affiliation from all Ancestral Pueblo Sites in the San Juan Region. They support the National Trust for Historic Preservation Implementations of a Cultural Resource Preservation and Land Management Plan in San Juan County, UTAH; and, also support the UTAH Navajo's efforts to protect cultural and biological resources.

ADOPTED this the 5th day of November

CERTIFICATION

I, the undersigned, Governor/Lt. Governor of the Ysleta del Sur Pueblo hereby Certify that the Ysleta del Sur Pueblo Tribal Council at a meeting convened and held on the 5th day of November 2013, at the Ysleta del Sur Pueblo approved the foregoing Resolution, a quorum being presented, and that 8 voted for, 0 opposed, and 0 abstained.

YSLETA DEL SUR PUEBLO:

Frank Paiz
Tribal Governor

ATTEST:

Lory Granillo
Tribal Council Secretary

FOR COMMITTEE USE ONLY

EXHIBIT B

MEMORANDUM OF UNDERSTANDING

BETWEEN

UTAH DINE BIKE'YAH, A UTAH NON-PROFIT CORPORATION,

And

THE NAVAJO NATION DIVISION OF NATURAL RESOURCES

This Memorandum of Understanding (hereinafter referred to as "the MOU or "MOU") is entered into pursuant to 2 N.N.C. §§ 164(B) and 222 (A) by and between the Navajo Nation Division of Natural Resources ("Nation" or "Navajo Nation"), duly authorized and acting through its President, and Utah Dine Bike'yah, a Utah non-profit corporation ("Utah Dine Bike'yah"), duly authorized and acting through its Executive Director. The Navajo Nation Division of Natural Resources and Utah Dine Bike'yah are collectively referred to as "the Parties." The Parties reduce their understandings to writing as follows:

WHEREAS, the mission of the Navajo Nation Division of Natural Resources is to manage, protect, conserve and preserve the Navajo Nation's natural and cultural resources for the benefit of the Navajo People;

WHEREAS, the Navajo Nation Division of Natural Resources recognizes that Navajo ancestral lands, both within and beyond current Navajo Reservation boundaries, are important to the subsistence, health, and well-being of the Navajo people.

WHEREAS, the Navajo Nation Division of Natural Resources recognizes the importance of maintaining the ecological health and productivity of Navajo ancestral lands, within Navajo Indian Country as authorized by Navajo Nation and Federal laws;

WHEREAS, the Navajo Nation Division of Natural Resources recognizes the importance of engaging in land planning, and land management activities, pertaining to public land management and designation of Navajo ancestral lands;

WHEREAS, Utah Dine Bike'yah, as a legally recognized entity, a Utah non-profit corporation engaging in consulting services, is a respected non-profit organization dedicated to the formulation and accomplishment of conservation strategies.

WHEREAS, Utah Dine Bike'yah, completed state-of-the-art conservation assessment and assisted in the implementation development of these assessments through comprehensive, regional conservation strategies

in partnership with Federal, State, and County governments, non-governmental organizations , and local communities.

WHEREAS, Utah Dine Bike'yah, working in partnership with the Utah Navajo, have completed a cultural use inventory of Navajo ancestral lands on the public lands of San Juan County, Utah.

WHEREAS, the Parties agree that a collaborative approach to land planning on Public Lands adjacent to the Navajo Nation is mutually beneficial to ensure the best possible land management practices and land-use restrictions favorable to the Navajo Nation on the public and Navajo ancestral lands within San Juan County, Utah.

THEREFORE, be it resolved that:

1.0 PURPOSE

1.1 The purpose of this MOU is to provide a foundation for collaboration among the Parties in their collective efforts to develop and implement a long term regional conservation strategy, land-use designations, and co-management arrangements for the public and Navajo ancestral lands within San Juan County, Utah. Furthermore, this foundation will also foster greater institutional capacity for improved land management activities for Navajo Nation lands bordering said public lands and situated within the San Juan watershed.

2.0 PRINCIPLES

2.1 The Parties recognize and respect the jurisdiction of the Navajo Nation Division of Natural Resources as the senior authority.

2.2 The Parties acknowledge that successful efforts to develop and implement a long term, regional conservation strategy, land-use designations, and co-management arrangements demand an approach that balances cultural, social, and ecological values, and engages collaboration with federal, state and county authorities, non-governmental organizations, local communities, and other affected interests.

2.3 The Parties agree that maintaining and expanding the capacity of the Navajo Nation Division of Natural Resources is an essential component of a comprehensive conservation strategy for San Juan County and the San Juan River watershed.

3.0 SCOPE OF COLLABORATIVE EFFORTS

3.1 The Parties commit to develop a schedule of collaborative work to develop and implement a long term regional conservation strategy, land-use designation and co-management arrangements for the Navajo ancestral lands within San Juan County, Utah, as well as, to foster greater capacity for improved land management activities for Navajo Nation lands bordering said public lands, in particular those parcels within the San Juan River watershed. That work will include the following:

3.1.1 Joint planning sessions to clarify objectives, identify priorities, and determine tasks and responsibilities;

3.1.2 Utilization of Utah Navajo cultural use and biological assessment mapping to support proposed land use designations collected by Utah Dine Bike'yah;

3.1.3 Development and distribution of preferred land-use designations for San Juan County;

3.1.4 Investigation, development, and cost analysis of alternative public lands co-management arrangements;

3.1.5 Needs assessment of necessary expansion of institutional capacity for the Navajo Nation Division of Natural Resources to best fulfill current needs and to functionally operate within a co-management regime, which also considers acquisition of additional financial resources for added responsibilities;

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3.1.6 Actively seek and negotiate for legislative and administrative designation of developed land-use designation and preferred co-management arrangements;

3.1.7 Actively seek and develop long term funding mechanisms to implement land-use designations and carry out co-management arrangements.

3.2 The Parties agree that all activities conducted under this Agreement will be framed and managed to facilitate capacity building and sharing of technical knowledge and skills among all of the parties.

4.0 PROTOCOL AND RELATIONSHIPS

4.1 The Parties agree that all work shall be conducted to the highest professional and ethical standards.

4.2 The Parties agree to share information openly regarding their activities, and to create and maintain a climate of mutual trust and cooperation. The Navajo Nation information exchange is subject to the Navajo Nation Privacy and Access to Information Act. The Parties agree that no information will be released which may prejudice the privacy or protection of Native resources, except as required by applicable law. The Nation reserves the right to not disclose certain sensitive information.

4.3 The Parties agree that all work conducted will be in accordance with necessary authorizations.

4.4 The Parties commit to regular joint planning sessions to identify priorities, allocate resources, and clarify work plans, on a mutually agreed upon timetable.

5.0 COMMUNICATION

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5.1 None of the Parties shall make any representation or warranty on behalf of any other Party without approval in advance and under legal authorization.

5.2 Where consistent with other conditions outlined under this MOU, each Party may communicate with external interests regarding this collaborative initiative, as may be necessary, and, for the Navajo Nation, as authorized by the laws of the Navajo Nation.

5.3 Each Party shall identify an individual to act as their lead representative to facilitate communication among the Parties.

6.0 FUNDING AND RESOURCES

6.1 Contributions from or through Utah Dine Bike'yah for collaborative work, as set out above, shall include:

6.1.1 Foundation funding to support the work of Utah Dine Bike'yah;

6.1.2 Contributions from Utah Dine Bike'yah to the Navajo Nation Division of Natural Resources to support staff time and logistical activities (details for these contributions to be set out through specific contracts);

6.1.3 In-Kind contributions of staff time and logistical support from the Navajo Nation Division of Natural Resources, as available.

6.2 The Parties commit to work together to attract additional resources to support their Efforts:

6.2.1 The Parties agree to collaborative fundraising efforts only as authorized by the laws of the Navajo Nation and the United States, including the various provisions of the Navajo Nation Ethics in Government Act.

6.2.2 Fundraising efforts by Utah Dine Bike'yah targeted at organizations, individuals, and foundations will be with the full knowledge of the Navajo Nation Division of Natural Resources.

7.0 CONFLICT RESOLUTION

7.1 Mutually agreed measures will be used to resolve any disputes among the Parties. Such measures may include impartial facilitation of discussions.

8.0 GENERAL TERMS

8.1 Keeping with the intent of this MOU, the parties agree that:

8.1.1 This MOU is effective from the date of the last Party signing.

8.1.2 The Parties will act in good faith for the implementation of this MOU.

8.1.3 The MOU will be reviewed from time to time and may be amended at any time by mutual consent of the Parties.

8.1.4 Nothing in this MOU shall encumber or fetter the mandates, authority, or responsibilities of either party in any way, or create legally binding obligations between the Parties or their respective members.

8.1.5 A Party will provide not less than 30 days written advance notice of a decision to propose amendments to this MOU, and not less than 90 days of a decision to unilaterally withdraw from this MOU.

8.1.6 All Navajo Nation commitments are subject to available funding pursuant to 2 N.N.C. § 223.

8.1.7 Nothing contained in this MOU waives, nor shall it be construed to waive, the sovereign immunity of the Navajo Nation.

NAVAJO NATION

BY: _____ DATE: DEC 19 2014

Ben Shelly, President
Office of the President/Vice-President

UTAH DINE BIKE'YAH

BY: _____ DATE: January 8, 2015

Willie Greyeyes
Chairman

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Document No. 003123 Date Issued: 11/24/2014

SECTION 164 REVIEW FORM

Title of Document: MOA UtahDineBikeyah and NNDNR Contact Name: JEFF, SHARILENE

Program/Division: DIVISION OF NATURAL RESOURCES

Email: sjeff27@gmail.com Phone Number: 928-871-6592

Division Director Approval for 164A: _____

Check document category; only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

			Sufficient	Insufficient
☐ **Statement of Policy or Positive Law:**				
1. OAG:		Date:	☐	☐
☐ **IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)**				
1. OMB:		Date:	☐	☐
2. OOC:		Date:	☐	☐
3. OAG:		Date:	☐	☐

Section 164(B) Final approval rests with the President of the Navajo Nation

☐ **Grant/Funding Agreement or amendment:**				
1. Division:		Date:	☐	☐
2. OMB:		Date:	☐	☐
3. OOC:		Date:	☐	☐
4. OAG:		Date:	☐	☐
☐ **Subcontract/Contract expending or receiving funds or amendment:**				
1. Division:		Date:	☐	☐
2. BRD:		Date:	☐	☐
3. OMB:		Date:	☐	☐
4. OOC:		Date:	☐	☐
5. OAG:		Date:	☐	☐
☐ **Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:**				
1. Division:	Robert A. Gm	Date: 12/1/14	☒	☐
2. OAG:		Date: 12/2/14	☒	☐
☐ **M.O.A. or Letter of Assurance expending or receiving funds or amendment:**				
1. Division:		Date:	☐	☐
2. OMB:		Date:	☐	☐
3. OOC:		Date:	☐	☐
4. OAG:		Date:	☐	☐

Pursuant to 2 N.N.C. § 164 and Executive Order Number 07-2013

FOR COMMITTEE USE ONLY

NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM

RECEIVED
DEC - 1 2014
DEPARTMENT OF JUSTICE
RECEPTIONIST DESK

DOJ
12/01/14 2:49pm
DATE / TIME
☑ 7 Day Deadline
DOC #: 003123
SAS #:
UNIT: NRU

☐ RESUBMITTAL

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE

DATE OF REQUEST: 12-01-14
ENTITY/DIVISION: Natural Resources
CONTACT NAME: Sherilene Jeff
DEPARTMENT: Administration
PHONE NUMBER: 928 871 6592
E-MAIL: (b) (6) [redacted]

TITLE OF DOCUMENT: Moab Utah Dirt Bike yrd. and NNDNR.

DOJ SECRETARY TO COMPLETE

RECEIVED
DEC 1 2014
DEPARTMENT OF JUSTICE
NATURAL RESOURCES UNIT

DATE/TIME RECEIVED: 12.01.14 4:00pm
REVIEWING ATTORNEY/ADVOCATE: Brittan Becker 12-10-14
DATE/TIME TO UNIT:

DOJ ATTORNEY / ADVOCATE COMMENTS

legally sufficient so long as ~~Redline~~ ~~Edits Marked~~ retyped to include edits noted on the MOU

REVIEWED BY: (*PRINT*)	DATE / TIME	SURNAMED BY: (*PRINT*)	DATE / TIME
		Becker	12/2/14 5pm

DOJ Secretary Called: Elouise Watchman for Document Pick Up on 12/3/14 at 9am By: AG

PICKED UP BY: (*PRINT*) DATE / TIME:

NNDOJ/DRRF-July 2013

COMPLETED

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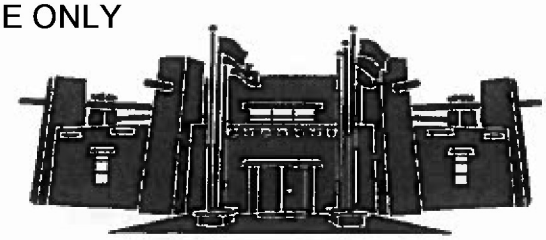
Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576



Honorable LoRenzo Bates
Speaker
23rd Navajo Nation Council

MEMORANDUM

To : Honorable Walter Phelps
Cameron, Coalmine Canyon, Birdsprings, Leupp, Tolani Lake Chapters

From : Mariana Kahn
Mariana Kahn, Attorney
Office of Legislative Counsel

Date : February 20, 2015

Re : PROPOSED STANDING COMMITTEE RESOLUTION, AN ACTION RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAABIK'ÍYÁI' COMMITTEE; SUPPORTING THE UTAH DINÉ BIKEYAH CONSERVATION PROPOSAL FOR THE FEDERAL DESIGNATION OF BEAR'S EARS NATIONAL CONSERVATION AREA/NATIONAL MONUMENT IN SAN JUAN COUNTY, UTAH, TO PROTECT NATIVE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. Based on existing law and review of documents submitted, the resolution drafted is legally sufficient. However, as with all legislation, it is subject to review by the courts in the event of challenge. You are encouraged to review the proposed resolution to ensure that it is drafted to your satisfaction.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment.

If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution.

Thank you for your service to the Navajo Nation.

15-240-1

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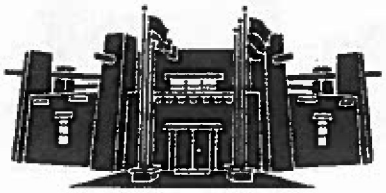
LEGISLATIVE BRANCH
NAVAJO NATION



HONORABLE LORENZO C. BATES
Speaker, 23rd Navajo Nation Council

February 24, 2015

MEMORANDUM

TO : *Honorable* Members
Resources and Development Committee
Naabik'iyati' Committee

FROM : 2/25
Hon. LoRenzo C. Bates, *Speaker*
23rd Navajo Nation Council

SUBJECT : **ASSIGNMENT OF LEGISLATION**

Pursuant to 2 N.N.C § 164 (A)(4), this memorandum serves to inform and advise you that I assign the following legislation to the Resources and Development Committee and Naa'bik'iyati' Committee;

Legislation No. 0076-15

RELATING TO THE RESOURCES AND DEVELOPMENT COMMITTEE AND THE NAA'BIK'IYATI' COMMITTEE; SUPPORTING THE UTAH DINE BIKEYAH CONSERVATION PROPOSAL FOR THE FEDERAL DESIGNATION OF BEAR'S EARS NATIONAL CONSERVATION AREA/NATIONAL MONUMENT IN SAN JUAN COUNTY, UTAH, TO PROTECT NATIVE RIGHTS AND INTERESTS ON FEDERAL LANDS FOR FUTURE GENERATIONS.

As the Committee assigned to consider the legislation, Legislation No. 0076-15 must be placed on the Resources and Development Committee and the Naa'bik'iyati' Committee's agenda at the next regular meeting for final consideration.

ATTACHMENT: Legislation No. 0076-15

xc: Hon. Ben Shelly, *President*
The Navajo Nation
Harrison Tsosie, *Attorney General*
Mark Grant, *Controller*
Dominic Beyal, *Executive Director, OMB*
Honorable Walter Phelps, Council Delegate (*Prime Sponsor*)

OFFICE OF THE SPEAKER – NAVAJO NATION LEGISLATIVE BRANCH
POST OFFICE BOX 3390 / WINDOW ROCK, ARIZONA 86515 / T: (928) 871-7160 F: (928) 871-7255

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0076-15____ **SPONSOR: Walter Phelps**

TITLE: An Action Relating To the Resources and Development Committee and the Naa'bik'iyati' Committee; Supporting the Utah Dine; Bikeyah Conservation Proposal for the Federal Designation of the Bear's Ears National Conservation Area/National Monument in San Juan County, Utah, to Protect Native Rights and Interests on Native Lands for Future Generations

***Date posted*: February 25, 2015 at 12:06pm**

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7590

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. *§374 et. seq.*

1st Report

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0076-15

SPONSOR: Honorable Walter Phelps

TITLE: Relating To Resources and Development Committee and the Naa'bik'iyati' Committee; Supporting the Utah Dine; Bikeyah Conservation Proposal for the Federal Designation of the Bear's Ears National Conservation Area/National Monument in San Juan County, Utah, to Protect Native Rights and Interests on Native Lands for Future Generations.

Posted: February 25, 2015 at 12:06 pm

5 DAY Comment Period Ended: March 2, 2015

Digital Comments received: *No comments were received.*

Marie M Allison
Policy Analyst
Office of Legislative Services

3/3/15 8:50am
Date/Time

RESOURCES AND DEVELOPMENT COMMITTEE
23rd NAVAJO NATION COUNCIL

FIRST YEAR 2015

COMMITTEE REPORT

Mr. Speaker,

The **RESOURCES AND DEVELOPMENT COMMITTEE** to whom has been assigned:

> **Legislation # 0076-15:** An Action Relating to Resources and Development Committee and the Naabik'íyáti' Committee; Supporting the Utah Dine Bikeyah Conservation Proposal for the Federal Designation of Bear's Ears National Conservation Area/National Monument in San Juan County, Utah, to Protect Native Rights and Interests on Federal Lands for Future Generations. (Sponsor: Walter Phelps, Co-Sponsor: Davis Filfred)

Has had it under consideration and report the same with a **PASS** with the no amendment and thereafter referred to the Naabik'íyáti' Committee.

Respectfully submitted,

Alton Joe Shepherd, Chairperson
Resources and Development Committee
Of the 23rd Navajo Nation Council

Date : March 3, 2015
Motion: Davis Filfred
Second: Benjamin Bennett
Vote : 4-0
(Chair not voting)

Utah Diné Bikéyah

Bear's Ears

A Proposed National Conservation Area/ National Monument

SHASH-JAÁ-BAA-ÁHÓLYÁ

PROTECT BEARS EARS

An Initiative of the Navajo Nation and Utah Diné Bikéyah

In February 2010 former Utah Senator Bob Bennett invited Utah Navajo residents to develop a proposal on issues such as wilderness, conservation, and development of public lands in San Juan County, Utah. An assessment was carried out under the authority of all seven Navajo Chapter Houses in Utah that built on interviews with dozens of elders and medicine men. The initial result of this work was the creation of a "Navajo Lands of Interest" map that was widely circulated among Navajo communities and elected officials on and off reservation. This map was the basis of subsequent discussions between the Navajo Nation and San Juan County aimed at developing a shared legislative proposal to advance to Congressman Bishop. Today, more than two years after formal discussions began, and eighteen months after submitting the Bear's Ears proposal, the Navajo Nation is still waiting for a San Juan County response.

In April 2013, the Navajo Nation and the Utah Diné Bikéyah organization proposed the creation of the 1.9 million acre Bear's Ears National Conservation Area and wilderness designations. This approach provides the best management for a diversity of uses, while directing resources towards priority cultural and biological resource protection. To honor our deep history in this region, we are also proposing that the Navajo Nation, other Tribes, and Utah Diné Bikéyah have a formal role in planning and managing the Bear's Ears National Conservation Area/ National Monument.

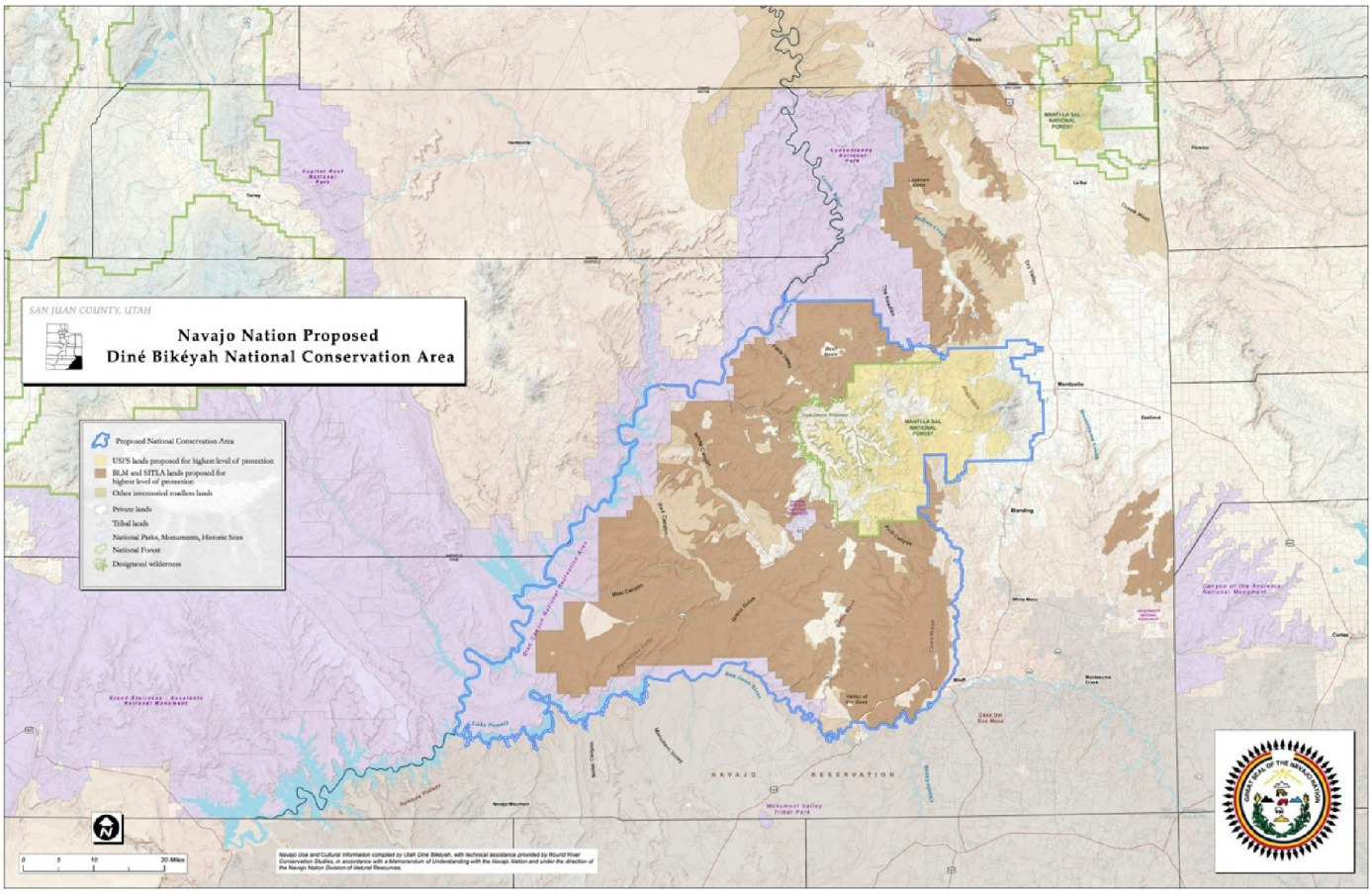
This region has been used by Native People for millennia, contains some of our country's richest archaeological sites and continues to serve as a pilgrimage site for many tribal members due to its historical significance. It is significant as the birthplace of Navajo Headman Manuelito and as the former center of civilization for many modern day Pueblo

Nations, including the Hopi. The Navajo Nation and Utah Diné Bikéyah organization have proposed this conservation region be set aside to protect traditional activities and sacred places to include Cedar Mesa, White Canyon, Dark Canyon, Comb Ridge, Nokai Dome, Abajo Peak, Ruin Park, the San Juan River, and Comb Ridge.

As part of Congressman Bishop's Eastern Utah Land-Use Initiative several Tribal Nations and Navajo Chapter Houses have been adopting resolutions of support for the Bear's Ears proposal. The Hopi Tribe and All Pueblo Council of Governors have endorsed protection for the region, and all seven Navajo Chapter Houses in Utah have taken supportive action. Most recently Utah Navajo communities have come together at eight Town Hall meetings where they discussed the proposal and hand-wrote nearly 400 public comments that were submitted to San Juan County on November 30th. 64% of the total responses during the public process that ended requested designation of the Bear's Ears NCA/NM and wilderness.

Utah Navajo People have been actively advancing protection for this region for nearly five years and continue to educate and involve all US citizens who hold interests in these lands. Native American Tribes have seldom had their voices hear in the debate over public lands and it is time to recognize the depth of history and intergenerational stewardship exhibited by Tribes across these landscapes. Protection is welcome whether through Congressional or administrative action. Local people are determined to take action to make this happen and we hold out hope that one day soon our voices will finally be heard.

Ahyéhé- Thank you.



Utah Diné Bikéyah, 501(c)3 non-profit organization
utahdinebikeyah@gmail.com
Phone: (801) 521-7398

Conversation Contents

Utah Dine Bikeyah Letter

Attachments:

/301. Utah Dine Bikeyah Letter/1.1 UDB Letter to BLM 1-12-15.pdf

Dine Bikeyah <utahdinebikeyah@gmail.com>

From:	Dine Bikeyah <utahdinebikeyah@gmail.com>
Sent:	Mon Jan 12 2015 11:00:18 GMT-0700 (MST)
To:	Neil G Kornze <nkornze@blm.gov>
Subject:	Utah Dine Bikeyah Letter
Attachments:	UDB Letter to BLM 1-12-15.pdf

Dear Director Kornze,
Please find a letter attached below from Utah Diné Bikéyah Chairman Willie Grayeyes requesting your involvement in setting up a meeting amongst Tribes for the Bear's Ears conservation proposal. Thanks and please feel free to contact me if you have any questions.

Sincerely,

Gavin Noyes

Utah Dine Bikeyah
314 W 300 S, Suite 225
SLC, UT 84101
801-521-7398
www.utahdinebikeyah.org

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Utah Diné Bikéyah

January 12, 2015

Director Neil Kornze
Bureau of Land Management
1849 C Street NW, Rm. 5665
Washington, DC 20240

Dear Director Kornze,

On December 8th, 2014, members of Utah Diné Bikéyah and the Navajo Nation met with Secretary Jewell and her staff in her offices in Washington. We were there to educate the Secretary on our efforts to protect the Bear's Ears region in southeastern Utah.

For more than four years, we have been pursuing a conservation designation for approximately two million acres in San Juan County. This region stretches from Indian Creek in the north to the Abajo Mountains of the Manti-La Sal National Forest, south to lands east of Comb Ridge and west to the canyons that drain into the Colorado and San Juan Rivers.

This region has enormous significance to the Navajo and many other tribes. These lands contain our heritage, are where we find our medicines and conduct spiritual ceremonies and are the resting place of our ancestors. We have made great efforts to identify, through wildlife science and elder knowledge, a proposal that honors Native American beliefs and interests. We have shared our proposal with elected officials in Utah and we remain committed to participating in an open, respectful and transparent legislative process. Thus far, we have found it difficult to have Navajo and other tribal interests accorded the proper attention and respect that our issues warrant at the local level, and this causes us great concern that a fair legislative outcome is possible.

At the meeting with Secretary Jewell, we requested support from her department to convene Tribes, hear our interests in the Bears Ears proposal, understand its significance to our heritage and ensure tribal participation in future management. I am therefore writing to ask you, as the BLM Director, to convene tribal representatives, hear our concerns and work with us to ensure that these concerns are accurately reflected in ongoing discussions about the future of Bears Ears.

Ideally, a meeting in the Four Corners region no later than mid-March would maximize tribal participation and ensure that legislative efforts do not proceed quickly without accurate and fair tribal engagement. We stand ready to help you with recruitment of appropriate tribal voices so that participation reflects the broad diversity of Native voices with strong connections to the Bears Ears.

Thank you for your prompt attention to this matter.

Sincerely,

Willie Grayeyes

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Conversation Contents

Letter to the President Requesting a Bears Ears National Monument from 18 Leading Preservation and Cultural Resource Groups

Attachments:

/67. Letter to the President Requesting a Bears Ears National Monument from 18 Leading Preservation and Cultural Resource Groups/1.1 Bears Ears Letter from Cultural Resources Groups 11-30-2016 (002).pdf

Tom Cassidy <TCassidy@savingplaces.org>

From:	Tom Cassidy <TCassidy@savingplaces.org>
Sent:	Wed Nov 30 2016 10:47:16 GMT-0700 (MST)
To:	Nicole Buffa <Nicole_buffa@ios.doi.gov>, Neil Kornze <neil_kornze@blm.gov>
Subject:	Letter to the President Requesting a Bears Ears National Monument from 18 Leading Preservation and Cultural Resource Groups
Attachments:	Bears Ears Letter from Cultural Resources Groups 11-30-2016 (002).pdf

Nikki and Neil,

I am pleased to transmit a letter to the President from 18 leading preservation and cultural resource organizations requesting the President to exercise his Antiquities Act authority and proclaim a Bears Ears National Monument this year. This is a significant expression of support from our community.

If you or your staff have any questions, please do not hesitate to communicate with me.

Best,

Tom

Thomas J. Cassidy, Jr. | VICE PRESIDENT FOR GOVERNMENT RELATIONS AND POLICY
P 202.588.6078 F 202.588.6462

NATIONAL TRUST FOR HISTORIC PRESERVATION
The Watergate Office Building
2600 Virginia Avenue NW Suite 1000 Washington, DC 20037
SavingPlaces.org

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National Trust for Historic Preservation ◊ Archaeological Conservancy ◊ Friends of Cedar Mesa
American Anthropological Association ◊ Archaeological Institute of America ◊ Archaeology Southwest
California Preservation Foundation ◊ Colorado Plateau Archaeological Alliance ◊ Colorado Preservation, Inc.
Crow Canyon Archaeological Center ◊ National Association of Tribal Historic Preservation Officers
Nevada Preservation Foundation ◊ Providence Preservation Society ◊ Site Steward Foundation
Society for American Archaeology ◊ Society for Historical Archaeology
Utah Rock Art Research Association ◊ Washington Trust for Historic Preservation

November 30, 2016

The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

We urge you to proclaim a Bears Ears National Monument this year.

Bears Ears is one of the most significant cultural landscapes in the United States. It contains more than 100,000 cultural and archaeological sites associated with the Navajo, Ute, Hopi, and Pueblo people who consider this region their homeland. The 1.9 million acres of public lands south and east of Canyonlands National Park include Ice Age hunting camps, cliff dwellings, prehistoric villages and petroglyph and pictograph panels that tell the diverse stories of 12,000 years of human habitation.

Despite its vast cultural significance, inadequate legal protections and insufficient funding have resulted in the degradation and destruction of these archaeological treasures from illegal looting, mismanaged recreational use, and inappropriate energy development. The designation of this new national monument, including adequate funding, will provide the enhanced protections required to protect this national treasure.

Several of the organizations who have signed this letter have been actively engaged in the Public Lands Initiative legislative process. However, it now appears unlikely that Congress will put forth a bill that has the broad based bi-partisan support necessary to become law.

The Antiquities Act was enacted in 1906 in order to provide protection for objects of historic and scientific interest from appropriation, excavation injury or destruction. Our groups represent a broad range of national, regional and local organizations dedicated to the preservation of cultural and archaeological resources. With great enthusiasm we request that you use your authority under the Antiquities Act to protect this world class yet unprotected landscape by designating a Bears Ears National Monument.

If you have any questions, please contact Tom Cassidy, Vice President, Government Relations and Policy at the National Trust for Historic Preservation, at tcassidy@savingplaces.org or (202) 588-6078.

Sincerely,

National Trust for Historic Preservation
American Anthropological Association
Archaeological Conservancy
Archaeological Institute of America
Archaeology Southwest
California Preservation Foundation
Colorado Plateau Archaeological Alliance
Colorado Preservation, Inc.
Crow Canyon Archaeological Center
Friends of Cedar Mesa
National Association of Tribal Historic Preservation Officers
Nevada Preservation Foundation
Providence Preservation Society
Site Steward Foundation
Society for American Archaeology
Society for Historical Archaeology
Utah Rock Art Research Association
Washington Trust for Historic Preservation

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Conversation Contents

Denver Post OpEd (Udall): Still time for President to save Bears Ears

Jessica Kershaw <jessica_kershaw@ios.doi.gov>

From:	Jessica Kershaw <jessica_kershaw@ios.doi.gov>
Sent:	Mon Nov 21 2016 09:56:54 GMT-0700 (MST)
To:	Nicole Buffa <nikki_buffa@ios.doi.gov>, Laura Pardue <lpardue@blm.gov>, Neil Kornze <nkornze@blm.gov>, Kelly Kate <kate_kelly@ios.doi.gov>, Interior Press <interior_press@ios.doi.gov>, Janice Schneider <janice_schneider@ios.doi.gov>, Steven Ellis <sellis@blm.gov>, Matthew Allen <mrallen@blm.gov>, Sarah Neimeyer <sarah_neimeyer@ios.doi.gov>, Felipe Mendoza <felipe_mendoza@ios.doi.gov>, Maria Najera <maria_najera@ios.doi.gov>, John Blair <john_blair@ios.doi.gov>
Subject:	Denver Post OpEd (Udall): Still time for President to save Bears Ears

Denver Post OpEd (Udall): Still time for President Obama to save Bears Ears

By **MARK UDALL**
November 19, 2016 at 5:01 pm

Rick Bowmer, AP File
U.S. Interior Secretary Sally Jewell looks from Dead Horse Point during a tour Thursday, July 14, 2016, near Moab, Utah. Jewell visited the area to meet with proponents and opponents

Sent from my iPhone

the latest indication the Obama administration is giving serious consideration to the “Bears Ears” monument proposal.

For more than a century, our nation has been inspired to preserve our

national heritage — from the Statue of Liberty to Rocky Mountain National Park. This conservation ethic, which encapsulates our roots, values, and history as Americans, has inspired great leaders, from Theodore Roosevelt to Barack Obama, to protect sites that link us to our past as well as inform our national character.

The president has a rare opportunity to advance this proud tradition by protecting a spectacular area critical to our western heritage: Bears Ears, a 1.9 million-acre area in southern Utah replete with thousands of historic and cultural sites.

President Obama has already demonstrated his commitment to preserving and protecting unique public treasures for generations to come. He did so with Chimney Rock in southwest Colorado and again with Browns Canyon in Chaffee County. I was proud to champion both bipartisan efforts to protect these landscapes for future generations.

The president now has the chance to preserve lands vital to our nation's heritage and history with the support of five Native American tribes whose heritage is memorialized in this area. He should utilize the Antiquities Act to protect the Bears Ears region in southeast Utah — a site that represents our western pioneering history and that of the tribal communities across the region, including the Ute Mountain Ute Tribe.

Numerous Native American tribes trace their roots to Bears Ears. In fact, the strongest voices in favor of a designation have come from the Ute Mountain Ute, Hopi, Navajo, Uintah and Ouray Ute, and Zuni tribes. The site also is home to artifacts from

pioneers who made a home in the American West.

One of the prominent natural features in the landscape is Jacob's Chair, named after my great-great grandfather, Jacob Hamlin, who was known as the Mormon Pathfinder. Hamlin spent his life working tirelessly to resolve conflicts that arose between the newly arrived settlers and the deeply rooted Native American tribes and bands already living in the area. His vision encompassed a future where both groups lived and worked together collaboratively, respecting each other's traditions and beliefs, and living in harmony with the land. A Bears Ears National Monument would be a 21st century investment in that vision.

Protecting Bears Ears through the Antiquities Act would also honor the origins and intent of the 1906 law. That year Congress, recognizing the harm of unauthorized looting of artifacts from places like Mesa Verde in the late 19th century and early 20th century, gave presidents the power to protect sites with significant archeological and historical significance. Bears Ears, which contains more than 100,000 sensitive archeological sites, is emblematic of this tradition.

Although there has been some vocal opposition to creating a Monument, I believe the president can move forward in a way that enhances public access while also providing critical protections to the area's historical sites. The president did that in early 2015 with his designation of Browns Canyon, which remains an accessible and widely enjoyed landscape.

The president should tailor this

monument designation in a way that keeps faith with the tribes' history in the area. The designation should create a significant role in collaboratively managing this area and preserving it for future generations.

I was raised to believe and live by the maxim that we don't inherit the earth from our parents — we borrow it from our children. That compact with future generations relies on the judgment of today's leaders to ensure that our public lands and historical sites endure.

President Obama should act before he leaves office to honor and protect the extraordinary living history of the Bears Ears region for our children and all future generations.

Mark Udall represented Colorado in the U.S. Senate from 2009 to 2015 and in the U.S. House of Representatives from 1999 to 2009.

Conversation Contents

Fwd: Bears Ears Coalition Letter - November 18 2016.pdf

Attachments:

/69. Fwd: Bears Ears Coalition Letter - November 18 2016.pdf/1.1 Bears Ears Coalition Letter - November 18 2016.pdf
/69. Fwd: Bears Ears Coalition Letter - November 18 2016.pdf/1.2 ATT00001.htm

"Ferguson, Fred" <Fred.Ferguson@mail.house.gov>

From:	"Ferguson, Fred" <Fred.Ferguson@mail.house.gov>
Sent:	Sat Nov 19 2016 20:16:44 GMT-0700 (MST)
To:	Nikki Buffa <nicole_buffa@ios.doi.gov>, Neil Kornze <nkornze@blm.gov>, "jwhitloc@blm.gov" <jwhitloc@blm.gov>, Tommy Beaudreau <Tommy_Beaudreau@ios.doi.gov>
Subject:	Fwd: Bears Ears Coalition Letter - November 18 2016.pdf
Attachments:	Bears Ears Coalition Letter - November 18 2016.pdf ATT00001.htm

FYI - I know Pat has been engaging you guys. Wanted to make sure you saw our recent correspondence.

Fred Ferguson
Chief of Staff
Rep. Chaffetz (UT-03)
202-631-0560 cell

Begin forwarded message:

From: "Ferguson, Fred" <Fred.Ferguson@mail.house.gov>
Date: November 19, 2016 at 22:15:23 EST
To: "pas@patrickashea.com" <pas@patrickashea.com>
Subject: Bears Ears Coalition Letter - November 18 2016.pdf

Hey Pat,

Great hearing from you. This letter is not public nor is the November 2 letter. But I wanted you to be aware. We cannot move forward without the tribal input

they agreed to provide during our Nov 2 meeting. As you know a bill has very little chance of success when tribes oppose. This is why we've been working so hard to bring them back to the table.

Thanks for what you do.

Best,
Fred

FOR COMMITTEE USE ONLY

Congress of the United States

Washington, DC 20510

November 18, 2016

To the Co-Chairmen and Members of the Bears Ears Inter-Tribal Coalition,

The November 2, 2016 meeting involving the Bears Ears Inter-Tribal Coalition and our offices was very productive. We were grateful for the time of the Coalition members who were able to attend. We look forward to continued dialogue as proposals are put forward concerning the Bears Ears region of Utah.

Following up on the conversations we had during our meeting, we are writing to formally request draft legislative language that would implement an equitable co-management system for the Bears Ears region. It has been widely reported that co-management cannot be achieved through an Antiquities Act designation. We believe the congressional process can craft a meaningful co-management plan in which the Tribes are made equal to other participants.

We are committed to finding legislative solutions to the various land designation and management challenges facing the Bears Ears region of San Juan County, Utah. Open dialogue and communication will ensure that all points of view, options, and solutions are considered.

We look forward to hearing from you and stand ready to work together.

Sincerely,

Orrin Hatch
United States Senator

Rob Bishop
United States Representative

Mike Lee
United States Senator

Jason Chaffetz
United States Representative

Union Calendar No.

114TH CONGRESS
2D SESSION

H. R. 5780

[Report No. 114–]

To provide greater conservation, recreation, economic development and local management of Federal lands in Utah, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2016

Mr. BISHOP of Utah (for himself and Mr. CHAFFETZ) introduced the following bill; which was referred to the Committee on Natural Resources

NOVEMBER --, 2016

Reported with an amendment, 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 14, 2016]

A BILL

To provide greater conservation, recreation, economic development and local management of Federal lands in Utah, and for other purposes.

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

SECTION 1. SHORT TITLE.

The Act may be cited as the ''Utah Public Lands Initiative Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of Contents.
Sec. 3. Definitions.

DIVISION A—CONSERVATION

TITLE I—WILDERNESS

Sec. 101. Wilderness designations.
Sec. 102. Maps and legal descriptions.
Sec. 103. Wilderness administration.
Sec. 104. Water rights.
Sec. 105. Military overflights.
Sec. 106. Adjacent management.
Sec. 107. Indian rights.
Sec. 108. Acquisition of land and interests in land.
Sec. 109. Wilderness release.
Sec. 110. Airsheds.

TITLE II—NATIONAL CONSERVATION AREAS

Sec. 201. National Conservation Areas.
Sec. 202. Definitions.
Sec. 203. Map and legal description.
Sec. 204. Administration of National Conservation Areas.
Sec. 205. General provisions.
Sec. 206. Additional purpose for Docs Valley, Stone Bridge Draw, Stuntz Draw, Beach Draw, and Diamond Mountain National Conservation Areas.
Sec. 207. Additional purpose for Colorado River National Conservation Area.

TITLE III—WATERSHED MANAGEMENT AREAS

Sec. 301. Watershed Management Areas.
Sec. 302. Administration of Watershed Management Areas.
Sec. 303. General provisions.

TITLE IV—SPECIAL MANAGEMENT AREAS

Sec. 401. High Uintas Special Management Area.
Sec. 402. High Uintas Special Management Area map and legal description.
Sec. 403. Administration of the High Uintas Special Management Area.

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Sec. 404. High Uintas Special Management Area general provisions.
Sec. 405. Little West Fork Blacks Fork Special Management Area.
Sec. 406. Administration of Little West Fork Blacks Fork Special Management Area.
Sec. 407. Little West Fork Blacks Fork Special Management Area general provisions.
Sec. 408. Desolation Canyon, Nine Mile Canyon, White River and Books Cliffs Sportsmen's Special Management Areas.
Sec. 409. Desolation Canyon, Nine Mile Canyon, White River and Books Cliffs Sportsmen's Special Management Area map and legal description.
Sec. 410. Administration of the Desolation Canyon, Nine Mile Canyon, and White River Special Management Areas.
Sec. 411. Desolation Canyon, Nine Mile Canyon, and White River Special Management Area general provisions.
Sec. 412. Book Cliffs Sportsmens Special Management Area additional provisions.
Sec. 413. Book Cliffs Sportsmen's Special Management Area Advisory Committee.

TITLE V—ARCHES NATIONAL PARK EXPANSION

Sec. 501. Arches National Park expansion.

TITLE VI—JURASSIC NATIONAL MONUMENT

Sec. 601. Jurassic National Monument.

TITLE VII—WILD AND SCENIC RIVERS

Sec. 701. Wild and scenic rivers.

TITLE VIII—ASHLEY KARST NATIONAL GEOLOGIC AND RECREATION AREA

Sec. 801. Ashley Karst National Geologic and Recreation Area.
Sec. 802. Map and legal description.
Sec. 803. Administration.
Sec. 804. General provisions.

DIVISION B—INNOVATIVE LAND MANAGEMENT, RECREATION AND ECONOMIC DEVELOPMENT

TITLE I—SCHOOL TRUST LAND CONSOLIDATIONS

Sec. 101. Findings and purpose.
Sec. 102. Definitions.
Sec. 103. Exchange of land; reservation of interests.
Sec. 104. Withdrawal of Federal lands prior to exchange.
Sec. 105. National Environmental Policy Act of 1969 and Federal Land Policy and Management Act of 1976 compliance.
Sec. 106. Status and management of land after exchange.
Sec. 107. Book Cliffs Conservation Area.

TITLE II—GOBLIN VALLEY STATE PARK

Sec. 201. Land conveyance.
Sec. 202. Cooperative Management of Goblin Valley.

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TITLE III—PRICE CANYON STATE FOREST

Sec. 301. Definitions.
Sec. 302. Exchange of land.
Sec. 303. Livestock grazing.

TITLE IV—DEER LODGE LAND EXCHANGE

Sec. 401. Definitions.
Sec. 402. Land exchange.

TITLE V—SCOFIELD LAND TRANSFER

Sec. 501. Short title.
Sec. 502. Definitions.
Sec. 503. Conveyance of Scofield Project Land.

TITLE VI—LAND CONVEYANCES

Sec. 601. Land conveyances.

TITLE VII—LAND DISPOSALS

Sec. 701. Land disposals.

TITLE VIII—RECREATION ZONES

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Sec. 802. Map and legal description.
Sec. 803. Goldbar Recreation Zone management.
Sec. 804. Monitor and Merrimac Recreation Zone management.
Sec. 805. Klondike Recreation Zone management.
Sec. 806. Big Flat Recreation Zone management.
Sec. 807. Mineral Canyon Recreation Zone management.
Sec. 808. Dee Pass and Utah Rims Recreation Zone management.
Sec. 809. Yellow Circle and Cameo Cliffs Recreation Zone management.
Sec. 810. Jensen Hills Recreation Zone management.
Sec. 811. Red Mountain Recreation Zone management.
Sec. 812. Devils Hole Recreation Zone management.
Sec. 813. Bourdette Draw Recreation Zone management.
Sec. 814. Red Wash Recreation Zone management.
Sec. 815. Recapture Canyon.
Sec. 816. Big Burrito Non-Motorized Trail.

TITLE IX—RED ROCK COUNTRY OFF-HIGHWAY VEHICLE TRAIL

Sec. 901. Definitions.
Sec. 902. Designation.
Sec. 903. Management.

TITLE X—LONG-TERM INDIAN ECONOMIC DEVELOPMENT CERTAINTY

Sec. 1001. Indian economic development in San Juan County, Utah.
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TITLE XI—LONG-TERM ENERGY DEVELOPMENT CERTAINTY IN UTAH

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Sec. 1102. Actions to expedite energy-related projects.
Sec. 1103. Permitting and regulatory programs.
Sec. 1104. Judicial review.
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Sec. 103. Map and legal description.
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Sec. 105. General provisions.
Sec. 106. Cooperating agencies.
Sec. 107. Bears Ears Tribal Commission.
Sec. 108. Tribal employment.
Sec. 109. Tribal liaison.
Sec. 110. Bears Ears Advisory Committee.

SEC. 3. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term ''Federal land'' means the lands or interests in land under the jurisdiction of the Department of the Interior or the Department of Agriculture, except such term does not in-

clude land the title to which is held in trust by the United States for the benefit of a tribe or an individual or is held in fee by a tribe or individual subject to a restriction by the United States against alienation.

(2) TRIBE.—The term ''tribe'' means a federally recognized Indian tribe (including a pueblo).

(3) TRIBAL.—The term ''tribal'' means of or pertaining to a tribe.

(4) WATER RESOURCE FACILITIES.—The term ''water resource facilities'' means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, transmission and other ancillary facilities, and other water diversion, storage, and carriage structures.

DIVISION A—CONSERVATION

TITLE I—WILDERNESS

SEC. 101. WILDERNESS DESIGNATIONS.

(a) DESIGNATIONS.—In furtherance of the purposes of the Wilderness Act, and subject to valid existing rights, including the rights of a tribe, the following areas of the State of Utah are designated as wilderness and as components of the National Wilderness Preservation System pursuant to the Wilderness Act (16 U.S.C. 1131 et seq.).

(1) CANDLAND MOUNTAIN.—Certain Federal land in Emery County managed by the United States Forest Service comprising approximately 12,330 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Candland Mountain Wilderness''.

(2) DESOLATION CANYON.—Certain Federal land in Duchesne, Uintah, Carbon, Emery, and Grand Counties managed by the Bureau of Land Management comprising approximately 452,204 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Desolation Canyon Wilderness''.

(3) HIGH UINTA.—Certain Federal land in Duchesne, Summit, and Uintah Counties, managed by the United States Forest Service comprising approximately 28,293 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''High Uinta Wilderness''.

(4) MANCOS MESA.—Certain Federal land in San Juan County, managed by the Bureau of Land Management and the National Park Service comprising approximately 95,605 acres, as generally depicted on the Utah PLI Wilderness Map dated Sep-

tember 19, 2016, which shall be known as the ''Mancos Mesa Wilderness''.

(5) CHEESEBOX CANYON.—Certain Federal land in San Juan County managed by the Bureau of Land Management comprising approximately 14,441 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Cheesebox Canyon Wilderness''.

(6) BUTLER WASH.—Certain Federal land in San Juan County managed by the Bureau of Land Management comprising approximately 27,813 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Butler Wash Wilderness''.

(7) DARK CANYON.—Certain Federal land in San Juan County managed by the Bureau of Land Management and the National Park Service comprising approximately 72,990 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Dark Canyon Wilderness''.

(8) BEHIND THE ROCKS.—Certain Federal land in San Juan and Grand Counties managed by the Bureau of Land Management comprising approximately 13,024 acres, as generally depicted on the

Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Behind the Rocks Wilderness''.

(9) BRIDGER JACK MESA.—Certain Federal land in San Juan County managed by the Bureau of Land Management comprising approximately 6,009 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Bridger Jack Mesa Wilderness''.

(10) CEDAR MESA.—Certain Federal land in San Juan County managed by the Bureau of Land Management and the National Park Service comprising approximately 223,566 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Cedar Mesa Wilderness''.

(11) MIKES CANYON.—Certain Federal land in San Juan County managed by the Bureau of Land Management and the National Park Service comprising approximately 30,549 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Mikes Canyon Wilderness''.

(12) MULE CANYON.—Certain Federal land in San Juan County, Utah managed by the Bureau of

Land Management comprising approximately 5,858 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Mule Canyon Wilderness''.

(13) MARSH PEAK.—Certain Federal land in Uintah County managed by the United States Forest Service comprising approximately 15,031 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Marsh Peak Wilderness''.

(14) CLIFF PEAK.—Certain Federal land in Uintah and Duchesne Counties managed by the United States Forest Service comprising approximately 9,153 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Cliff Peak Wilderness''.

(15) BULL CANYON.—Certain Federal land in Uintah County, Utah managed by the Bureau of Land Management comprising approximately 599 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Bull Canyon Wilderness''.

(16) WHITE CANYON.—Certain Federal land in San Juan County managed by the Bureau of Land Management comprising approximately 18,886 acres,

as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''White Canyon Wilderness''.

(17) MEXICAN MOUNTAIN.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 84,976 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Mexican Mountain Wilderness''.

(18) SIDS MOUNTAIN.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 82,406 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Sids Mountain Wilderness''.

(19) MUDDY CREEK.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 72,400 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Muddy Creek Wilderness''.

(20) SAN RAFAEL REEF.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 54,284 acres, as generally depicted on the Utah PLI Wilderness

Map dated September 19, 2016, which shall be known as the ''San Rafael Reef Wilderness''.

(21) CRACK CANYON WILDERNESS.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 27,191 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Crack Canyon Wilderness''.

(22) DEVILS CANYON.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 8,652 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Devils Canyon Wilderness''.

(23) NELSON MOUNTAIN.—Certain Federal land in Emery County managed by the United States Forest Service comprising approximately 12,856 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Nelson Mountain Wilderness''.

(24) WILLIAM GRANSTAFF CANYON.—Certain Federal land in Grand County managed by the Bureau of Land Management comprising approximately 8,420 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which

shall be known as the ''William Granstaff Canyon Wilderness''.

(25) MILL CREEK CANYON.—Certain Federal land in Grand County managed by the Bureau of Land Management and the United States Forest Service comprising approximately 12,357 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Mill Creek Canyon Wilderness''.

(26) LABYRINTH CANYON.—Certain Federal land in Grand and Emery Counties managed by the Bureau of Land Management comprising approximately 56,688 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Labyrinth Canyon Wilderness''.

(27) CANYONLANDS.—Certain Federal land in San Juan County managed by the National Park Service comprising approximately 257,606 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Canyonlands Wilderness''.

(28) ARCHES.—Certain Federal land in Grand County managed by the National Park Service comprising approximately 63,808 acres, as generally de-

picted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Arches Wilderness''.

(29) FISHER TOWERS.—Certain Federal land in Grand County managed by the Bureau of Land Management comprising approximately 1,190 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Fisher Towers Wilderness''.

(30) MARY JANE CANYON.—Certain Federal land in Grand County managed by the Bureau of Land Management comprising approximately 13,574 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Mary Jane Canyon Wilderness''.

(31) GRANITE CREEK.—Certain Federal land in Grand County managed by the Bureau of Land Management comprising approximately 25,104 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Granite Creek Wilderness''.

(32) BOOK CLIFFS.—Certain Federal land in Grand County managed by the Bureau of Land Management comprising approximately 175,490 acres, as generally depicted on the Utah PLI Wilderness Map

dated September 19, 2016, which shall be known as the ''Book Cliffs Wilderness''.

(33) WESTWATER.—Certain Federal land in Grand County, Utah managed by the Bureau of Land Management comprising approximately 32,954 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Westwater Wilderness''.

(34) BEAVER CREEK.—Certain Federal land in Grand County managed by the Bureau of Land Management and the United States Forest Service comprising approximately 48,416 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Beaver Creek Wilderness''.

(35) MOUNT PEALE.—Certain Federal land in San Juan County managed by the United States Forest Service comprising approximately 4,302 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Mount Peale Wilderness''.

(36) HAMMOND CANYON.—Certain Federal land in San Juan County managed by the United States Forest Service comprising approximately 7,593 acres, as generally depicted on the Utah PLI Wilderness

Map dated September 19, 2016, which shall be known as the ''Hammond Canyon Wilderness''.

(37) ARCH CANYON.—Certain Federal land in San Juan County managed by the United States Forest Service comprising approximately 4,376 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Arch Canyon Wilderness''.

(38) DINOSAUR.—Certain Federal land in Uintah County managed by the National Park Service comprising approximately 52,348 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Dinosaur Wilderness''.

(39) CEDAR MOUNTAIN.—Certain Federal land in Emery County managed by the Bureau of Land Management comprising approximately 17,355 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Cedar Mountain Wilderness''.

(40) INDIAN CREEK.—Certain Federal land in San Juan County managed by the Bureau of Land Management comprising approximately 6,562 acres, as generally depicted on the Utah PLI Wilderness

Map dated September 19, 2016, which shall be known as the ''Indian Creek Wilderness''.

(41) STEER GULCH.—Certain Federal land in San Juan County managed by the Bureau of Land Management and the National Park Service comprising approximately 25,094 acres, as generally depicted on the Utah PLI Wilderness Map dated September 19, 2016, which shall be known as the ''Steer Gulch Wilderness''.

(b) PREVIOUS LAND USE.—The previous land use classifications of the Grand Gulch Primitive Area and the Dark Canyon Primitive Area are hereby superseded.

SEC. 102. MAPS AND LEGAL DESCRIPTIONS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture, as appropriate, shall submit to the Committee on Natural Resources of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committee on Energy and Natural Resources of the Senate a map and legal description of each wilderness area designated by this title.

(b) FORCE AND EFFECT.—Each map and legal description submitted under this section shall have the same force and effect as if included in this title, except that the Secretary of the Interior and the Secretary of Agriculture,

as appropriate, may make any minor modifications of any clerical or typographical errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(c) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management, the National Park Service, and the United States Forest Service.

SEC. 103. WILDERNESS ADMINISTRATION.

(a) IN GENERAL.—Subject to valid existing rights, including the rights of a tribe, each wilderness area established under section 101 shall be administered by the Secretary of the Interior or the Secretary of Agriculture, as appropriate, in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act; and

(2) with respect to wilderness areas that are administered by the Secretary of the Interior, any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(b) FIRE, INSECTS, AND DISEASE.—In accordance with section 4(d)(1) of the Wilderness Act, the relevant Secretary may take such measures in each wilderness area necessary to control of fire, insects, and disease (including, as the relevant Secretary determines to be appropriate, the coordination of such activities with a State, tribe, or local agency).

(c) WILDFIRE MANAGEMENT OPERATIONS.—Nothing in this title precludes a Federal, State, tribal, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment).

(d) LIVESTOCK.—

(1) GRAZING.—The grazing of livestock in each wilderness area, if established before the date of enactment of this Act, shall continue, subject to reasonable rules and regulations as prescribed by the relevant Secretary, in accordance with—

(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(B) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (House Report 101–405).

(2) UTAH DEPARTMENT OF AGRICULTURE AND FOOD.—In instances in which historic grazing areas, access, or use is disputed by the grazing permittee, data and information provided by the Utah Department of Agriculture and Food shall be given consideration by the relevant Secretary to establish historic grazing areas, locations, or use.

(e) OUTFITTING AND GUIDE ACTIVITIES.—In accordance with section 4(d)(6) of the Wilderness Act (16 U.S.C. 1133(d)(5)), commercial services (including authorized outfitting and guide activities) within the wilderness areas are authorized to the extent necessary to realize the recreational and other wilderness purposes of the areas.

(f) ACCESS.—In accordance with section 5(a) of the Wilderness Act (16 U.S.C. 1134(a)), the relevant Secretary shall provide the owner of State, tribal or private property within the boundary of a wilderness area access to the property.

(g) WILDLIFE WATER DEVELOPMENT PROJECTS.—The relevant Secretary shall allow existing water structures and facilities for wildlife water development projects, including guzzlers, in the wilderness areas designated by this title.

(h) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction of the State of Utah with respect to the

management of fish and wildlife on Federal land in the State, including the regulation of hunting, fishing, and trapping within the wilderness areas.

(i) WITHDRAWALS.—Subject to valid existing rights, all public land within the areas established as wilderness under this title, including any land or interest in land that is acquired by the United States within the wilderness areas after the date of enactment of this Act, is withdrawn from—

(1) entry, appropriation or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(j) TRAIL AND FENCE MAINTENANCE.—The relevant Secretary shall maintain trails and fence lines located within the wilderness areas designated by this title, in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 104. WATER RIGHTS.

(a) STATUTORY CONSTRUCTION.—Nothing in this title—

(1) shall constitute either an express or implied reservation by the United States of any water rights with respect to the wilderness areas designated by section 101;

(2) affects any water rights in the State of Utah existing on the date of enactment of this Act, including any water rights held by the United States;

(3) establishes a precedent with regard to any future wilderness designations; or

(4) shall restrict or prohibit the upstream diversion of water rights held under Utah State law.

(b) EXISTING WATER INFRASTRUCTURE.—Nothing in this title shall be construed to limit motorized access and road maintenance by local municipalities, including irrigation districts, and other water right holders for maintenance activities necessary to guarantee the continued viability of water resource facilities that currently exist or which may be necessary in the future to prevent the degradation of the water supply in wilderness areas designated by section 101.

SEC. 105. MILITARY OVERFLIGHTS.

Nothing in this title restricts or precludes—

(1) low-level overflights of military aircraft over wilderness areas designated by section 101, including military overflights that can be seen or heard within wilderness areas;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes over wilderness areas.

SEC. 106. ADJACENT MANAGEMENT.

(a) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around a wilderness area designated by section 101.

(b) ACTIVITIES OUTSIDE WILDERNESS AREA.—The fact that an activity or use on land outside a wilderness area can be seen, heard or smelled within the wilderness area shall not preclude the activity or use outside the boundary of the wilderness area.

SEC. 107. INDIAN RIGHTS.

Nothing in this title diminishes the rights of any Indian tribe.

SEC. 108. ACQUISITION OF LAND AND INTERESTS IN LAND.

(a) ACQUISITION.—

(1) IN GENERAL.—The relevant Secretary may acquire land or interest in land within the boundaries of the wilderness areas designated by section 101 only by donation, exchange, transfer from another Federal agency, or purchase from a willing seller.

(2) LAND EXCHANGE.—At the request of the State of Utah, not later than two years after the date of enactment of this Act, the relevant Secretary shall

complete exchanges for State land located within the boundaries of the wilderness areas designated by this title.

(3) NO CONDEMNATION.—Within the areas designated as wilderness by this title, the use of eminent domain or condemnation shall be prohibited.

(b) INCORPORATION IN WILDERNESS AREA.—Any land or interest in land located inside the boundary of a wilderness area that is acquired by the United States after the date of enactment of this Act, except land acquired by the United States in trust for the benefit of a tribe, shall be added to, and administered as part of the wilderness area.

SEC. 109. WILDERNESS RELEASE.

(a) FINDING.—Congress finds that, for purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the public land administered by the Bureau of Land Management in the following wilderness study areas, as depicted on the map entitled Utah PLI Wilderness Map dated September 19, 2016, have been adequately studied for wilderness designation—

(1) the 43,322-acre area known as Winter Ridge Wilderness Study Area;

(2) the 7,051-acre area known as Jack Canyon Wilderness Study Area;

(3) the 6,557-acre area known as Squaw and Papoose Wilderness Study Area;

(4) the 38,242-acre area known as Desolation Canyon Wilderness Study Area included within the Desolation Canyon Special Management Area as designated by title IV of this Division and as depicted on the map;

(5) the 2,516-acre area known as Daniels Canyon Wilderness Study Area; and

(6) the 945-acre area known as Cross Canyon Wilderness Study Area.

(b) RELEASE.—Any land managed by the Bureau of Land Management within the areas described in subsection (a) that is not designated as wilderness by this title—

(1) shall not be subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c));

(2) shall be managed in accordance with land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and

(3) shall no longer be subject to Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010.

SEC. 110. AIRSHEDS.

(a) DESIGNATIONS.—Except as provided in subsection (b), it is the intent of Congress that wilderness areas designated under section 101 shall not be designated as Class I airsheds under the Clean Air Act (42 U.S.C. 7401–7661) unless Class I status is agreed to by the State of Utah under existing authorities.

(b) EXCEPTIONS.—The lands within the wilderness designated by section 101(27) and (28) shall continue to be managed as Class I airsheds.

TITLE II—NATIONAL CONSERVATION AREAS

SEC. 201. NATIONAL CONSERVATION AREAS.

Subject to valid existing rights, including the rights of a tribe, the following areas in the State of Utah are hereby established as National Conservation Areas:

(1) BEACH DRAW.—Certain Federal land, comprising approximately 658 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated September 16, 2016, to be known as the ''Beach Draw National Conservation Area''.

(2) DIAMOND MOUNTAIN.—Certain Federal land, comprising approximately 30,390 acres administered by the Bureau of Land Management in Uintah Coun-

ty as generally depicted on the map entitled Utah PLI National Conservation Area Map dated September 16, 2016, to be known as the ''Diamond Mountain National Conservation Area''.

(3) DOCS VALLEY.—Certain Federal land, comprising approximately 8,544 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated September 16, 2016, to be known as the ''Docs Valley National Conservation Area''.

(4) STONE BRIDGE DRAW.—Certain Federal land, comprising approximately 2,415 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated September 16, 2016, to be known as the ''Stone Bridge Draw National Conservation Area''.

(5) STUNTZ DRAW.—Certain Federal land, comprising approximately 2,284 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated September 16, 2016, to be known as the ''Stuntz Draw National Conservation Area''.

(6) SAN RAFAEL SWELL.—Certain Federal land, comprising approximately 530,380 acres administered by the Bureau of Land Management in Emery County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated September 16, 2016, to be known as the ''San Rafael Swell National Conservation Area''.

(7) LABYRINTH CANYON.—Certain Federal land, comprising approximately 61,723 acres administered by the Bureau of Land Management in Emery County and Grand County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated September 16, 2016, to be known as the ''Labyrinth Canyon National Conservation Area''.

(8) MUDDY CREEK.—Certain Federal land, comprising approximately 53,804 acres administered by the Bureau of Land Management in Emery County, Utah, as generally depicted on the map entitled Utah PLI National Conservation Area Map dated September 16, 2016, to be known as the ''Muddy Creek National Conservation Area''.

(9) COLORADO RIVER.—Certain Federal land, comprising approximately 166,949 acres administered by the Bureau of Land Management in Grand County as generally depicted on the map entitled

Utah PLI National Conservation Area Map dated September 16, 2016, to be known as the ''Colorado River National Conservation Area''.

(10) INDIAN CREEK.—Certain Federal land, comprising approximately 434,354 acres administered by the Bureau of Land Management and United States Forest Service in San Juan County, Utah, as generally depicted on the map entitled Utah PLI National Conservation Area Map dated September 16, 2016, to be known as the ''Indian Creek National Conservation Area''.

(11) SAN RAFAEL RIVER.—Certain Federal land, comprising approximately 33,935 acres administered by the Bureau of Land Management in Emery County as generally depicted on the map entitled Utah PLI National Conservation Area Map dated September 16, 2016, to be known as the ''San Rafael River National Conservation Area''.

SEC. 202. DEFINITIONS.

In this title:

(1) MANAGEMENT PLAN.—The term ''management plan'' means the management plans for each National Conservation Area developed by the relevant Secretary under section 204.

(2) NATIONAL CONSERVATION AREA.—The term ''National Conservation Area'' means the National Conservation Areas established under section 201 of this title.

SEC. 203. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture, as appropriate, shall submit to the Committee on Natural Resources of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committee on Energy and Natural Resources of the Senate a map and legal description of each National Conservation Area designated by this title.

(b) FORCE AND EFFECT.—Each map and legal description submitted under this section shall have the same force and effect as if included in this title, except that the relevant Secretary may make minor modifications of any clerical or typographical errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(c) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public

inspection in the appropriate offices of the Bureau of Land Management and the United States Forest Service.

SEC. 204. ADMINISTRATION OF NATIONAL CONSERVATION AREAS.

(a) PURPOSES.—In accordance with this title, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and other applicable laws, the relevant Secretary shall manage the National Conservation Areas established by section 201 in a manner that—

(1) protects, conserves, and enhances the unique and nationally important historic, cultural, scientific, scenic, recreational, archaeological, natural, and educational resources of the Conservation Area;

(2) maintains and enhances cooperative and innovative management practices between resource managers, private landowners, and the public in the Conservation Area; and

(3) recognizes and maintains historic uses of the Conservation Area.

(b) MANAGEMENT PLANS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the relevant Secretary shall develop a comprehensive management plan for the long-term management of each National Conservation Area.

(2) RECOMMENDATIONS AND CONSULTATION.—In developing the management plans required under paragraph (1), the relevant Secretary shall consult and coordinate with appropriate State, local and tribal government entities, members of the public, and the Public Lands Initiative Planning and Implementation Advisory Council established under Division C of this Act. If the relevant Secretary does not incorporate recommendations submitted by the State, local governments, and Indian tribes into the management plans, the relevant Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations.

SEC. 205. GENERAL PROVISIONS.

(a) WITHDRAWALS.—

(1) IN GENERAL.—Subject to valid existing rights and paragraph (3), all Federal land in each National Conservation Area is withdrawn from—

(A) all forms of entry, appropriation, and disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(2) ADDITIONAL LAND.—If the relevant Secretary acquires additional land that is located within a National Conservation Area after the date of enactment of this Act, the land is withdrawn from operation of the laws referred to in paragraph (1) on the date of acquisition of the land.

(3) EXCEPTION.—This withdrawal shall not apply to the extraction and storage of mineral materials used for road maintenance within the National Conservation Areas established under section 201 of this Division.

(b) FIRE, INSECTS, AND DISEASE.—In accordance with this title, the relevant Secretary may take such measures in each Conservation Area necessary to control fire, insects, and disease (including the coordination of such activities with a State, tribal, or local agency).

(c) WILDLAND FIRE OPERATIONS.—Nothing in this title precludes a Federal, State, tribal, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) in Conservation Areas designated under section 201.

(d) LIVESTOCK.—

(1) IN GENERAL.—Within the Conservation Areas established under section 201 the grazing of livestock established before the date of enactment of this Act shall continue subject to reasonable regulations as prescribed by the relevant Secretary.

(2) PROTECTION OF EXISTING USES.—Existing livestock grazing shall continue in accordance with the following guidelines:

(A) There shall be no reductions of grazing in the areas designated by this title simply because an area is, or has been designated by this title.

(B) The number of livestock permitted to graze in areas designated by this title shall continue at approximate stocking levels prescribed in the grazing permit that existed on January 1, 2016, and additional or suspended Animal Unit Months shall be allowed to graze as range conditions allow or if range treatments improve conditions. Animal Unit Months shall only be diminished as a result of revisions in the normal grazing and land management planning and policy setting process.

(C) The maintenance of existing grazing supporting facilities in an area prior to its des-

ignation by this title (including fences, placement of salt and minerals, line cabins, water wells and pipelines, stock tanks and ponds), shall continue. Such maintenance may include the use of off-highway vehicles or mechanized tools and equipment.

(D) The construction of new grazing improvements or replacement of deteriorated livestock facilities in areas designated by this title is authorized if in accordance with the applicable management plan.

(E) The use of off-highway vehicles for emergency purposes such as care of sick animals or the placement of feed and water in emergency situations is authorized by the applicable grazing permit holder or an employee or agent thereof.

(F) Access to historic and traditional water sources for the purpose of watering livestock shall be maintained.

(G) The trailing of domestic livestock shall continue and shall not be limited by the designations made under section 201.

(3) UTAH DEPARTMENT OF AGRICULTURE AND FOOD.—In instances in which historic grazing areas,

access, or use is disputed by the grazing permittee, data and information provided by the Utah Department of Agriculture and Food shall be given consideration by the relevant Secretary to determine historic grazing areas or use.

(e) EXISTING EASEMENTS AND RIGHTS-OF-WAY.—Nothing in this title precludes the relevant Secretary from renewing easements or rights-of-way in Conservation Areas established under section 201 in existence on the date of enactment of this Act, in accordance with this division and existing law.

(f) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around a Conservation Area designated by section 201.

(2) ACTIVITIES OUTSIDE CONSERVATION AREA.—An activity or use on land outside of a Conservation Area established under section 201 that can be seen, heard, felt, or smelled within the Conservation Area shall not preclude the activity or use outside the boundary of the Conservation Area.

(g) OUTFITTING AND GUIDE ACTIVITIES.—Commercial services (including authorized outfitting and guide activities) within the Conservation Areas established under

section 201 are authorized to the extent necessary to realize the recreational purposes of the areas.

(h) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction of the State of Utah with respect to the management of fish and wildlife on Federal land in the State, including the regulation of hunting, fishing, and trapping and use of helicopters to maintain healthy wildlife populations, within the Conservation Areas established under section 201.

(i) ACCESS.—The relevant Secretary shall provide the owner of State, tribal or private property within the boundary of a Conservation Area established under section 201 access to the property.

(j) WILDLIFE WATER DEVELOPMENT PROJECTS.—Structures and facilities, including future and existing structures and facilities, for wildlife water development projects (including guzzlers) in the Conservation Areas established under section 201 are authorized.

(k) WATER RIGHTS.—

(1) STATUTORY CONSTRUCTION.—Nothing in this title—

(A) shall constitute either an express or implied reservation by the United States of any water rights with respect to the Conservation Areas designated by this title;

(B) affects any water rights in the State of Utah existing on the date of enactment of this title, including any water rights held by the United States;

(C) establishes a precedent with regard to any future National Conservation Area designations; or

(D) shall restrict or prohibit the upstream diversion of water rights held under Utah State law.

(2) EXISTING WATER INFRASTRUCTURE.—Nothing in this title shall be construed to limit motorized access and road maintenance by local municipalities, including irrigation districts, and other water right holders for maintenance activities necessary to guarantee the continued viability of water resource facilities that currently exist or which may be necessary in the future to prevent the degradation of the water supply in Conservation Areas designated by this title.

(l) WILDERNESS RELEASE.—Congress finds that the Conservation Areas designated by section 201 have been adequately studied for wilderness character and wilderness designation pursuant to section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782) and are no longer subject to the requirement of subsection (c)

of such section pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

(m) PROHIBITION.—The relevant Secretary may not promulgate or issue any system-wide regulation, directive, instruction memorandum or order that would direct management of the Federal lands designated as Conservation Areas by section 201 in a manner contrary to this title.

(n) VEGETATION MANAGEMENT.—Nothing in this title prevents the relevant Secretary from conducting vegetation management projects within the Conservation Areas established under section 201 in a manner consistent with the purposes for the Conservation Area pursuant to section 204(a).

(o) OFF-HIGHWAY VEHICLES.—

(1) IN GENERAL.—Except in cases in which off-highway vehicles are needed for administrative purposes, including project construction and maintenance, response to an emergency or as outlined in section 205(d)(2), the use of off-highway vehicles shall be permitted only on designated routes within the Conservation Areas designated under section 201.

(2) DESIGNATED ROUTES FOR OFF-HIGHWAY VEHICLES.—

(A) IN GENERAL.—The relevant Secretary shall manage existing designated routes in a manner that—

(i) is consistent with off-highway vehicle and mechanized use of the designated routes that is authorized under the applicable travel management plan;

(ii) does not significantly damage designated critical habitat or cultural resources; and

(iii) does not interfere with private property or water rights.

(B) CLOSURE.—The relevant Secretary, in consultation with the State and affected County, may temporarily close or permanently reroute, subject to subparagraph (C), a route if the relevant Secretary determines that—

(i) the route is significantly damaging designated critical habitat or cultural resources;

(ii) the route threatens public safety;

(iii) closure of the route is necessary to repair damage to the designated route; or

(iv) closure of the route is necessary to repair resource damage.

(C) REROUTING.—Portions of the designated route that are temporarily closed may be permanently rerouted by utilizing a previously closed route or constructing a new route.

(D) NOTICE.—The relevant Secretary shall provide information to the public regarding any designated routes that are open, have been rerouted, or are temporarily or permanently closed through—

(i) use of appropriate signage within the Conservation Area; and

(ii) use of the Internet and Web resources.

(p) TEMPORARY ROAD CONSTRUCTION.—The relevant Secretary shall be permitted to construct temporary passenger vehicle roads for administrative or emergency purposes. The relevant Secretary shall decommission any temporary road constructed under this paragraph not later than three years after the date the project is completed.

(q) NO EFFECT ON NON-FEDERAL LAND OR INTERESTS IN NON-FEDERAL LAND.—Nothing in this title affects ownership, management, or other rights relating to non-Federal land or interests in non-Federal land.

(r) SCIENTIFIC INVESTIGATIONS.—The relevant Secretary shall provide opportunities, including through part-

nerships with colleges, universities, schools, tribes, scientific institutions, nonprofit organizations, researchers, and scientists to conduct research and provide educational and interpretive services of the historical, cultural, scientific, archeological, and natural resources within the Conservation Areas designated by section 201. Research findings from the Conservation Areas may be used to develop land use solutions that meet human needs while maintaining ecological and economic viability in the region.

(s) RESEARCH AND INTERPRETIVE FACILITIES.—

(1) IN GENERAL.—The relevant Secretary may establish facilities for—

(A) the conduct of scientific research; and

(B) the interpretation of the historical, cultural, scientific, archeological, biological, natural and educational resources of the Conservation Areas designated under section 201.

(2) GRANTS AND COOPERATIVE AGREEMENTS.—In carrying out subsection (r), the relevant Secretary may make grants to, or enter into cooperative agreements with the State of Utah, local governmental entities, tribes, other institutions and organizations, and private entities to conduct research, conduct scientific analyses, and carry out any other initiative

relating to the restoration or conservation of the Conservation Areas.

(t) PARTNERSHIPS.—In carrying out subsections (r) and (s) and in recognition of the value of collaboration to foster innovation and enhance research and development efforts, the relevant Secretary shall encourage partnerships, including public-private partnerships, between and among Federal, State, tribal and local agencies, academic institutions, nonprofit organizations and private entities.

(u) RECREATION.—The relevant Secretary shall continue to authorize, maintain, and enhance the recreational use of the Conservation Areas designated under section 201, including hunting, fishing, camping, hiking, backpacking, cross-country skiing, hang gliding, paragliding, rock climbing, canyoneering, sightseeing, nature study, horseback riding, mountain biking, rafting, off-highway vehicle recreation on designated routes, and other recreational activities.

(v) ACQUISITION.—

(1) IN GENERAL.—The relevant Secretary may acquire land or interest in land within the boundaries of the Conservation Areas designated by section 201 only by donation, exchange, transfer from another Federal agency, or purchase from a willing seller.

(2) LAND EXCHANGE.—At the request of the State, not later than two years after the date of enactment of this Act, the relevant Secretary shall complete exchanges for State land located within the boundaries of the Conservation Areas designated by section 201.

(3) NO CONDEMNATION.—Within the Conservation Areas designated by section 201 the use of eminent domain or condemnation shall be prohibited.

(4) INCORPORATION IN NATIONAL CONSERVATION AREA.—Any land or interest in land located inside the boundary of a Conservation Area designated under section 201 that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the Conservation Area.

SEC. 206. ADDITIONAL PURPOSE FOR DOCS VALLEY, STONE BRIDGE DRAW, STUNTZ DRAW, BEACH DRAW, AND DIAMOND MOUNTAIN NATIONAL CONSERVATION AREAS.

Nothing in this title precludes existing or future sage grouse conservation projects, including the management of vegetation through mechanical means within the Docs Valley, Stone Bridge Draw, Stuntz Draw, Beach Draw, and Diamond Mountain National Conservation Areas.

SEC. 207. ADDITIONAL PURPOSE FOR COLORADO RIVER NATIONAL CONSERVATION AREA.

In addition to those purposes provided in section 204 of this Division, a purpose for the Colorado River National Conservation Area shall be to provide for the management, development, protection, and use of drinking water within the Colorado River National Conservation Area.

TITLE III—WATERSHED MANAGEMENT AREAS

SEC. 301. WATERSHED MANAGEMENT AREAS.

(a) ESTABLISHMENT.—The following Watershed Management Areas are hereby established in the State of Utah, subject to valid existing rights:

(1) ASHLEY SPRING.—The ''Ashley Spring Watershed Management Area'', consisting of approximately 10,951 acres of the Ashley National Forest in Uintah County as generally depicted on the map entitled Utah PLI Special Management Area Map dated September 19, 2016.

(2) DRY FORK.—The ''Dry Fork Watershed Management Area'', consisting of approximately 9,640 acres of the Ashley National Forest in Uintah County as generally depicted on the map entitled Utah PLI Special Management Area Map dated September 19, 2016.

(3) CASTLE VALLEY.—The ''Castle Valley Watershed Management Area'', consisting of approximately 34,247 acres of the Manti-La Sal National Forest in Grand County as generally depicted on the map entitled Utah PLI Special Management Area Map dated September 19, 2016.

(4) WIDDOP MOUNTAIN.—The ''Widdop Mountain Watershed Management Area'', consisting of approximately 8,025 acres of the Ashley National Forest in Summit County as generally depicted on the map entitled Utah PLI Special Management Area Map dated September 19, 2016.

(5) EAST FORK SMITHS FORK.—The ''East Fork Smiths Fork Watershed Management Area'', consisting of approximately 3,178 acres of the Ashley National Forest in Summit County as generally depicted on the map entitled Utah PLI Special Management Area Map dated September 19, 2016.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—Two years after the date of enactment of this Act, the Secretary of Agriculture (hereinafter ''Secretary'' in this title) shall file a map and legal description of the Watershed Management Areas with the Committee on Natural Resources of the

House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the United States Forest Service.

SEC. 302. ADMINISTRATION OF WATERSHED MANAGEMENT AREAS.

(a) PURPOSES.—The purposes of the Watershed Management Areas are—

(1) to ensure the protection of the quality of water in the Watershed Management Areas;

(2) to allow visitors to enjoy the scenic, natural, cultural, recreational, and wildlife values of the Watershed Management Areas;

(3) to provide for the management, development, and use of drinking water within the Watershed Management Areas;

(4) to allow for the reintroduction of beavers in appropriate Watershed Management Areas;

(5) to allow for reintroduction of native flora (land and aquatic), bird, fish and animal fauna in Watershed Management Areas;

(6) to provide for the restoration of watersheds and re-establish ecosystem health in areas damaged or threatened by insects, disease or prior land use; and

(7) to provide for the restoration of ecosystems damaged or threatened by overpopulation of any plant, aquatic or animal species.

(b) MANAGEMENT.—The Secretary shall manage the Watershed Management Areas—

(1) in a manner consistent with the purposes described in subsection (a); and

(2) in accordance with—

(A) the laws generally applicable to the National Forest System;

(B) this title; and

(C) any other applicable law.

(c) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—Not later than two years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term management of each Watershed Management Area.

(2) RECOMMENDATIONS AND CONSULTATION.—The Secretary shall prepare the management plan in consultation and coordination with local and tribal governments, the public, and the Public Lands Initiative Planning and Implementation Advisory Council established under Division C of this Act. If the Secretary does not incorporate recommendations submitted by the State, local governments, and Indian tribes into the management plans, the Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Agriculture, Nutrition, and Forestry outlining the reasons for rejecting the recommendations.

SEC. 303. GENERAL PROVISIONS.

(a) MOTORIZED VEHICLES.—Except in cases in which motorized vehicles are needed for administrative purposes or to respond to an emergency, the use of motorized vehicles shall be permitted only on designated routes within the Watershed Management Areas.

(b) NO EFFECT ON NON-FEDERAL LAND OR INTERESTS IN NON-FEDERAL LAND.—Nothing in this title affects ownership, management, or other rights relating to non-Federal land or interests in non-Federal land.

(c) ROAD CONSTRUCTION.—The Secretary shall be permitted to construct roads for administrative or emergency purposes, or if a temporary road is needed to facilitate forest management projects to protect or enhance watersheds. The Secretary shall decommission any temporary road constructed under a project under this section not later than three years after the date on which the forest management project is completed.

(d) OVERSNOW VEHICLES.—Where permitted prior to the date of enactment of this Act, the Secretary shall authorize the use of snowmobiles and other over snow vehicles within the Watershed Management Areas when there is at least six inches of snow coverage.

(e) FIRE, INSECTS, AND DISEASE.—In accordance with this title and in consultation with State, tribal, and local government and water or irrigation districts who own or control water resources within Watershed Management Areas, the Secretary may carry out measures to prevent wildland fire and reduce hazardous fuels, insects, and diseases in the Watershed Management Areas to protect or im-

prove water quality or to maintain or restore the characteristics of ecosystem composition and structure.

(f) WILDLAND FIRE OPERATIONS.—Nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) in Watershed Management Areas designated under section 301.

(g) POST-FIRE REHABILITATION.—The Secretary may conduct post-fire rehabilitation in the Watershed Management Areas, consistent with this title and in accordance with applicable law.

(h) VEGETATION MANAGEMENT.—The Secretary shall conduct vegetation management projects within the Watershed Management Areas if projects protect or improve water quality or maintain or restore the characteristics of ecosystem composition and structure.

(i) FOREST MANAGEMENT.—Within the Watershed Management Areas, timber harvesting may be used if the primary purpose is to restore or improve forest health and watershed function or to further the purposes described in this title.

(j) LIVESTOCK.—

(1) IN GENERAL.—Within the Watershed Management Areas designated under section 301, the grazing of livestock established before the date of enact-

ment of this Act shall continue subject to reasonable regulations as prescribed by the Secretary.

(2) PROTECTION OF EXISTING USES.—Existing livestock grazing shall continue in accordance with the following guidelines:

(A) There shall be no reductions of grazing in the areas designated by this title simply because an area is, or has been designated by this title.

(B) The number of livestock permitted to graze in areas designated by this title shall continue at approximate stocking levels prescribed in the grazing permit that existed on January 1, 2016, and additional or suspended Animal Unit Months shall be authorized to graze as range conditions allow or if range treatments improve conditions. Animal Unit Months shall only be diminished as a result of revisions in the normal grazing and land management planning and policy setting process.

(C) The maintenance of existing grazing supporting facilities in an area prior to its designated by this title (including fences, placement of salt and minerals, line cabins, water wells and pipelines, stock tanks and ponds), shall con-

tinue. Such maintenance may include the use of off-highway vehicles or mechanized tools and equipment.

(D) The construction of new grazing improvements or replacement of deteriorated facilities in areas designated by this title is authorized if in accordance with the applicable land management plan.

(E) The use of off-highway vehicles for emergency purposes such as care of sick animals or the placement of feed and water in emergency situations is authorized by the applicable grazing permit holder or an employee or agent thereof.

(F) Access to historic and traditional water sources for the purpose of watering livestock shall be maintained.

(G) The trailing of domestic livestock shall continue and shall not be limited by the designations made under section 301.

(3) UTAH DEPARTMENT OF AGRICULTURE AND FOOD.—In instances in which historic grazing locations, access, or use is disputed by the grazing permittee, data and information provided by the Utah Department of Agriculture and Food shall be given

consideration by the Secretary to establish historic access, locations, or use.

(k) EXISTING EASEMENTS AND RIGHTS-OF-WAY.—Nothing in this title precludes the Secretary from renewing easements or rights-of-way in existence as of the date of enactment of this Act, in accordance with this title and existing law.

(l) ADJACENT MANAGEMENT.—Nothing in this title creates a protective perimeter or buffer zone around a Watershed Management Area designated by section 301.

(m) ACTIVITIES OUTSIDE WATERSHED MANAGEMENT AREA.—The fact that an activity or use on land outside a Watershed Management Area can be seen, heard, felt or smelled within the Watershed Management Area shall not preclude the activity or use outside the boundary of the Watershed Management Area.

(n) OUTFITTING AND GUIDE ACTIVITIES.—Commercial services (including authorized outfitting and guide activities) within the Watershed Management Areas are authorized to the extent necessary to realize the recreational purposes of the areas.

(o) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction of the State of Utah with respect to the management of fish and wildlife on Federal land in the

State, including the regulation of hunting, fishing, and trapping within the Watershed Management Areas.

(p) ACCESS.—The Secretary shall provide the owner of State, tribal or private property within the boundary of a Watershed Management Areas access to the property.

(q) WILDLIFE WATER DEVELOPMENT PROJECTS.—Structures and facilities, including future and existing structures and facilities, for wildlife water development projects (including guzzlers) in the Watershed Management Areas are authorized.

(r) WATER RIGHTS.—Nothing in this title—

(1) shall constitute either an express or implied reservation by the United States of any water rights with respect to the Watershed Management Areas designated by this title;

(2) affects any water rights in the State of Utah existing on the date of enactment of this Act, including any water rights held by the United States;

(3) establishes a precedent with regard to any future Watershed Management Area designations; or

(4) shall restrict or prohibit the upstream diversion of water rights held under Utah State law.

(s) EXISTING WATER INFRASTRUCTURE.—Nothing in this title shall be construed to limit motorized access and road maintenance by local municipalities or irrigation dis-

tricts and other water right holders for those maintenance activities necessary to guarantee the continued viability of water resource facilities that currently exist or which may be necessary in the future to prevent the degradation of the water supply in Watershed Management Areas designated by section 301 subject to such reasonable regulations deemed necessary by the Secretary.

(t) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this title, the Federal land within the Watershed Management Areas designated by section 301 are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the Federal land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(u) ASHLEY SPRING AND DRY FORK.—The management plans for the Ashley Spring and Dry Fork management areas shall include provisions for the development of containment ponds, water pipes, and other improvements to deliver water to the Ashley Valley should the flow of Ashley Spring become diminished or impaired.

(v) WILDERNESS REVIEW.—The Secretary may not promulgate or issue any system-wide regulation, directive,

instruction memorandum or order that would direct management of the Federal lands designated as Watershed Management Areas in section 301 in a manner contrary to this title.

TITLE IV—SPECIAL MANAGEMENT AREAS

SEC. 401. HIGH UINTAS SPECIAL MANAGEMENT AREA.

(a) ESTABLISHMENT.—Subject to valid existing rights, the approximately 19,191 acres of the Ashley National Forest in Uintah and Duchesne County, Utah, as generally depicted on the map entitled Utah PLI High Uintas Special Management Area Map dated June 24, 2016, is established as the High Uintas Special Management Area.

(b) PURPOSES.—The purposes of the High Uintas Special Management Area (hereinafter referred to in this title as the ''Area'') are to maintain the natural values of the area and to allow for the continued use of oversnow vehicles.

SEC. 402. HIGH UINTAS SPECIAL MANAGEMENT AREA MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—Not later than two years after the date of enactment of this Act, the Secretary of Agriculture (hereinafter ''Secretary'' in this title) shall file a map and legal description of the Area with the Committee on Natural Resources of the House of Representatives and the Com-

mittee on Agriculture, Nutrition, and Forestry of the Senate.

(b) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(c) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the United States Forest Service.

SEC. 403. ADMINISTRATION OF THE HIGH UINTAS SPECIAL MANAGEMENT AREA.

(a) ADMINISTRATION.—The Secretary shall administer the Area in accordance with—

(1) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);

(2) this title; and

(3) other applicable laws.

(b) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—Not later than two years after the date of enactment of this Act, the Secretary

shall develop a management plan for the long-term management of the Area.

(2) RECOMMENDATIONS AND CONSULTATION.—The Secretary shall prepare the management plan in consultation and coordination with State, local and tribal governments, the public, and the Public Lands Initiative Planning and Implementation Advisory Council established under Division C of this Act. If the Secretary does not incorporate recommendations submitted by the State, local governments, and Indian tribes into the management plans, the Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Agriculture, Nutrition, and Forestry outlining the reasons for rejecting the recommendations.

(3) USES.—The Secretary shall allow only such uses of the Area that would further the purposes outlined in subsection 401(b) and the following guidelines:

(A) Maintain the existing, outstanding natural values of the Area.

(B) Allow for the continued use and access of oversnow vehicles, including snowmobiles.

(C) Allow for non-motorized recreational opportunities to occur within the Area including skiing, biking, hiking, fishing, hunting, horseback riding, snowshoeing, and camping.

(D) Prohibit mineral development.

(E) Prohibit new permanent road construction.

(F) Prohibit commercial timber harvesting.

SEC. 404. HIGH UINTAS SPECIAL MANAGEMENT AREA GENERAL PROVISIONS.

(a) WITHDRAWALS.—Subject to valid existing rights, all Federal land within the Area established under section 401 is withdrawn from—

(1) entry, appropriation or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) FIRE, INSECTS, AND DISEASE.—In accordance with this title, the Secretary may take such measures in the Area as are necessary for the control of fire, insects, and disease (including the coordination of the activities with a State or local agency).

(c) WILDLAND FIRE OPERATIONS.—Nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) in the Area designated under section 401.

(d) LIVESTOCK.—

(1) IN GENERAL.—Within the Area designated under section 401, the grazing of livestock established before the date of enactment of this Act shall continue subject to reasonable regulations as prescribed by the Secretary.

(2) PROTECTION OF EXISTING USES.—Existing livestock grazing shall continue in accordance with the following guidelines:

(A) There shall be no reductions of grazing in the areas designated by this section simply because an area is, or has been designated by this title.

(B) The number of livestock permitted to graze in areas designated by this title shall continue at approximate stocking levels prescribed in the grazing permit that existed on January 1, 2016, and additional or suspended Animal Unit Months shall be authorized to graze as range conditions allow or if range treatments improve

conditions. Animal Unit Months shall only be diminished as a result of revisions in the normal grazing and land management planning and policy setting process.

(C) The maintenance of existing grazing supporting facilities in an area prior to its designated by this section (including fences, placement of salt and minerals, line cabins, water wells and pipelines, stock tanks and ponds), shall continue. Such maintenance may include the use of off-highway vehicles or mechanized tools and equipment.

(D) The construction of new grazing improvements or replacement of deteriorated facilities in areas designated by this section is authorized if in accordance with the applicable land management plan.

(E) The use of off-highway vehicles for emergency purposes such as care of sick animals or the placement of feed and water in emergency situations is authorized by the applicable grazing permit holder or an employee or agent thereof.

(F) Access to historic and traditional water sources for the purpose of watering livestock shall be maintained.

(G) The trailing of domestic livestock shall continue and shall not be limited by the designation made under section 401.

(3) UTAH DEPARTMENT OF AGRICULTURE AND FOOD.—In instances in which historic grazing locations, access, or use is disputed by the grazing permittee, data and information provided by the Utah Department of Agriculture and Food shall be given consideration by the Secretary to establish historic access, locations, or use.

(e) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around the Area.

(2) ACTIVITIES OUTSIDE THE AREA.—The fact that an activity or use on land outside the Area can be seen, heard, felt or smelled within the Area shall not preclude the activity or use outside the boundary of the Area.

(f) OUTFITTING AND GUIDE ACTIVITIES.—Commercial services (including authorized outfitting and guide activities) within the Area are authorized to the extent necessary to realize the recreational purposes of the Area.

(g) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction of the State of Utah with respect to the management of fish and wildlife on Federal land in the State, including the regulation of hunting, fishing, and trapping and use of helicopters to maintain healthy wildlife populations, within the Area.

(h) ACCESS.—The Secretary shall provide the owner of State or private property within the boundary of the Area.

(i) WILDLIFE WATER DEVELOPMENT PROJECTS.—Structures and facilities, including future and existing structures and facilities, for wildlife water development projects (including guzzlers) in the Area are authorized.

(j) WATER RIGHTS.—

(1) STATUTORY CONSTRUCTION.—Nothing in this title—

(A) shall constitute either an express or implied reservation by the United States of any water rights with respect to the High Uintas Special Management Area;

(B) affects any water rights in the State of Utah existing on the date of enactment of this Act;

(C) establishes a precedent with regard to any future special management areas designations; or

(D) shall restrict or prohibit the upstream diversion of water rights held under Utah State law.

(2) UTAH WATER LAW.—The Secretary shall follow the procedural and substantive requirements of State law to obtain and hold any water rights not in existence on the date of the enactment of this Act with respect to the Area.

(3) EFFECTS ON STATE WATER RIGHTS.—The Secretary shall not take any action that adversely affects—

(A) any water rights granted by the State;

(B) the authority of the State in adjudicating water rights;

(C) definitions established by the State with respect to the term ''beneficial use'' or ''priority of rights'';

(D) terms and conditions for groundwater withdrawal;

(E) the use of groundwater resources that are in accordance with State law; or

(F) other rights or obligations of the State as established under State law.

(4) EXISTING WATER INFRASTRUCTURE.—

(A) Nothing in this title shall be construed to limit off-highway vehicle access and road maintenance by local municipalities, water districts or irrigation districts, for those maintenance activities necessary to guarantee the continued viability of water resource facilities that currently exist or which may be necessary in the future to prevent the degradation of the water supply in the Area.

(B) Nothing in this title shall be construed to encumber, transfer, impair, or limit any water right, or recognized beneficial use, including access to, development, and use of livestock water rights as defined by State law.

(k) PERMANENT ROAD CONSTRUCTION.—After the date of enactment of this Act, except as necessary for administrative purposes or to respond to an emergency, the Secretary shall not construct any permanent road within the Area.

(l) TEMPORARY ROAD CONSTRUCTION.—The Secretary is authorized to construct temporary passenger vehicle roads for administrative or emergency purposes. The Secretary shall decommission any temporary road constructed under

this subsection not later than 3 years after the date the road is constructed.

(m) USE OF OFF-HIGHWAY OR MOTORIZED VEHICLES.—Except as necessary to meet the minimum requirements for the administration of the Area and to protect public health and safety, the use of off-highway vehicle or motorized vehicles is prohibited.

(n) COMMERCIAL TIMBER HARVESTING.—Commercial timber harvesting within the Area is prohibited.

(o) OVERSNOW VEHICLES.—The Secretary shall authorize the use of snowmobiles and other oversnow vehicles within the High Uintas Special Management Area when there is at least six inches of snow coverage.

SEC. 405. LITTLE WEST FORK BLACKS FORK SPECIAL MANAGEMENT AREA.

(a) ESTABLISHMENT.—Subject to valid existing rights, the approximately 8,231 acres of the Wasatch Cache National Forest in Summit County, Utah as generally depicted on the map entitled Utah PLI Little West Fork Blacks Special Management Area Map dated June 24, 2016, is established as the Little West Fork Blacks Fork Special Management Area.

(b) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—Two years after the date of enactment of this Act, the Secretary shall file a map

and legal description of the Little West Fork Blacks Fork Special Management Area with the Committee on Natural Resources of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the United States Forest Service.

SEC. 406. ADMINISTRATION OF LITTLE WEST FORK BLACKS FORK SPECIAL MANAGEMENT AREA.

(a) PURPOSE.—The purpose of the Little West Fork Blacks Fork Special Management Area is to manage, maintain, and restore watershed and ecosystem function and aquatic habitat within the Area.

(b) ADMINISTRATION.—The Secretary shall administer the Little West Fork Blacks Fork Special Management Area—

(1) in a manner that promotes, protects, and manages the resources of the Little West Fork Blacks Fork Special Management Area described in subsection (a); and

(2) in accordance with—

(A) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);

(B) this title; and

(C) other applicable laws.

(c) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—Not later than two years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term management of the Little West Fork Blacks Fork Special Management Area.

(2) RECOMMENDATIONS AND CONSULTATION.—The Secretary shall prepare the management plan in consultation and coordination with local and tribal governments, the public, and the Public Lands Initiative Planning and Implementation Advisory Council established under Division C of this Act. If the Secretary does not incorporate recommendations sub-

mitted by the State, local governments, and Indian tribes into the management plans, the Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Agriculture, Nutrition, and Forestry outlining the reasons for rejecting the recommendations of the State, local governments and tribes.

(d) USES.—The Secretary shall allow only such uses of the special management area that would further the purposes outlined in subsection (a) and the following:

(1) Include skiing, biking, hiking, fishing, hunting, horseback riding, snowmobiling, motorcycle riding, off-highway vehicle use, snowshoeing, and camping.

(2) Allow for reintroduction of native flora (land and aquatic), bird, fish and animal fauna in Little West Fork Blacks Fork Special Management Area.

(3) Restore watershed function and health and re-establish ecosystem health in areas damaged or threatened by insects and disease.

(4) Restore the balance of the ecosystem health damaged or threatened by overpopulation of any plant, aquatic or animal species.

(5) Allow hazardous fuels reduction and forest health treatments to restore watershed and ecosystem function, reduce hazardous fuels, and to protect property in the wildland urban interface.

SEC. 407. LITTLE WEST FORK BLACKS FORK SPECIAL MANAGEMENT AREA GENERAL PROVISIONS.

(a) OFF-HIGHWAY VEHICLES.—

(1) IN GENERAL.—Except in cases in which off-highway vehicles are needed for administrative purposes or to respond to an emergency, the use of off-highway vehicles shall be permitted only on designated routes within the Little West Fork Blacks Fork Special Management Area.

(2) MANAGEMENT.—The Secretary shall manage existing designated routes in a manner that—

(A) is consistent with off-highway vehicle and mechanized use of the designated routes authorized under the applicable travel management plan;

(B) does not significantly damage designated critical habitat or cultural resources; and

(C) does not interfere with private property or water rights.

(3) CLOSURE.—The Secretary, in consultation with the State and affected County, may temporarily close or permanently reroute, subject to paragraph (4), a route if the Secretary determines that—

(A) the route is significantly damaging designated critical habitat or cultural resources;

(B) the route threatens public safety;

(C) closure of the route is necessary to repair damage to the designated route; or

(D) closure of the route is necessary to repair resource damage.

(4) REROUTING.—Portions of the designated route that are temporarily closed may be permanently rerouted by utilizing a previously closed route or constructing a new route.

(5) NOTICE.—The Secretary shall provide information to the public regarding any designated routes that are open, have been rerouted, or are temporarily or permanently closed through—

(A) use of appropriate signage within the Little West Fork Blacks Fork Special Management Area; and

(B) use of the Internet and Web resources.

(b) NO EFFECT ON NON-FEDERAL LAND OR INTERESTS IN NON-FEDERAL LAND.—Nothing in this section af-

fects ownership, management, or other rights relating to non-Federal land or interests in non-Federal land.

(c) PERMANENT ROAD CONSTRUCTION.—Except as necessary for administrative purposes or to respond to an emergency, the Secretary shall not construct any permanent roads within the Little West Fork Blacks Fork Special Management Area after the date of enactment of this Act.

(d) TEMPORARY ROAD CONSTRUCTION.—The Secretary shall be permitted to construct temporary roads to implement the purposes of the Little West Fork Blacks Fork Special Management Area, including constructing temporary roads for fuel reduction, forest health treatments and prescribed burns. The Secretary shall decommission any temporary road constructed under a project under this section not later than three years after the date on which the forest management project is completed.

(e) OVERSNOW VEHICLES.—The Secretary shall authorize the use of snowmobiles and other oversnow vehicles within the Little West Fork Blacks Fork Special Management Area when there is at least six inches of snow coverage.

(f) FIRE, INSECTS, AND DISEASE.—In accordance with this section, the Secretary may—

(1) carry out measures to manage wildland fire and treat hazardous fuels, insects, and diseases in the

Little West Fork Blacks Fork Special Management Area; and

(2) coordinate those measures with the appropriate State or local agency.

(g) WILDLAND FIRE OPERATIONS.—Nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) in the Little West Fork Blacks Fork Special Management Area.

(h) LIVESTOCK GRAZING.—

(1) IN GENERAL.—Within the Little West Fork Blacks Fork Special Management Area, the grazing of livestock in which grazing is established before the date of enactment of this Act shall continue subject to reasonable regulations as prescribed by the Secretary.

(2) PROTECTION OF EXISTING USES.—Existing livestock grazing shall continue in accordance with the following guidelines:

(A) There shall be no reductions of grazing in the Little West Fork Blacks Fork Special Management Area simply because the Little West Fork Blacks Fork Special Management Area is or has been designated.

(B) The number of livestock permitted to graze in the Little West Fork Blacks Fork Spe-

cial Management Area shall continue at approximate stocking levels prescribed in the grazing permit that existed on January 1, 2016, and additional or suspended Animal Unit Months shall be authorized to graze as range conditions allow or if range treatments improve conditions. Animal Unit Months shall only be diminished as a result of revisions in the normal grazing and land management planning and policy setting process.

(C) The maintenance of existing grazing supporting facilities in an area prior to its designated by section 405 (including fences, placement of salt and minerals, line cabins, water wells and pipelines, stock tanks and ponds), shall continue. Such maintenance may include the use of off-highway vehicles or mechanized tools and equipment.

(D) The construction of new grazing improvements or replacement of deteriorated facilities in the Little West Fork Blacks Fork Special Management Area is authorized if in accordance with the applicable land management plan.

(E) The use of off-highway vehicles for emergency purposes such as care of sick animals

or the placement of feed and water in emergency situations is authorized by the applicable grazing permit holder or an employee or agent thereof.

(F) Access to historic and traditional water sources for the purpose of watering livestock shall be maintained.

(G) The trailing of domestic livestock shall continue and shall not be limited by the designation made under section 405.

(3) UTAH DEPARTMENT OF AGRICULTURE AND FOOD.—In instances in which historic grazing locations, access, or use is disputed by the grazing permittee, data and information provided by the Utah Department of Agriculture and Food shall be given consideration by the Secretary to establish historic access, locations, or use.

(i) EXISTING EASEMENTS AND RIGHTS-OF-WAY.—Nothing in this title precludes the Secretary from renewing easements or rights-of-way in existence as of the date of enactment of this Act, in accordance with this title and existing law.

(j) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around the Little

West Fork Blacks Fork Special Management Area designated by section 405.

(2) ACTIVITIES OUTSIDE SPECIAL MANAGEMENT AREA.—The fact that an activity or use on land outside the Little West Fork Blacks Fork Special Management Area can be seen, heard, felt or smelled within the Little West Fork Blacks Fork Special Management Area shall not preclude the activity or use outside the boundary of Little West Fork Blacks Fork Special Management Area.

(k) OUTFITTING AND GUIDE ACTIVITIES.—As permitted as of January 1, 2016, commercial services (including authorized outfitting and guide activities) within the Little West Fork Blacks Special Management Area are authorized to the extent necessary to realize the recreational purposes of the Little West Fork Blacks Fork Special Management Area.

(l) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction of the State of Utah with respect to the management of fish and wildlife on Federal land in the State, including the regulation of hunting, fishing, and trapping within the Little West Fork Blacks Fork Special Management Area.

(m) ACCESS.—Consistent with the purposes of section 406(a), and as authorized as of the date of enactment of

this section, the Secretary shall provide the owner of State, tribal, or private property within the boundary of the Little West Fork Blacks Fork Special Management Area access to the property.

(n) WATER RIGHTS.—

(1) STATUTORY CONSTRUCTION.—Nothing in this title—

(A) shall constitute either an express or implied reservation by the United States of any water rights with respect to the Little West Fork Blacks Fork Special Management Area designated by section 405;

(B) affects any water rights in the State of Utah;

(C) establishes a precedent with regard to any future Special Management Areas designations; or

(D) shall restrict or prohibit the upstream diversion of water rights held under Utah State law.

(2) UTAH WATER LAW.—The Secretary shall follow the procedural and substantive requirements of State law to obtain and hold any water rights not in existence on the date of the enactment of this Act with

respect to the Little West Fork Blacks Fork Special Management Area.

(3) EFFECTS ON STATE WATER RIGHTS.—The Secretary shall not take any action that adversely affects—

(A) any water rights granted by the State;

(B) the authority of the State in adjudicating water rights;

(C) definitions established by the State with respect to the term ''beneficial use'' or ''priority of rights'';

(D) terms and conditions for groundwater withdrawal;

(E) the use of groundwater resources that are in accordance with State law; or

(F) other rights or obligations of the State as established under State law.

(4) EXISTING WATER INFRASTRUCTURE.—Nothing in this section shall be construed to—

(A) limit off-highway vehicle access and road maintenance by local municipalities, irrigation districts, or water districts for those maintenance activities necessary to guarantee the continued viability of water resource facilities that currently exist or which may be nec-

essary in the future to prevent the degradation of the water supply in the Little West Fork Blacks Fork Special Management Area designated by section 405; and

(B) encumber, transfer, impair, or limit any water right, or recognized beneficial use, including access to, development, and use of livestock water rights as defined by State law.

(o) VEGETATION MANAGEMENT.—Consistent with the purposes of the Little West Fork Blacks Fork Special Management Area, nothing in this section prevents the Secretary from conducting vegetation management projects within the Little West Fork Blacks Fork Special Management Area.

(p) COMMERCIAL TIMBER HARVEST.—Consistent with the purposes of the Little West Fork Blacks Fork Special Management Area, commercial timber harvest is authorized if the primary purpose of harvest is to restore or improve forest resiliency and watershed function or to further the purposes described in section 406.

(q) WITHDRAWAL.—Subject to valid existing rights, the Federal land within the Little West Fork Blacks Fork Special Management Area designated by section 405 are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the Federal land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 408. DESOLATION CANYON, NINE MILE CANYON, WHITE RIVER AND BOOKS CLIFFS SPORTSMEN'S SPECIAL MANAGEMENT AREAS.

(a) ESTABLISHMENT.—Subject to valid existing rights, the following areas in the State of Utah are hereby established as Special Management Areas:

(1) DESOLATION CANYON.—Certain Federal land, comprising approximately 9,578 acres administered by the Bureau of Land Management in Carbon County as generally depicted on the map entitled Utah PLI Special Management Area Map dated September 19, 2016, to be known as the ''Desolation Canyon Special Management Area''.

(2) NINE MILE CANYON.—Certain Federal land, comprising approximately 38,293 acres (26,199 acres in Carbon County and 12,094 acres in Duchesne County) administered by the Bureau of Land Management as generally depicted on the map entitled Utah PLI Special Management Area Map dated Sep-

tember 19, 2016, to be known as the ''Nine Mile Canyon Special Management Area''.

(3) WHITE RIVER.—Certain Federal land, comprising approximately 15,790 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI Special Management Area Map dated September 19, 2016, to be known as the ''White River Special Management Area''.

(4) BOOKS CLIFFS SPORTSMENS.—Certain Federal land, comprising approximately 42,351 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI Special Management Area Map dated September 19, 2016, is established as ''Book Cliffs Sportsmens Special Management Area''.

(b) PURPOSES.—The purposes of the Desolation Canyon, Nine Mile Canyon, and White River Special Management Areas (hereinafter referred to in this title as the ''Areas'') established under subsection (a) is to—

(1) protect, conserve, and enhance the unique and nationally important historic, cultural, scientific, scenic, recreational, archaeological, natural, and educational resources of the Areas;

(2) maintain and enhance cooperative and innovative management practices between resource managers, private landowners, and the public in the Areas; and

(3) recognize and maintain historic uses of the Areas.

(c) BOOK CLIFFS SPORTSMENS SPECIAL MANAGEMENT AREA PURPOSES.—The purposes of the Book Cliffs Sportsmens Special Management Area (hereafter referred to as the ''Book Cliffs Area'') are to protect hunting and fishing opportunities and habitat, manage and restore fish and wildlife habitat, and facilitate hunting and fishing opportunities in a natural environment.

SEC. 409. DESOLATION CANYON, NINE MILE CANYON, WHITE RIVER AND BOOKS CLIFFS SPORTSMEN'S SPECIAL MANAGEMENT AREA MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—Not later than two years after the date of enactment of this Act, the Secretary of the Interior shall file a map and legal description of the Areas and the Book Cliffs Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(b) EFFECT.—The map and legal description prepared under subsection (a) shall have the same force and effect

as if included in this section, except that the Secretary of the Interior may correct minor errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(c) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 410. ADMINISTRATION OF THE DESOLATION CANYON, NINE MILE CANYON, AND WHITE RIVER SPECIAL MANAGEMENT AREAS.

(a) PLAN REQUIRED.—Not later than two years after the date of enactment of this Act, the Secretary of the Interior shall develop a management plan for the long-term management of each of the Areas.

(b) RECOMMENDATIONS AND CONSULTATION.—The Secretary of the Interior shall prepare the management plans in consultation and coordination with the State, local and tribal governments, the public, and the Public Lands Initiative Planning and Implementation Advisory Council established under Division C of this Act. If the Secretary of the Interior does not incorporate recommendations submitted by the State, local, and Indian tribes into the management plans, the Secretary of the Interior shall submit

a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations.

SEC. 411. DESOLATION CANYON, NINE MILE CANYON, AND WHITE RIVER SPECIAL MANAGEMENT AREA GENERAL PROVISIONS.

(a) APPLICABILITY.—The general provisions of section 205 shall apply to the Areas.

(b) EXCEPTION.—The withdrawal provided by 205(a) shall not apply to the Areas.

(c) OIL AND GAS LEASING.—The Secretary of the Interior may lease oil and gas resources in the Areas in accordance with the Mineral Leasing Act (30 U.S.C. 181 et seq.) subject to the following conditions:

(1) The minerals may be accessed only by directional drilling from a lease held on the date of enactment of this Act and accessed through surface estate that is adjacent to, and outside of, the Areas.

(2) The lease shall prohibit surface occupancy and surface disturbance for any mineral activities within the Areas.

(d) NINE MILE CANYON ADDITIONAL PROVISIONS.—

(1) Energy development, including access needs for energy development, within the Nine Mile Canyon

Special Management Area shall be allowed under the terms of the West Tavaputs Plateau Project Final Environmental Impact Statement and Record of Decision of July 2, 2010.

(2) Upon enactment of this section, the current Area of Critical Environmental Concern designation made under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be permanently removed from the Nine Mile Canyon Special Management Area.

SEC. 412. BOOK CLIFFS SPORTSMENS SPECIAL MANAGEMENT AREA ADDITIONAL PROVISIONS.

(a) MANAGEMENT PLAN.—Not later than two years after the date of enactment of this Act, the Secretary of the Interior shall develop a management plan for the long-term management of the Book Cliffs Area.

(1) RECOMMENDATIONS AND CONSULTATION.—The Secretary of the Interior shall prepare the management plan in consultation and coordination with the Book Cliffs Sportsmen's Special Management Area Advisory Committee established under section 413. If the Secretary of the Interior does not incorporate the recommendations submitted by the Advisory Committee into the management plan the Secretary of the Interior shall submit a written expla-

nation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations of the Advisory Committee.

(2) REQUIREMENTS.—The management plan shall be written to support the purposes outlined in section 408(c).

(3) USES.—The Secretary of the Interior shall only allow such uses of the Book Cliffs Area that would further the purposes of the Book Cliffs Area.

(b) VEGETATION MANAGEMENT.—Within the Book Cliffs Area, the Secretary of the Interior may authorize vegetation management, including mechanical treatments, to the extent necessary to control fire, insects, or disease or to promote and improve wildlife habitat and diversity as consistent with the purposes of the Book Cliffs Area.

(c) MINERAL LEASING.—The Secretary of the Interior may lease oil and gas resources in accordance with the Mineral Leasing Act (30 U.S.C. 181 et seq.) in the Book Cliffs Area subject to the following conditions:

(1) The Book Cliffs Area may be accessed only by directional drilling from a lease held on the date of enactment of this Act on surface estate that is adjacent to, and outside of, the Book Cliffs Area.

(2) The Book Cliffs Area may be accessed only by directional drilling if the mineral lease entered into includes a non-waivable stipulation prohibiting surface occupancy and surface disturbance for any mineral activities within the Book Cliffs Area.

(d) WILDERNESS REVIEW.—The Secretary of the Interior may not promulgate or issue any system-wide regulation, directive, instruction memorandum or order that would direct management of Federal lands designated under section 408 in a manner contrary to this title.

SEC. 413. BOOK CLIFFS SPORTSMEN'S SPECIAL MANAGEMENT AREA ADVISORY COMMITTEE.

(a) ESTABLISHMENT AND PURPOSE OF THE BOOK CLIFFS SPORTSMEN'S SPECIAL MANAGEMENT AREA ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—The Secretary of the Interior shall establish the Book Cliffs Sportsmen's Special Management Area Advisory Committee (referred to in this title as the ''Book Cliffs Advisory Committee'') to perform the duties in subsection (b).

(2) PURPOSE.—The purpose of the Book Cliffs Advisory Committee is to advise the Secretary of the Interior on the Book Cliffs Area.

(b) DUTIES.—The Book Cliffs Advisory Committee shall advise the Secretary of the Interior with regard to—

(1) implementation of the Book Cliffs Special Management Area Management Plan; and

(2) administration of the Book Cliffs Area.

(c) APPOINTMENT BY THE SECRETARY.—

(1) APPOINTMENT AND TERM.—The Secretary of the Interior shall appoint the members of the Book Cliffs Advisory Committee for a term of 5 years beginning on the date of appointment. The Secretary of the Interior may not reappoint members to more than three terms.

(2) BASIC REQUIREMENTS.—The Secretary of the Interior shall ensure that the Book Cliffs Advisory Committee established meets the requirements of subsection (d).

(3) INITIAL APPOINTMENT.—The Secretary of the Interior shall make initial appointments to the Book Cliffs Advisory Committee not later than 180 days after the date of the enactment of this Act.

(4) VACANCIES.—The Secretary of the Interior shall make appointments to fill vacancies on the Book Cliffs Advisory Committee as soon as practicable after the vacancy has occurred.

(5) COMPENSATION.—Members of the Book Cliffs Advisory Committee shall not receive any compensation.

(d) COMPOSITION OF BOOK CLIFFS ADVISORY COMMITTEE.—

(1) NUMBER.—The Book Cliffs Advisory Committee shall be comprised of no more than 11 members.

(2) COMMUNITY INTERESTS REPRESENTED.—Book Cliffs Advisory Committee members shall reside in the State of Utah and be representative of the following members:

(A) State Division of Wildlife Resources Director or his designee.

(B) Game bird hunting organization.

(C) Wildlife conservation organization.

(D) Big game hunting organization.

(E) Cold water fishing organization.

(F) Tourism, outfitter, or guiding industry.

(G) Hunting or shooting equipment retail industry.

(H) Ute Tribe.

(I) Forest or rangeland management specialist.

(J) Ranching industry in Uintah County.

(K) Uintah County Commission Chairman or designee.

(3) PRESERVATION OF PUBLIC ADVISORY STATUS.—No individual serving on the Book Cliffs Sportsmen's Special Management Area Advisory Committee may be an officer or employee of the Federal Government or State of Utah Government, except for the State Division of Wildlife Resources Director.

(4) BALANCED REPRESENTATION.—In appointing Book Cliffs Advisory Committee members, the Secretary of the Interior shall provide for balanced and broad representation.

(5) CHAIRPERSON.—The Secretary of the Interior shall select the chairperson of the Book Cliffs Advisory Committee for a term of 5 years beginning on the date of appointment.

(e) ANNUAL BOOK CLIFFS ADVISORY COMMITTEE REPORT.—

(1) REPORT SUBMISSION.—The Book Cliffs Advisory Committee shall submit a report no later than September 30 of each year to the Secretary of the Interior, the Committee on Natural Resources of the House of Representatives, and the Committee on Energy and Natural Resources of the Senate. If the Book Cliffs Advisory Committee cannot meet the September 30 deadline in any year, the Secretary of the Interior shall advise the Chair of each such Committee of the

reasons for such delay and the date on which the submission of the report is anticipated.

(2) CONTENTS.—The report required by paragraph (1) shall describe—

(A) the activities of the Book Cliffs Advisory Committee during the preceding year;

(B) the reports and recommendations made by the Book Cliffs Advisory Committee to the Secretary of the Interior during the preceding year; and

(C) an accounting of actions taken by the Secretary of the Interior as a result of the recommendations.

(f) OTHER BOOK CLIFFS ADVISORY COMMITTEE AUTHORITIES AND REQUIREMENTS.—

(1) STAFF ASSISTANCE.—The Book Cliffs Advisory Committee may submit to the Secretary of the Interior a request for periodic staff assistance from Federal employees under the jurisdiction of the Secretary of the Interior.

(2) MEETINGS.—

(A) FREQUENCY.—The Book Cliffs Advisory Committee shall meet at the call of the Secretary of the Interior, the Chairperson, or a majority of the members. Meetings shall be held no less than

once a year. A majority of the members must be present to constitute a quorum for an official meeting of the Book Cliffs Advisory Committee.

(B) OPEN MEETINGS.—All meetings of the Book Cliffs Advisory Committee shall be announced at least one week in advance in publications of general circulation and shall be open to the public.

(3) RECORDS.—The Book Cliffs Advisory Committee shall maintain records of the meetings of the Book Cliffs Advisory Committee and make the records available for public inspection.

TITLE V—ARCHES NATIONAL PARK EXPANSION

SEC. 501. ARCHES NATIONAL PARK EXPANSION.

Section 1 of Public Law 92–155 is amended—

(1) by inserting the following after paragraph (2)—

''(3) Effective on the date of enactment of the Utah Public Lands Initiative Act, the boundary of the park shall include the area consisting of approximately 18,779 acres and depicted as Arches Expansion on the map entitled 'Utah PLI Park and Monument Map' dated June 24, 2016.'';

(2) by redesignating paragraph (3) as paragraph (4); and

(3) in paragraph (4), as so designated by paragraph (2) of this provision, by striking ''(1) and (2)'' and inserting instead ''(1), (2), and (3)''.

TITLE VI—JURASSIC NATIONAL MONUMENT

SEC. 601. JURASSIC NATIONAL MONUMENT.

(a) PURPOSES.—To conserve, interpret, and enhance for the benefit of present and future generations paleontological, scientific, educational, and recreational resources, there is established in Emery County, Utah, subject to valid existing rights, the Jurassic National Monument (hereinafter referred to in this title as the ''Monument'').

(b) ESTABLISHMENT.—The Monument shall consist of approximately 867 acres of Federal land in Emery County, Utah as generally depicted on the map entitled Utah PLI Park and Monument Map dated June 24, 2016, to be known as the Jurassic National Monument and to be managed by the Bureau of Land Management.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior (hereinafter in this title referred to as the ''Secretary'') shall submit to the Committee on Nat-

ural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and legal description of the Monument.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct minor errors in the map or legal description provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary may acquire land or interests in land within the boundaries of the Monument only by donation, exchange, transfer from another agency, or purchase from a willing seller.

(2) LAND EXCHANGE.—At the request of the State, not later than two years after the date of enactment of this Act, the Secretary shall complete ex-

changes for State land located within the boundaries of the Monument designated by this title.

(3) NO CONDEMNATION.—Within the Monument designated by this section the use of eminent domain or condemnation shall be prohibited.

(e) WITHDRAWALS.—Subject to valid existing rights, any Federal land within the Monument or any land or interest in land that is acquired by the United States for inclusion in the Monument after the date of enactment of this section is withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing laws, geothermal leasing laws, and minerals materials laws.

(f) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—As soon as practicable after the date of enactment of this Act, the Secretary shall develop a comprehensive management plan for the long-term management of the Monument, including consideration of enhanced transportation routes, outdoor recreation planning, and promotion of scientific research.

(2) RECOMMENDATIONS AND CONSULTATION.—In developing the management plan required under paragraph (1), the Secretary shall consult with appropriate State, local, and tribal government entities, members of the public, and the Public Lands Initiative Planning and Implementation Advisory Council established under Division C of this Act. If the Secretary does not incorporate recommendations submitted by the State, local governments, and Indian tribes into the management plans, the Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Energy and Natural Resources outlining the reasons for rejecting the recommendations of the State, local governments and tribes.

(3) USES.—The Secretary shall only allow such uses of the Monument that the Secretary determines would further the purposes described in section 601(a) of this title.

(g) ADMINISTRATION.—The Secretary shall administer the Monument in accordance with—

(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(2) this title; and

(3) any other applicable law (including regulations).

(h) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around the Monument designated by this section.

(2) ACTIVITIES OUTSIDE MONUMENT.—The fact that an activity or use on land outside the Monument can be seen, heard, felt or smelled within the Monument shall not preclude the activity or use outside the boundary of the Monument.

TITLE VII—WILD AND SCENIC RIVERS

SEC. 701. WILD AND SCENIC RIVERS.

(a) ADDITIONS.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(213) COLORADO RIVER.—The following segments in the State of Utah, to be administered by the Secretary of the Interior as follows:

''(A) The approximately 12.6 mile segment in Grand County as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a wild river.

''(B) The approximately 12.6 mile segment in Grand County as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a scenic river.

''(C) The approximately 52.2 mile segment in Grand County as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a recreational river.

''(D) The approximately 27.1 mile segment in Grand County as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a scenic river.

''(214) DOLORES RIVER.—The following segments in the State of Utah, to be administered by the Secretary of the Interior as follows:

''(A) The approximately 5.6 mile segment in Grand County as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a recreational river.

''(B) The approximately 5.8 mile segment in Grand County as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a scenic river.

''(C) The approximately 11.5 mile segment in Grand County as generally depicted on the

Utah PLI Wild and Scenic River Map dated July 11, 2016, as a recreational river.

''(215) GREEN RIVER.—The following segments in the State of Utah, to be administered by the Secretary of the Interior as follows:

''(A) The approximately 69.5 mile river segment in Uintah, Carbon, Emery, and Grand Counties as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a scenic river.

''(B) The approximately 19.2 mile river segment in Emery and Grand Counties as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a wild river.

''(C) The approximately 8.5 mile river segment in Emery and Grand Counties as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a recreational river.

''(D) The approximately 109.4 mile river segment in Emery and Grand Counties as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a scenic river.

''(216) DARK CANYON.—The approximately 6.3 mile river segment in San Juan County, Utah, to be administered by the Secretary of the Interior, as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a wild river.

''(217) SAN JUAN RIVER.—The approximately 17.2 mile river segment in San Juan County, Utah, to be administered by the Secretary of the Interior, as generally depicted on the Utah PLI Wild and Scenic River Map dated July 11, 2016, as a wild river.''.

(b) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around a wild and scenic river designated by this title.

(2) ACTIVITIES OUTSIDE WILD AND SCENIC RIVER.—The fact that an activity or use on land outside a wild and scenic river designated under this title can be seen, heard, felt or smelled within the wild and scenic river shall not preclude the activity or use outside the boundary of the wild and scenic river.

(c) ACQUISITION.—The Secretary of the Interior may acquire land or interest in land within the boundaries of the wild and scenic river areas designated by this title only by donation, exchange, transfer from another agency, or purchase from a willing seller.

(d) NO CONDEMNATION.—Within the areas designated by this title the use of eminent domain or condemnation shall be prohibited.

(e) OUTFITTING AND GUIDE ACTIVITIES.—Commercial services (including authorized outfitting and guide activities) within the wild and scenic rivers designated by this title are authorized to the extent necessary to realize the recreational purposes of the areas.

(f) MAPS AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—Not later than two years after the date of enactment of this Act, the Secretary of the Interior shall file a map and legal description of the river segments designated by this title with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary of the Interior may correct minor errors in the map or legal description and provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected counties.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

TITLE VIII—ASHLEY KARST NATIONAL GEOLOGIC AND RECREATION AREA

SEC. 801. ASHLEY KARST NATIONAL GEOLOGIC AND RECREATION AREA.

(a) ESTABLISHMENT.—Subject to valid existing rights, including the rights of a tribe, the approximately 110,838 acres generally depicted on the map entitled Utah PLI Special Management Area Map dated September 19, 2016, are hereby established as the ''Ashley Karst National Geologic and Recreation Area''.

(b) PURPOSES.—The purposes of the Ashley Karst National Geologic and Recreation Area (hereinto referred to in this title as the ''Area'') are to provide recreational opportunities, protection and management of water resources, utilization of commercial forest products and withdrawal of minerals from development.

SEC. 802. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—Not later than two years after the date of enactment of this Act, the Secretary of Agriculture (hereinafter in this title referred to as the ''Secretary'') shall

file a map and legal description of the Ashley Karst National Geologic and Recreation Area with the Committee on Natural Resources of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(b) EFFECT.—The map and legal description prepared under subsection (a) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description and provided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(c) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the United States Forest Service and Bureau of Indian Affairs.

SEC. 803. ADMINISTRATION.

(a) ADMINISTRATION.—The Secretary shall administer the Area in accordance with—

(1) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);

(2) this title; and

(3) other applicable laws.

(b) MANAGEMENT.—Not later than two years after the date of enactment of this Act, the Secretary shall develop

a management plan for the long-term management of the Area.

(c) RECOMMENDATIONS AND CONSULTATION.—The Secretary shall prepare the management plan in consultation and coordination with local and tribal governments, the public, and the Public Lands Initiative Planning and Implementation Advisory Council established under Division C of this Act. If the Secretary does not incorporate recommendations submitted by the State, local, and Indian tribes into the management plans, the Secretary shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources and Senate Committee on Agriculture, Nutrition, and Forestry outlining the reasons for rejecting the recommendations of the State, local and tribal governments.

(d) USES.—The Secretary shall allow only such uses of the Area that would further the purposes outlined in subsection 801(b) of this title and the following guidelines:

(1) Provide for recreational opportunities to occur within the Area including skiing, biking, hiking, fishing, hunting, horseback riding, snowmobiling, designated trails for motorcycle riding and off-highway vehicle use, snowshoeing, camping, and other recreational activities consistent with this title.

(2) Provide for active forest management, utilizing commercial harvesting for hazardous fuels reduction, wildfire prevention, control of insects and disease, and to improve watershed health.

(3) Prohibit mineral development.

(4) Promote the long-term protection and management of the water resources and underground karst system.

SEC. 804. GENERAL PROVISIONS.

(a) OFF-HIGHWAY VEHICLE AND MOTORIZED VEHICLES.—

(1) IN GENERAL.—The use of off-highway vehicles and motorized vehicles shall be permitted within the Area.

(2) MANAGEMENT.—The Secretary shall designate existing routes in a manner that—

(A) uses Forest Service roads and routes existing as of January 1, 2016, and also new roads authorized by this title;

(B) does not significantly damage designated critical habitat or cultural resources; and

(C) does not interfere with private property or water rights.

(3) CLOSURE.—The Secretary, in consultation with the State and affected county, may temporarily close or permanently reroute, subject to paragraph (4), a route if the Secretary determines that—

(A) the route is significantly damaging designated critical habitat or cultural resources;

(B) the route threatens public safety;

(C) closure of the route is necessary to repair damage to the designated route; or

(D) closure of the route is necessary to repair resource damage.

(4) REROUTING.—Portions of the designated route that are temporarily closed may be permanently rerouted by utilizing a previously closed route or constructing a new route.

(5) NOTICE.—The Secretary shall provide information to the public regarding any designated routes that are open, have been rerouted, or are temporarily or permanently closed through—

(A) use of appropriate signage within the Area; and

(B) use of the Internet and Web resources.

(b) PRIORITY ROUTES.—Marsh Peak South Road and South Fork Road, as depicted on the Utah PLI Special Management Area Map dated September 19, 2016, shall be

open for off-highway vehicle use. Administrative access to Whiterocks Lake for general and emergency purposes shall be allowed for the United States Forest Service, State and local governments, and applicable water user association or utility company.

(c) ROUTE CONSTRUCTION.—

(1) FEASIBILITY STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall study the feasibility and public interest of constructing new routes as needed to increase or enhance hiking and motorized recreational opportunities and purposes of the Area.

(2) CONSTRUCTION.—

(A) CONSTRUCTION AUTHORIZED.—If the Secretary determines that the construction of a route is feasible, the Secretary may construct the route.

(B) USE OF VOLUNTEER SERVICES AND CONTRIBUTIONS.—A route authorized under this subsection may be constructed by volunteers, with volunteer services and contributions from non-Federal sources.

(d) NO EFFECT ON NON-FEDERAL LAND OR INTERESTS IN NON-FEDERAL LAND.—Nothing in this title affects ownership, management, or other rights relating to non-

Federal land or interests in non-Federal land located within the Area.

(e) OVERSNOW VEHICLES.—The Secretary shall authorize the use of snowmobiles and other oversnow vehicles in the Area when there is at least six inches of snow cover.

(f) FIRE, INSECTS, AND DISEASE.—In accordance with this title, the Secretary may—

(1) carry out any measures to manage wildland fire and treat hazardous fuels, insects, and diseases in the Area; and

(2) coordinate those measures with the appropriate State, tribal, or local agency.

(g) WILDLAND FIRE OPERATIONS.—Nothing in this title precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) in the Area designated under this title.

(h) LIVESTOCK GRAZING.—Within the Area designated under section 801, the grazing of livestock established before the date of enactment of this Act shall continue subject to reasonable regulations as prescribed by the Secretary.

(1) PROTECTION OF EXISTING USES.—Existing livestock grazing shall continue in accordance with the following guidelines:

(A) There shall be no reductions of grazing in the Area designated by this title simply because the Area is, or has been designated by this title.

(B) The number of livestock permitted to graze in the Area designated by this title shall continue at approximate stocking levels prescribed in the grazing permit that existed on January 1, 2016, and additional or suspended Animal Unit Months shall be authorized to graze as range conditions allow or if range treatments improve conditions. Animal Unit Months shall only be diminished as a result of revisions in the normal grazing and land management planning and policy setting process.

(C) The maintenance of existing grazing supporting facilities in the Area prior to its designated by this title (including fences, placement of salt and minerals, line cabins, water wells and pipelines, stock tanks and ponds), shall continue. Such maintenance may include the use of off-highway vehicles or mechanized tools and equipment.

(D) The construction of new grazing improvements or replacement of deteriorated facili-

ties in the Area designated by this title is authorized if in accordance with the applicable land management plan.

(E) The use of off-highway vehicles for emergency purposes such as care of sick animals or the placement of feed and water in emergency situations is authorized by the applicable grazing permit holder or an employee or agent thereof.

(F) Access to historic and traditional water sources for the purpose of watering livestock shall be maintained.

(G) The trailing of domestic livestock shall continue and shall not be limited by the designation made under section 801.

(2) UTAH DEPARTMENT OF AGRICULTURE AND FOOD.—In instances in which historic grazing locations, access, or use is disputed by the grazing permittee, data and information provided by the Utah Department of Agriculture and Food shall be given consideration by the Secretary to establish historic access, locations, or use.

(i) EXISTING EASEMENTS AND RIGHTS-OF-WAY.—Nothing in this title precludes the Secretary from renewing easements or rights-of-way in existence on the date of enact-

ment of this Act, in accordance with this title and existing law.

(j) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—Nothing in this title creates a protective perimeter or buffer zone around the Area designated by section 801.

(2) ACTIVITIES OUTSIDE AREA.—The fact that an activity or use on land outside the Area can be seen, heard, felt or smelled within the Area shall not preclude the activity or use outside the boundary of the Area.

(k) OUTFITTING AND GUIDE ACTIVITIES.—Commercial services (including authorized outfitting and guide activities) within the Area are authorized to the extent necessary to realize the recreational purposes of the Area.

(l) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction of the State of Utah with respect to the management of fish and wildlife on Federal land in the State, including the regulation of hunting, fishing, and trapping within the Area.

(m) ACCESS.—The Secretary shall provide the owner of State, tribal or private property owners within the boundary of the Area access to the property.

(n) WILDLIFE WATER DEVELOPMENT PROJECTS.—Structures and facilities, including future and existing

structures and facilities, for wildlife water development projects (including guzzlers) in the Area are authorized.

(o) WATER RIGHTS.—

(1) STATUTORY CONSTRUCTION.—Nothing in this title—

(A) shall constitute either an express or implied reservation by the United States of any water rights with respect to the Area designated by section 801;

(B) affects any water rights in the State of Utah;

(C) establishes a precedent with regard to any future designations; or

(D) shall restrict or prohibit the upstream diversion of water rights held under Utah State law.

(2) UTAH WATER LAW.—The Secretary shall follow the procedural and substantive requirements of State law to obtain and hold any water rights not in existence on the date of the enactment of this Act with respect to the Area.

(3) EFFECTS ON STATE WATER RIGHTS.—The Secretary shall not take any action that adversely affects—

(A) any water rights granted by the State;

(B) the authority of the State in adjudicating water rights;

(C) definitions established by the State with respect to the term ''beneficial use'' or ''priority of rights'';

(D) terms and conditions for groundwater withdrawal;

(E) the use of groundwater resources that are in accordance with State law; or

(F) other rights or obligations of the State as established under State law.

(4) EXISTING WATER INFRASTRUCTURE.—

(A) Nothing in this title shall be construed to limit off-highway vehicle access and road maintenance by local municipalities or water or irrigation districts for those maintenance activities necessary to guarantee the continued viability of water resource facilities that currently exist or which may be necessary in the future to prevent the degradation of the water supply in the Area designated by section 801.

(B) Nothing in this title shall be construed to encumber, transfer, impair, or limit any water right, or recognized beneficial use, includ-

ing access to, development, and use of livestock water rights as defined by State law.

(p) VEGETATION MANAGEMENT.—Nothing in this title prevents the Secretary from conducting vegetation management projects within the Area.

(q) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the Federal land within the Area is withdrawn from—

(1) all forms of entry, appropriation, and disposal under the Federal land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(r) FEES.—Except for improved campgrounds, the Secretary is prohibited from the collecting or requiring fees for access or use within the Area.

DIVISION B—INNOVATIVE LAND MANAGEMENT, RECREATION AND ECONOMIC DEVELOPMENT

TITLE I—SCHOOL TRUST LAND CONSOLIDATIONS

SEC. 101. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that the land exchange authorized and directed by this title furthers public objectives referenced in section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716) including—

(1) promoting better management of Federal conservation areas by removing inheld State trust land sections;

(2) securing Federal ownership and protection of land with significant wildlife, recreational, scenic, cultural and other public values;

(3) assisting the State of Utah and local governments in economic development and community expansion through the consolidation of State trust lands in manageable blocks near several Utah communities; and

(4) advancing public education through increased opportunity for economic development of Utah school trust lands, in furtherance of the land grants

made under the Utah Enabling Act, Act of July 16, 1894 (28 Stat. 107, chapter 138).

(b) PURPOSE.—It is the purpose of this title to authorize, direct, facilitate, and expedite the exchange of land between the State of Utah and the United States.

SEC. 102. DEFINITIONS.

In this title:

(1) FEDERAL LAND.—The term ''Federal land'' means the lands identified on the Map as ''Federal Land'', ''Federal Land—Minerals Only'', and ''Federal Land—Surface Only'' administered by the Bureau of Land Management located in Carbon, Duchesne, Emery, Grand, San Juan and Uintah Counties, Utah, except such term does not include land the title to which is held in trust by the United States for the benefit of a tribe or an individual or is held in fee by a tribe or individual subject to restriction by the United States against alienation.

(2) MAP.—The term ''Map'' means the map prepared by the Bureau of Land Management and entitled State and Federal Land Exchange Map dated September 21, 2016.

(3) NON-FEDERAL LAND.—The term ''non-Federal land'' means the lands identified on the Map as ''State Trust Land Proposed for Transfer to United

States'', ''State Trust Lands—Surface Only Proposed for Transfer to United States'' and ''State Trust Lands—Minerals Only Proposed for Transfer to United States'' located in Carbon, Duchesne, Emery, Grand, San Juan and Uintah Counties, Utah, as generally depicted on the Map.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means the State of Utah, acting as trustee under the Utah State School and Institutional Trust Lands Management Act (Utah Code Ann. 53C–1–101 et seq.) through the Utah School and Institutional Trust Lands Administration.

SEC. 103. EXCHANGE OF LAND; RESERVATION OF INTERESTS.

(a) IN GENERAL.—If the State offers to convey to the United States title to the non-Federal land, the Secretary shall, subject to the provisions of this title—

(1) accept the offer; and

(2) on receipt of the right, title, and interest of the State in and to the non-Federal land, convey to the State all right, title, and interest of the United States in and to the Federal land.

(b) VALID EXISTING RIGHTS.—The exchange authorized under subsection (a) shall be subject to valid existing rights.

(c) COSTS.—Costs of the land exchange shall be allocated in accordance with section 206(f)(2)(B) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(f)(2)(B)).

(d) TITLE APPROVAL.—Title to the Federal land and non-Federal land to be exchanged under this section shall be in a form acceptable to the Secretary and the State.

(e) RESERVATION OF INTEREST IN POTASH.—

(1) With respect to Federal land that contains potash resources, the Secretary shall reserve an interest in all potash resources.

(2) The interest reserved by the United States under paragraph (1) shall consist of—

(A) 50 percent of any bonus bid or other payment received by the State as consideration for securing any lease or authorization to develop potash resources;

(B) 50 percent of the amount that would have been received by the Federal Government under the royalty rate applicable on July 1, 2015, if the potash resources had been retained in Federal ownership; and

(C) 50 percent of any other payment received by the State pursuant to any lease or authorization to develop the potash resources.

(3) Upon receipt of any funds from potash leasing and development on lands in which the Secretary has reserved an interest, the State shall pay the Secretary amounts attributable to the reserved interest of the United States in accordance with paragraph (4).

(4)(A) Any amounts due under paragraph (3) shall be paid by the State to the United States not less than quarterly.

(B) The State may deduct an administrative fee of three per cent from all payments due to the United States under paragraph (2).

(5) NO OBLIGATION TO LEASE.—The State shall not be obligated to lease or otherwise develop potash resources in which the United States retains an interest under this subsection.

(f) RESERVATION OF WELLBORE INTEREST IN OIL AND GAS.—

(1) The Secretary shall reserve a wellbore interest in each oil and gas well on Federal land that has been determined by the Secretary to be capable of production in paying quantities as of the date of conveyance.

(2) The wellbore interest reserved to the United States under paragraph (1) shall consist of the amount of all royalties attributable to an oil and gas well located on Federal land as of the date of conveyance.

(3) Upon receipt of any funds attributable to the reserved wellbore interest of the United States, the State shall pay the Secretary all such amounts in accordance with paragraph (4).

(4)(A) Any amounts due under paragraph (2) shall be paid by the State to the United States not less than quarterly.

(B) The State may deduct an administrative fee of three per cent from all payments due to the United States under paragraph (2).

(5) The reserved wellbore interests of the United States in oil and gas under this section shall automatically terminate on the date that is 10 years after the enactment of this Act.

(6) The United States shall share all revenue received with respect to its reserved wellbore mineral interest in oil and gas with the State in accordance with section 35(a) of the Mineral Leasing Act (30 U.S.C. 191(a)).

(g) APPURTENANT WATER RIGHTS.—Any conveyance of a parcel of Federal land or non-Federal land under this title shall include the conveyance of water rights appurtenant to the parcel conveyed.

(h) CONVEYANCE OF PARCELS IN STAGES.—Parcels of Federal land and non-Federal land may be exchanged in phases as mutually determined by the Secretary and the State.

SEC. 104. WITHDRAWAL OF FEDERAL LANDS PRIOR TO EXCHANGE.

Subject to valid existing rights, during the period beginning on the date of enactment of this Act and ending on the date on which the Federal land is conveyed, the Federal land is withdrawn from mineral location, entry or patent under the mining laws, from leasing and entry under the mineral leasing laws, and from mineral material disposal.

SEC. 105. NATIONAL ENVIRONMENTAL POLICY ACT OF 1969 AND FEDERAL LAND POLICY AND MANAGEMENT ACT OF 1976 COMPLIANCE.

(a) PUBLIC INTEREST.—The land exchange authorized and directed by this title is in the public interest.

(b) SCOPING AND ANALYSIS.—Notwithstanding any other law, in preparing an environmental assessment or environmental impact statement required under section 102

of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) with respect to the land exchange contemplated by this title—

(1) the Secretary is not required to identify any actions other than the proposed action and the no action alternative; and

(2) the Secretary is not required to analyze the environmental effects of alternative conveyances or actions other than the offer submitted by the State under subsection 103(a).

(c) PRESUMPTION OF PLAN ADEQUACY.—Conveyances of Federal land to the State in accordance with this title are presumed to comply with any land use plan enacted under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

SEC. 106. STATUS AND MANAGEMENT OF LAND AFTER EXCHANGE.

(a) ADMINISTRATION OF NON-FEDERAL LAND.—In accordance with section 206(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(c)), the non-Federal land acquired by the United States under this title shall become part of, and be managed as part of, the Federal administrative unit or area in which the land is located.

(b) GRAZING PERMITS.—

(1) If land conveyed under this title is subject to a lease, permit, or contract for the grazing of domestic livestock in effect on the date of acquisition, the entity acquiring the land shall allow the grazing to continue for the remainder of the term of the lease, permit, or contract, subject to the related terms and conditions of user agreements, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements.

(2) To the extent allowed by Federal or State law, on expiration of any grazing lease, permit, or contract described in paragraph (1), the holder of the lease, permit, or contract shall be entitled to a preference right to renew the lease, permit, or contract.

(3) If land conveyed by the State under this title is used by a grazing permittee or lessee to meet the base property requirements for a Federal grazing permit or lease, the land shall continue to qualify as a base property for the remaining term of the lease or permit and the term of any renewal or extension of the lease or permit.

(c) HAZARDOUS MATERIALS.—

(1) The Secretary and the State shall make available for review and inspection any record relat-

ing to hazardous materials on the land to be exchanged under this title.

(2) The costs of remedial actions relating to hazardous materials on land acquired under this title shall be paid by those entities responsible for the costs under applicable law.

SEC. 107. BOOK CLIFFS CONSERVATION AREA.

Subject to valid existing rights, the mineral estate in the non-Federal lands acquired by the United States under this title, and the existing mineral estate in the Federal land, located in Grand County, Utah, as depicted on the Map as ''Book Cliffs Conservation Area'' is withdrawn from location, entry and patent under the mining laws and the operation of the mineral leasing, mineral materials and geothermal leasing laws.

TITLE II—GOBLIN VALLEY STATE PARK

SEC. 201. LAND CONVEYANCE.

At the request of the State of Utah, the Secretary of the Interior shall convey, without consideration, the approximately 9,995 acres of Bureau of Land Management land identified as ''Utah PLI Goblin Valley State Park Map'' on the map entitled Utah PLI Goblin Valley State Park Expansion Map dated June 24, 2016, to the Utah

State Parks and Recreation Division of the Department of Natural Resources.

SEC. 202. COOPERATIVE MANAGEMENT OF GOBLIN VALLEY.

(a) IN GENERAL.—At the request of the State of Utah, in accordance with this section, the Secretary of the Interior shall enter into a cooperative agreement with the State of Utah for the management of the Federal land described in subsection (b) which shall be known as the ''Goblin Valley Cooperative Management Area''.

(b) DESCRIPTION OF LAND.—The area subject to the cooperative agreement is Federal land managed by the Bureau of Land Management in Emery County, Utah, comprising approximately 152,678 acres, identified as ''Goblin Valley Cooperative Management Area'' on the map entitled Utah PLI Goblin Valley State Park Map dated June 24, 2016.

(c) PURPOSE.—The purpose of the Goblin Valley Cooperative Management Area is to promote outdoor recreation, such as off-highway vehicle use, mountain biking, rock climbing, and hiking.

(d) TERMS.—The cooperative agreement shall—

(1) clarify the roles, responsibilities, and limitations, of the Secretary of the Interior and the State of Utah with regard to recreation management within the Goblin Valley Cooperative Management Area;

(2) extend only to recreational activities, including off-highway vehicle and non-off-highway vehicle use, within the Goblin Valley Cooperative Management Area, and shall not affect other land management within the Goblin Valley Cooperative Management Area, or recreational activities outside the Goblin Valley Cooperative Management Area;

(3) require that recreational activities within the Goblin Valley Cooperative Management Area shall continue to be managed in accordance with—

(A) the San Rafael Swell National Conservation Area and Crack Canyon Wilderness established by this Act; and

(B) applicable Federal laws;

(4) require new route and trail construction for motorized and non-motorized use to further recreational opportunities and minimize resource conflict;

(5) address the establishment, distribution, and uses of, any revenues generated by recreational activities (including entrance fees) within the Goblin Valley Cooperative Management Area; and

(6) specify that the State agency administering the Goblin Valley Cooperative Management Area shall

be the Utah State Parks and Recreation Division of the Department of Natural Resources.

TITLE III—PRICE CANYON STATE FOREST

SEC. 301. DEFINITIONS.

In this title:

(1) MAP.—The term ''Map'' means the map entitled Utah PLI Price Canyon State Forest Map dated July 1, 2016.

(2) FEDERAL LAND.—The term ''Federal land'' means the 13,321 acres identified as ''BLM Lands Proposed for Transfer to State Sovereign Land'' located in Carbon County, Utah, as generally depicted on the Map.

(3) NON-FEDERAL LAND.—The term ''non-Federal land'' means the 14,939 acres identified on the Map as ''State Sovereign Land Proposed for Transfer to BLM'' located in Grand and San Juan Counties, Utah, as generally depicted on the Map.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means the State of Utah's Division of Forestry, Fire, and State Lands.

SEC. 302. EXCHANGE OF LAND.

(a) PURPOSE.—It is the purpose of this title to consolidate intermingled State sovereign lands in an area of Carbon County, Utah, to create the State of Utah's first State Forest.

(b) CONVEYANCE.—If the State offers to convey to the United States title to the non-Federal land, the Secretary shall—

(1) accept the offer; and

(2) on receipt of the right, title, and interest of the State in and to the non-Federal land, convey to the State all right, title, and interest of the United States in and to the Federal land.

(c) VALID EXISTING RIGHTS.—The exchange authorized under subsection (a) shall be subject to valid existing rights.

(d) TITLE APPROVAL.—Title to the Federal land and non-Federal land to be exchanged under this section shall be in a form acceptable to the Secretary and the State.

SEC. 303. LIVESTOCK GRAZING.

For lands acquired by the State under this title in which grazing is established before the date of enactment of this Act, the grazing of livestock shall continue at levels existing as of January 1, 2016.

TITLE IV—DEER LODGE LAND EXCHANGE

SEC. 401. DEFINITIONS.

In this title:

(1) ASSOCIATION.—The term ''Association'' means the Deer Lodge Homeowners Association.

(2) FEDERAL LAND.—The term ''Federal land'' means the approximately 157 acres of National Forest System land in Daggett County, Utah, identified as ''Deer Lodge Cabin Site'' on the map.

(3) MAP.—The term ''map'' means the map entitled Utah PLI Deer Lodge Land Exchange Map dated June 24, 2016.

(4) NON-FEDERAL LAND.—The term ''non-Federal land'' means the parcel of approximately 77 acres of private land located in Uintah County, Utah, and identified as ''Land to Be Acquired by USFS'' on the map.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

SEC. 402. LAND EXCHANGE.

(a) CONVEYANCE OF LAND.—No later than two years after enactment of this title, if the Association offers to con-

vey to the United States all right, title, and interest of the Association in and to the non-Federal land, the Secretary

shall convey to the Association, without consideration, all right, title, and interest of the United States in and to the Federal land, subject to valid existing rights.

(b) COMPLIANCE WITH EXISTING LAW.—Except as otherwise provided in this title, the Secretary shall carry out the land exchange under this title in accordance with section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(c) TITLE.—As a condition of the land exchange under this title, title to the non-Federal land to be acquired by the Secretary shall be acceptable to the Secretary.

(d) CONDITION.—As a condition of the land exchange under this title, the Association shall agree to retain as undeveloped open space the approximately 40 acres of meadow area identified as ''Open Space'' as generally depicted on the map.

TITLE V—SCOFIELD LAND TRANSFER

SEC. 501. SHORT TITLE.

This title may be cited as the ''Scofield Land Transfer Act''.

SEC. 502. DEFINITIONS.

In this title:

(1) CARBON COUNTY.—The term ''Carbon County'' means Carbon County, Utah, within which the Scofield Reservoir property is located.

(2) CLAIMANT.—The term ''claimant'' means any person or entity (or a successor in interest to a person or entity) that, according to the records in the office of the Recorder for Carbon County, as of the date of enactment of this Act, claims title to, or an interest in, the Federal land.

(3) FEDERAL LAND.—

(A) IN GENERAL.—The term ''Federal land'' means the land acquired by Price River Water Conservation District and transferred to the United States for use in the construction and operation of the Scofield Dam and Reservoir located between the normal water surface elevation and the property boundary elevation in the Scofield Reservoir basin.

(B) EXCLUSIONS.—The term ''Federal land'' does not include—

(i) any mineral or subsurface rights to the land described in subparagraph (A); or

(ii) the 205 acres of land adjoining the Scofield Reservoir, as adjudicated in the

case styled United States v. Dunn (557 F.3d 1165 (10th Cir. 2009)).

(4) FLOOD SURCHARGE ELEVATION.—The term ''flood surcharge elevation'' means the elevation of 7640.3 in the North American Vertical Datum of 1988, which corresponds to the elevation of the crest of Scofield Dam.

(5) FUND.—The term ''Fund'' means the Scofield Reservoir Fund established by section 503(d)(9)(A).

(6) LIFE ESTATE.—The term ''life estate'' means—

(A) if the claimant is a person, an interest of the claimant in the Federal land that will revert to the United States on the date of the death of the claimant; and

(B) if the claimant is an entity, an interest in the Federal land of a person designated by the claimant that will revert to the United States on the date of the death of the designated person.

(7) NORMAL WATER SURFACE ELEVATION.—The term ''normal water surface elevation'' means the contour elevation of 7621.8 in the North American Vertical Datum of 1988, which corresponds to the elevation of the crest of the spillway of Scofield Dam.

(8) PROPERTY BOUNDARY ELEVATION.—The term ''property boundary elevation'' means the contour elevation 7630, as surveyed by McGonagle and Ulrich, Land Surveyors, in 1926, which was transmuted to the current elevation of 7638.9 in the North American Vertical Datum of 1988 and which corresponds to 1.4 vertical feet below the crest of Scofield Dam.

(9) ROADS.—The term ''Roads'' means the streets, improved and unimproved, as in existence on the date of enactment of this Act, that—

(A) are located on the Federal land;

(B) are intended for public access via motorized vehicle to the Federal land claims of the claimants; and

(C) extend to the shoreline of Scofield Reservoir.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(11) STRUCTURE.—

(A) IN GENERAL.—The term ''structure'' means any improvement located on the property of a claimant, as in existence on the date of enactment of this Act, including—

(i) a residence;

(ii) a shed;

(iii) a workshop;

(iv) a garage;

(v) a carport;

(vi) a deck;

(vii) a boathouse; or

(viii) an incidental building.

(B) INCLUSION.—The term ''structure'' includes any infrastructure associated with a residence that is not owned by a public or private utility, including water, power, sewer, and improvements to Roads.

SEC. 503. CONVEYANCE OF SCOFIELD PROJECT LAND.

(a) SURVEY.—

(1) IN GENERAL.—To facilitate the conveyance of the Federal land under this title, it shall be the responsibility of Carbon County—

(A) to enter into an agreement with the Secretary to pay the costs associated with a full physical and title survey of the Federal land in order to delineate the boundaries associated with the Federal land, Federal easements, or other Federal interests in land; and

(B) subject to paragraph (2), to initiate and complete a full physical survey of the Roads

and the parcels located within the Federal land that are eligible to be conveyed to the claimants, and, in any case in which a land description or record of ownership in any record of Carbon County conflicts with a claim of a claimant with regard to an existing physical feature or facility, propose boundaries and land descriptions to resolve the dispute.

(2) UNRESOLVED DISPUTES.—

(A) IN GENERAL.—If a claim to a parcel or portion of a parcel of Federal land cannot be resolved in accordance with the applicable land description in the records of Carbon County by the applicable deadline for an election under subsection (d)(6), the claimant shall stipulate to, accept, and submit to the Secretary the land description developed by Carbon County to resolve the dispute in order to meet the election requirement of subsection (d)(6) by not later than 180 days after that deadline.

(B) FAILURE TO STIPULATE AND ACCEPT.—If a claimant fails to stipulate to and accept the land description of Carbon County by the date described in subparagraph (A), the authority to convey the affected parcel or portion of a parcel

of Federal land pursuant to this section shall be terminated with respect to the disputed claim.

(b) APPRAISAL.—

(1) IN GENERAL.—As a condition of the conveyance under this section, Carbon County shall enter into an agreement with the Secretary to pay the costs associated with an appraisal of the fair market value of each property interest requested by a claimant relating to the conveyance by the Secretary under this title.

(2) DETERMINATION OF FAIR MARKET VALUE.—The fair market value of a property interest under paragraph (1) shall be determined by the Secretary in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practices.

(c) NOTIFICATION.—It shall be the responsibility of Carbon County to notify each claimant of any trespass or encroachment by the applicable claimant on the Federal land, including the existence of any trespassing or encroaching structure of the claimant.

(d) AUTHORIZATION TO CONVEY FEDERAL LAND.—

(1) IN GENERAL.—To resolve the issues of trespass and encroachment on the Federal land by the

claimants, the Secretary may, in accordance with paragraphs (5) and (6)—

(A) on an election by a claimant—

(i) subject to paragraph (2), convey to the claimant fee interest in the claimed portion of the Federal land that is located above the normal water surface elevation, as determined by the results of the survey required under subsection (a), subject to all valid rights-of-way, licenses, and easements in existence on the date of enactment of this Act; or

(ii) subject to paragraph (3), grant to the claimant a life estate permitting the continued occupation of the claimed portion of the Federal land above the normal water surface elevation, as determined by the results of the survey required under subsection (a), subject to all valid rights-of-way, licenses, and easements in existence on the date of enactment of this Act; or

(B) subject to paragraph (4), on an election by Carbon County, convey to Carbon County fee interest in the Roads, as determined by the survey required under subsection (a), subject to all

valid rights-of-way, licenses, and easements in existence on the date of enactment of this Act.

(2) CONVEYANCE REQUIREMENTS.—A conveyance under paragraph (1)(A)(i) shall be subject to—

(A) the claimant paying to the Secretary the fair market value of the fee interest in the claimed portion of the Federal land, as determined by the Secretary under subsection (b), exclusive of the value of any structures;

(B) provisions under which the claimant shall agree to indemnify and hold harmless the United States for all claims by the claimant or others arising from—

(i) the design, construction, operation, maintenance, or replacement of the Scofield Dam and Reservoir;

(ii) the survey of claims, description of claims, delineation of boundaries, conveyance documents, conveyance process, and recording of deeds associated with the conveyance; and

(iii) any damages associated with any structure or chattel of the claimant that may be displaced in a flood event;

(C) the United States retaining a flood easement as well as an access easement for purposes of monitoring and enforcing the requirements of subparagraph (D) with respect to the entire portion of Federal land conveyed; and

(D) deed restrictions requiring that—

(i) to prevent any structure on the portion of the Federal land conveyed from being displaced during a flood event, the claimant shall—

(I) secure or tie down all existing structures; and

(II) if replacing or rebuilding such a structure, limit the replacement or rebuilding to the number and type of structures in existence on the date of enactment of this Act; and

(ii) all activities carried out by the claimant under clause (i) with respect to a structure be carried out in accordance with applicable standards for structures that may be submerged, flooded, or inundated, as contained in—

(I) the International Building Code (as adopted by Utah Administrative Code R156–56); or

(II) any other building code or engineering standard that is—

(aa) similar to the International Building Code;

(bb) widely used; and

(cc) nationally recognized.

(3) LIFE ESTATE REQUIREMENTS.—A life estate granted under paragraph (1)(A)(ii) shall be subject to—

(A) the claimant paying to the Secretary the fair market value of the life estate on the claimed portion of the Federal land, as determined by the Secretary under subsection (b), but excluding the value of any structures;

(B) provisions under which the claimant agrees to indemnify and hold harmless the United States for all claims by the claimant or others arising from—

(i) the design, construction, operation, maintenance, or replacement of the Scofield Dam and Reservoir;

(ii) the survey of claims, description of claims, delineation of boundaries, conveyance documents, conveyance process, and recording of deeds associated with the conveyance; and

(iii) any damages associated with any structure or chattel of the claimant that may be displaced in a flood event; and

(C) restrictions equivalent to the deed restrictions described in clauses (i) and (ii) of paragraph (2)(D), as applicable.

(4) CONVEYANCE OF ROADS REQUIREMENTS.—A conveyance under paragraph (1)(B) shall be subject to—

(A) Carbon County paying to the Secretary a sum determined to be acceptable by the Secretary;

(B) provisions under which Carbon County shall agree to indemnify and hold harmless the United States for all claims by Carbon County or others arising from—

(i) the design, construction, operation, maintenance, or replacement of the Scofield Dam and Reservoir;

(ii) the survey of claims, description of claims, delineation of boundaries, conveyance documents, conveyance process, and recording of deeds associated with the conveyance; and

(iii) any damages associated with structures or chattel of Carbon County that may be displaced in a flood event;

(C) the United States retaining a flood easement as well as an access easement for purposes of monitoring and enforcing the requirements of subparagraph (D) with respect to the entire portion of the Roads conveyed; and

(D) restrictions equivalent to the deed restrictions described in clauses (i) and (ii) of paragraph (2)(D), as applicable.

(5) COMPLIANCE WITH ENVIRONMENTAL LAWS.—

(A) IN GENERAL.—Before conveying the Federal land under paragraph (1)(A)(i) or the Roads under paragraph (1)(B) or granting a life estate under paragraph (1)(A)(ii), the Secretary shall comply with all applicable requirements under—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(iii) any other applicable law.

(B) EFFECT.—Nothing in this title modifies or alters any obligations under—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(C) COSTS.—Before the initiation of any conveyance under this title, Carbon County shall pay to the Secretary an amount equal to the costs associated with achieving environmental compliance under this paragraph.

(6) DEADLINE FOR ELECTION.—

(A) CLAIMANTS.—Not later than 5 years after the date of enactment of this Act, each claimant shall notify the Secretary in writing whether the claimant elects to receive—

(i) a fee interest in the claimed portion of the Federal land, in accordance with paragraph (1)(A)(i); or

(ii) a life estate in the claimed portion of the Federal land, in accordance with paragraph (1)(A)(ii).

(B) CARBON COUNTY.—Not later than 3 years after the date of enactment of this Act, Carbon County shall notify the Secretary in writing whether Carbon County elects to receive a fee interest in the Roads, in accordance with paragraph (1)(B).

(7) FAILURE TO NOTIFY SECRETARY OR COMPLETE TRANSFER.—

(A) NOTICE OF ELECTION.—If a claimant fails to submit to the Secretary a notice of an election in accordance with paragraph (6)(A), any future claim by the claimant with respect to the Federal land shall be terminated.

(B) TRANSFER.—

(i) CLAIMANTS.—If, due to a failure by the claimant to act in furtherance of the transfer of fee interest or life estate under this section, no transfer of the claimed Federal Land has been recorded with the Recorder of Carbon County by the date that is 7 years after the date of enactment of this Act, any claim by the claimant with respect to the Federal land shall be terminated.

(ii) CARBON COUNTY.—If, due to a failure by Carbon County to act in further-

ance of the transfer of fee interest, no transfer of the Roads has been recorded with the Recorder of Carbon County by the date that is 5 years after the date of enactment of this Act, the authority of the Secretary to convey the interest in the Roads shall be terminated.

(C) QUIET TITLE.—On extinguishment of a claim under subparagraph (A) or (B), the Secretary shall take such action as is necessary to quiet title to the applicable portion of the Federal land, including removal of persons, entities, structures, and materials encumbering the applicable portion of the Federal land.

(8) PAYMENTS IN LIEU OF TAXES.—Any Federal land transferred to a claimant in fee under paragraph (1)(A)(i) or to Carbon County under paragraph (1)(B) shall not be included or taken into consideration in the allocation of any payment in lieu of taxes under chapter 69 of title 31, United States Code.

(9) TRUST FUND.—

(A) ESTABLISHMENT.—There is established in the Treasury of the United States a fund, to be known as the ''Scofield Reservoir Fund'', to be

administered by the Secretary and made available, without fiscal year limitation, for—

(i) monitoring and enforcing the requirements of paragraphs (2)(C) and (4)(C) regarding maintaining access to, and eliminating encroachment and private exclusive use of, the Federal land surrounding the Scofield Reservoir; and

(ii) providing enhanced public recreational opportunities at Scofield Reservoir.

(B) TRANSFERS TO FUND.—There shall be deposited in the Fund any amounts received as consideration for—

(i) a conveyance under subparagraph (A)(i) or (B) of paragraph (1); or

(ii) the granting of a life estate under paragraph (1)(A)(ii).

TITLE VI—LAND CONVEYANCES

SEC. 601. LAND CONVEYANCES.

(a) IN GENERAL.—As outlined in the paragraphs below, if requested by the specified entity, the Secretary of the Interior or the Secretary of Agriculture, as appropriate, shall convey the following Federal land to that entity without consideration:

(1) CANYONLANDS FIELDS AIRPORT.—The approximately 561 acres of land depicted as ''Canyonlands Fields Airport'', on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, to Grand County, Utah, for use as an airport.

(2) MOAB TAILINGS PROJECT.—Upon completion of the Moab Uranium Mill Tailings Remedial Action Project, the approximately 474 acres of land depicted as ''UMTRA Conveyance'', on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, shall be conveyed to Grand County, Utah.

(3) HUNTINGTON AIRPORT EXPANSION.—The approximately 1,398 acres generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Huntington Airport'', to Emery County, Utah, for expansion of the Huntington Municipal Airport.

(4) EMERY COUNTY RECREATION AREA.—The approximately 479 acres generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Emery County Recreation Area'', to Emery County, Utah, for public recreational purposes.

(5) EMERY COUNTY SHERIFFS SUBSTATION.—The approximately 644 acres generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Emery County Sheriffs Substation'', to Emery County, Utah, for a substation for the Emery County Sheriff's Office.

(6) BLANDING OUTDOOR RECREATION AREA.—The approximately 5,197 acres of land depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Blanding Outdoor Recreation Area'', to Blanding City, Utah, for use as an outdoor recreation area.

(7) CAL BLACK AIRPORT.—The approximately 1,917 acres generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Cal Black Airport'', to San Juan County, Utah, for a municipal airport.

(8) BLUFF AIRPORT.—The approximately 403 acres generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Bluff Airport'', to San Juan County, Utah, for a municipal airport.

(9) MONTICELLO WATER STORAGE AND TREATMENT PLANT.—The approximately 165 acres generally depicted on the map entitled Utah PLI Land

Conveyances Map dated September 20, 2016, as ''Monticello Water Storage and Treatment Plant'', to Monticello City, Utah, for a water storage and treatment plant.

(10) BLANDING SHOOTING RANGE.—The approximately 21 acres generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Blanding Shooting Range'', to San Juan County, Utah, for a public shooting range.

(11) PARK CITY CONVEYANCE I.—The approximately 2.5 acres generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Park City Conveyance I'', to Park City, Utah, for public recreation and open space.

(12) PARK CITY CONVEYANCE II.—The approximately 1 acre generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Park City Conveyance II'', to Park City, Utah, for public recreation and open space.

(13) LISBON VALLEY.—The approximately 398 acres generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Lisbon Valley'', to Utah State University for education and research.

(14) WELLINGTON.—The approximately 645 acres generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Wellington'', to Utah State University for education and research.

(15) RANGE CREEK RESEARCH STATION EXPANSION.—The approximately 1,663 acres depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Range Creek Research Station Expansion'', to the University of Utah for education and research.

(16) ASHLEY SPRING.—The approximately 1,103 acres generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Ashley Spring'', to Uintah County, Utah, for use as open space and for watershed protection and drinking water development.

(17) SEEP RIDGE UTILITY CORRIDOR.—The approximately 2,633 acres in Uintah County generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Seep Ridge Utility Corridor'', to the State of Utah, for use as rights-of-way for public utilities.

(18) BLUFF RIVER RECREATION AREA.—The approximately 177 acres generally depicted on the map

entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Bluff River Recreation Area'', to San Juan County, Utah, for use as recreation and municipal facilities.

(19) EMERY INFORMATION CENTER.—The approximately 80 acres generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Emery County Information Center'', to Emery County, Utah, for an information and visitor center to promote public lands.

(20) SUMMIT COUNTY CONVEYANCE.—The approximately 3.71 acres generally depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Summit Conveyance'', to Summit County, Utah, for public recreation and open space.

(21) ALLEN CANYON CEMETERY.—The approximately 1.2 acres depicted on the map entitled Utah PLI Land Conveyances Map dated September 20, 2016, as ''Ute Cemetery'', to the Ute Mountain Ute Tribe to use as a cemetery. The Bureau of Land Management shall designate as an easement the existing two-track road that runs between County Road B227 and the Allen Canyon Cemetery to provide public access to the cemetery.

(b) MAP AND LEGAL DESCRIPTIONS.—Not later than two years after the date of enactment of this Act, the relevant Secretary shall file a map and legal description of each of the land conveyances authorized in subsection (a) with the Committee on Natural Resources of the House of Representatives, and the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

TITLE VII—LAND DISPOSALS

SEC. 701. LAND DISPOSALS.

Subject to valid existing rights, the Secretary of the Interior shall within two years dispose of Federal lands identified as ''Lands for Disposal'' on the map entitled Utah PLI Land Disposal Map dated June 25, 2016.

TITLE VIII—RECREATION ZONES

SEC. 801. ESTABLISHMENT.

(a) ESTABLISHMENT.—Subject to valid existing rights, to enhance existing and future recreational opportunities in Grand County, Uintah County, and San Juan County, Utah, the following areas are hereby established as Recreation Zones:

(1) GOLDBAR RECREATION ZONE.—Certain Federal land, comprising approximately 23,051 acres administered by the Bureau of Land Management in Grand County, as generally depicted on the map enti-

tled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the ''Goldbar Recreation Zone''.

(2) MONITOR AND MERRIMAC RECREATION ZONE.—Certain Federal land, comprising approximately 17,371 acres administered by the Bureau of Land Management in Grand County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the ''Monitor and Merrimac Recreation Zone''.

(3) KLONDIKE RECREATION ZONE.—Certain Federal land, comprising approximately 24,968 acres administered by the Bureau of Land Management in Grand County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the ''Klondike Recreation Zone''.

(4) BIG FLAT RECREATION ZONE.—Certain Federal land, comprising approximately 25,311 acres administered by the Bureau of Land Management in Grand County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the ''Big Flat Recreation Zone''.

(5) MINERAL CANYON RECREATION ZONE.—Certain Federal land, comprising approximately 20,423 acres administered by the Bureau of Land Manage-

ment in Grand County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the ''Mineral Canyon Recreation Zone''.

(6) DEE PASS AND UTAH RIMS RECREATION ZONE.—Certain Federal land, comprising approximately 210,587 acres administered by the Bureau of Land Management in Grand County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the ''Dee Pass and Utah Rims Recreation Zone''.

(7) YELLOW CIRCLE RECREATION ZONE.—Certain Federal land, comprising approximately 7,436 acres administered by the Bureau of Land Management in San Juan County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the ''Yellow Circle Recreation Zone''.

(8) CAMEO CLIFFS RECREATION ZONE.—Certain Federal land, comprising approximately 47,130 acres administered by the Bureau of Land Management in San Juan County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the ''Cameo Cliffs Recreation Zone''.

(9) JENSEN HILLS RECREATION ZONE.—Certain Federal land, comprising approximately 4,849 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the ''Jensen Hills Recreation Zone''.

(10) RED MOUNTAIN RECREATION ZONE.—Certain Federal land, comprising approximately 10,298 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the ''Red Mountain Recreation Zone''.

(11) DEVILS HOLE RECREATION ZONE.—Certain Federal land, comprising approximately 550 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the ''Devils Hole Recreation Zone''.

(12) BOURDETTE DRAW RECREATION ZONE.—Certain Federal land, comprising approximately 20,560 acres administered by the Bureau of Land Management in Uintah County as generally depicted

on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the ''Bourdette Draw Recreation Zone''.

(13) RED WASH RECREATION ZONE.—Certain Federal land, comprising approximately 1,916 acres administered by the Bureau of Land Management in Uintah County as generally depicted on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, to be known as the ''Red Wash Recreation Zone''.

SEC. 802. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—Not later than two years from the date the date of enactment of this Act, the Secretary of the Interior (hereinafter in this title referred to as the ''Secretary'') shall file a map and legal description of each of the Recreation Zones established by section 801 with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(b) FORCE AND EFFECT.—The maps and legal descriptions submitted under this section shall have the same force and effect as if included in this title, except that the Secretary may make any minor modifications of any clerical or typographical errors in the map or legal description and provided that prior to any modifications, clerical or typo-

graphical changes, these changes are reported to the State of Utah and the affected counties.

(c) PUBLIC AVAILABILITY.—A copy of the maps and legal descriptions shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 803. GOLDBAR RECREATION ZONE MANAGEMENT.

(a) PURPOSES.—The purposes of the Goldbar Recreation Zone are to promote outdoor recreation (including off-highway vehicle use, mountain biking, and hiking), provide for the construction of new non-off-highway vehicle trails, prevent future energy and mineral development, and conserve indigenous plants and animals.

(b) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Goldbar Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws.

(2) USES.—Uses and management of the Goldbar Recreation Zone shall—

(A) require coordination and consultation with State and local governments;

(B) provide for recreational opportunities including camping, biking, hiking, and off-highway vehicle use (including motorcycling, all-terrain-vehicle riding, and four-wheeling);

(C) prohibit future mineral development;

(D) provide for new route and trail construction for non-off-highway vehicle use; and

(E) conserve indigenous plant and animal species.

(3) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated routes for off-highway and motorized vehicles in a manner that—

(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(B) allows for adjustment to the travel management plan within the regular amendment process; and

(C) allows for the construction of new non-off-highway vehicle trails.

(4) WITHDRAWALS.—Subject to valid existing rights, all public land within the Goldbar Recreation Zone, including any land or interest in land that is acquired by the United States within the Goldbar

Recreation Zone after the date of enactment of this Act, is withdrawn from—

(A) entry, appropriation or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 804. MONITOR AND MERRIMAC RECREATION ZONE MANAGEMENT.

(a) PURPOSES.—The purposes of the Monitor and Merrimac Recreation Zone are to promote outdoor recreation (including off-highway vehicle use, mountain biking, rock climbing, and hiking), provide for the construction of new off-highway vehicle and non-off-highway vehicle trails and routes, and to prevent future mineral development.

(b) ADMINISTRATION.—The Secretary shall administer the Monitor and Merrimac Recreation Zone in accordance with—

(1) this title;

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(3) other applicable laws.

(c) USES.—Uses and management of the Monitor and Merrimac Recreation Zone shall—

(1) coordinate and consult with State and local government;

(2) provide for recreational opportunities including, biking, hiking, rock climbing and off-highway vehicle use (including motorcycling, all-terrain-vehicle riding, and four-wheeling);

(3) prohibit future mineral and energy leasing; and

(4) provide for new route and trail construction for off-highway vehicle and non-off-highway vehicle use.

(d) MANAGEMENT OF OFF-HIGHWAY VEHICLE AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated off-highway vehicle routes in a manner that—

(1) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(2) allows for adjustment to the travel management plan within the regular amendment process; and

(3) allows for the construction of new off-highway and non-off-highway vehicle trails.

(e) WITHDRAWALS.—Subject to valid existing rights, all public land within the Monitor and Merrimac Recre-

ation Zone, including any land or interest in land that is acquired by the United States within the Monitor and Merrimac Recreation Zone after the date of enactment of this Act, is withdrawn from—

(1) entry, appropriation or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 805. KLONDIKE RECREATION ZONE MANAGEMENT.

(a) PURPOSES.—The purposes of the Klondike Recreation Zone are to promote outdoor recreation (including off-highway vehicle use, mountain biking, rock climbing, and hiking), provide for the construction of new non-off-highway vehicle trails, and to prevent future mineral development.

(b) ADMINISTRATION.—The Secretary shall administer the Klondike Recreation Zone in accordance with—

(1) this title;

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(3) other applicable laws.

(c) USES.—Uses and management of the Klondike Recreation Zone shall—

(1) coordinate and consult with State and local government;

(2) provide for recreational opportunities including biking, hiking, rock climbing, and off-highway vehicle use (including motorcycling, all-terrain-vehicle riding and four-wheeling);

(3) prohibit future mineral and energy leasing;

(4) provide for new route and trail construction for off-highway and non-off-highway vehicle use; and

(5) provide managerial flexibility to route off-highway vehicle trails in a way that minimizes conflict with non-off-highway vehicle trails.

(d) MANAGEMENT OF OFF-HIGHWAY VEHICLE AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated routes for off-highway vehicles and motorized vehicles in a manner that—

(1) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(2) allows for adjustment to the travel management plan within the regular amendment process; and

(3) allows for the construction of new non-off-highway vehicle trails.

(e) WITHDRAWALS.—Subject to valid existing rights, all public land within the Klondike Recreation Zone, including any land or interest in land that is acquired by the United States within the Klondike Recreation Zone after the date of enactment of this Act, is withdrawn from—

(1) entry, appropriation or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 806. BIG FLAT RECREATION ZONE MANAGEMENT.

(a) PURPOSES.—The purposes of the Big Flat Recreation Zone are to promote outdoor recreation (including off-highway vehicle use, mountain biking, rock climbing and hiking), provide for new off-highway vehicle route construction and promote mineral development.

(b) ADMINISTRATION.—The Secretary shall administer the Big Flat Recreation Zone in accordance with—

(1) this title;

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(3) other applicable laws.

(c) USES.—Uses and management of the Big Flat Recreation Zone shall—

(1) coordinate and consult with State and local government;

(2) provide for recreational opportunities including rock climbing, biking, hiking, off-highway vehicle use (including motorcycling, all-terrain-vehicle riding, and four-wheeling);

(3) provide for future mineral leasing with no surface occupancy stipulations;

(4) allow the continuation of existing mineral leasing; and

(5) provide for new route and trail construction for off-highway vehicle and non-off-highway vehicle use.

(d) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated routes for off-highway and motorized vehicles in a manner that—

(1) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(2) allows for adjustment to the travel management plan within the regular amendment process; and

(3) allows for the construction of new non-off-highway vehicle trails.

SEC. 807. MINERAL CANYON RECREATION ZONE MANAGEMENT.

(a) PURPOSES.—The purposes of the Mineral Canyon Recreation Zone are to promote non-motorized outdoor recreation (including mountain biking, rock climbing, and hiking), provide for new non-motorized route construction, prevent future mineral development, maintain boating access, maintain airstrip access, and maintain access and use of country borrow areas for unprocessed gravel.

(b) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Mineral Canyon Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws.

(2) USES.—Uses and management of the Mineral Canyon Recreation Zone shall—

(A) coordinate and consult with State and local government;

(B) provide for non-motorized recreational opportunities including biking and hiking;

(C) prevent future mineral leasing or claims;

(D) provide for new route and trail construction for non-motorized vehicle use;

(E) maintain access for boating;

(F) maintain access for aircraft to the existing airstrip; and

(G) maintain access to and use of the county borrow areas for unprocessed gravel.

(3) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated routes for off-highway and motorized vehicles in a manner that—

(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(B) allows for adjustment to the travel management plan within the regular amendment process; and

(C) allows for the construction of new non-off-highway vehicle trails.

(4) WITHDRAWALS.—Subject to valid existing rights, all public land within the Mineral Canyon Recreation Zone, including any land or interest in land that is acquired by the United States within the Mineral Canyon Recreation Zone after the date of enactment of this Act, is withdrawn from—

(A) entry, appropriation or disposal under the public land laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 808. DEE PASS AND UTAH RIMS RECREATION ZONE MANAGEMENT.

(a) PURPOSES.—The purposes of the Dee Pass and Utah Rims Recreation Zone are to promote off-highway vehicle recreation, provide for the construction of new off-highway vehicle trails and non-motorized trails, and allow mineral development.

(b) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Dee Pass and Utah Rims Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws.

(2) USES.—Uses and management of the Dee Pass and Utah Rims Recreation Zone shall—

(A) coordinate and consult with State and local government;

(B) provide for recreational opportunities including rock climbing, biking, hiking, and off-highway vehicle use (including motorcycling, all-terrain vehicle riding, and four-wheeling);

(C) provide future mineral and energy leasing and development in a manner that minimizes impacts to outdoor recreation; and

(D) provide for new route and trail construction for motorized and non-motorized use.

(3) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated routes for off-highway and motorized vehicles in a manner that—

(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(B) allows for adjustment to the travel management plan within the regular amendment process; and

(C) allows for the construction of new off-highway and non-off-highway vehicle trails.

(4) WHITE WASH CROSS COUNTRY TRAVEL AREA.—The approximately 210,116 acres identified as the ''White Wash Cross Country Travel Area'', located within the Dee Pass and Utah Rims Recreation

Zone, on the map entitled Utah PLI Recreation Zones Map dated June 30, 2016, is open to cross country off-highway vehicle travel.

SEC. 809. YELLOW CIRCLE AND CAMEO CLIFFS RECREATION ZONE MANAGEMENT.

(a) PURPOSES.—The purposes of the Yellow Circle Recreation Zone and Cameo Cliffs Recreation Zone are to promote off-highway vehicle use, provide for the construction of new off-highway vehicle and non-motorized trails, and allow energy and mineral leasing and development.

(b) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Yellow Circle Recreation Zone and Cameo Cliffs Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(C) other applicable laws; and

(D) San Juan County Public Entry and Access Rights.

(2) USES.—Uses and management of the Yellow Circle Recreation Zone and Cameo Cliffs Recreation Zone shall—

(A) coordinate and consult with State and local government;

(B) provide for recreational opportunities including rock climbing, biking, hiking, and off-highway vehicle use (including motorcycling, all-terrain-vehicle riding, four-wheeling);

(C) provide future mineral and energy leasing and development in a manner that considers impacts to outdoor recreation; and

(D) provide for new route and trail construction for off-highway vehicle and non-motorized use.

(3) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated off-highway and motorized vehicle routes in a manner that—

(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(B) allows for adjustment to the travel management plan within the regular amendment process; and

(C) allows for the construction of new non-off-highway vehicle trails.

SEC. 810. JENSEN HILLS RECREATION ZONE MANAGEMENT.

(a) PURPOSES.—The purposes of the Jensen Hills Recreation Zone are to promote off-highway vehicle recre-

ation, provide for the construction of new off-highway vehicle trails and non-motorized trails, and to promote energy and mineral leasing and development.

(b) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Jensen Hills Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws;

(2) USES.—Uses and management of the Jensen Hills Recreation Zone shall—

(A) coordinate and consult with State and local government;

(B) provide for recreational opportunities including, biking, hiking, rock climbing and off-highway vehicle use (including motorcycling, all-terrain vehicle riding, and four-wheeling);

(C) allow future mineral and energy leasing and development in a manner that minimizes impacts to outdoor recreation;

(D) provide for new route and trail construction for off-highway vehicle and non-motor-

ized use to further recreational opportunities; and

(E) allow cross country off-highway vehicle travel where authorized under the applicable travel management plan.

(3) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated routes in a manner that—

(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(B) allows for adjustment to the travel management plan within the regular amendment process;

(C) allows for the construction of new non-off-highway vehicle trails; and

(D) allows for continued cross country off-highway vehicle travel where authorized under the travel management plan.

SEC. 811. RED MOUNTAIN RECREATION ZONE MANAGEMENT.

(a) PURPOSES.—The purposes of the Red Mountain Recreation Zone are to promote off-highway vehicle recreation, provide for the construction of new off-highway vehi-

cle trails and non-motorized trails, and to promote energy and mineral leasing and development.

(b) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Red Mountain Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws.

(2) USES.—Uses and management of the Red Mountain Recreation Zone shall—

(A) coordinate and consult with State and local government;

(B) provide for recreational opportunities including, biking, hiking, rock climbing and off-highway vehicle use (including motorcycling, all-terrain vehicle riding, and four-wheeling);

(C) allow future mineral and energy leasing and development in a manner that minimizes impacts to outdoor recreation and sensitive plant and animal species; and

(D) provide for new route and trail construction for off-highway vehicle and non-motorized use.

(3) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated routes in a manner that—

(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(B) allows for adjustment to the travel management plan within the regular amendment process; and

(C) allows for the construction of new off-highway vehicle and non-motorized routes and trails.

SEC. 812. DEVILS HOLE RECREATION ZONE MANAGEMENT.

(a) PURPOSES.—The purposes of the Devils Hole Recreation Zone are to promote off-highway vehicle recreation, the construction of new off-highway vehicle trails and non-motorized trails and routes, and to promote energy and mineral leasing and development.

(b) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Devils Hole Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws.

(2) USES.—Uses and management of the Devils Hole Recreation Zone shall—

(A) coordinate and consult with State and local government;

(B) provide for recreational opportunities including, biking, hiking, rock climbing and off-highway vehicle use (including motorcycling, all-terrain vehicle riding, and four-wheeling);

(C) allows future mineral and energy leasing and development in a manner that considers impacts to outdoor recreation;

(D) provide for new route and trail construction for off-highway vehicle and non-motorized use; and

(E) allows cross country off-highway vehicle travel where authorized by the applicable travel management plan.

(3) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated routes in a manner that—

(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(B) allows for adjustment to the travel management plan within the regular amendment process;

(C) allows for the construction of new off-highway vehicle and non-motorized trails; and

(D) allows for continued cross country off-highway vehicle travel authorized under the applicable travel management plan.

SEC. 813. BOURDETTE DRAW RECREATION ZONE MANAGEMENT.

(a) PURPOSES.—The purposes of the Bourdette Draw Recreation Zone are to promote off-highway vehicle recreation, provide for the construction of new off-highway vehicle trails and non-motorized trails, and to promote energy and mineral leasing and development.

(b) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Bourdette Draw Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws.

(2) USES.—Uses and management of the Bourdette Draw Recreation Zone shall—

(A) coordinate and consult with State and local government;

(B) provide for recreational opportunities including, biking, hiking, rock climbing and off-highway vehicle use (including motorcycling, all-terrain vehicle riding, and four-wheeling);

(C) allow future mineral and energy leasing and development in a manner that minimizes impacts to outdoor recreation and sensitive plant and animal species;

(D) provide for new route and trail construction for off-highway vehicle and non-motorized use; and

(E) allow cross country off-highway vehicle travel authorized under the applicable travel management plan.

(3) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated routes in a manner that—

(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(B) allows for adjustment to the travel management plan within the regular amendment process;

(C) allows for the construction of new non-off-highway vehicle trails; and

(D) allows for continued cross country off-highway vehicle travel where authorized under the applicable travel management plan.

SEC. 814. RED WASH RECREATION ZONE MANAGEMENT.

(a) PURPOSES.—The purposes of the Red Wash Recreation Zone are to promote off-highway vehicle recreation, provide for the construction of new off-highway vehicle trails and non-motorized trails, and to promote energy and mineral leasing and development.

(b) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the Red Wash Recreation Zone in accordance with—

(A) this title;

(B) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(C) other applicable laws.

(2) USES.—Uses and management of the Red Wash Recreation Zone shall—

(A) coordinate and consult with State and local government;

(B) provide for recreational opportunities including, biking, hiking, rock climbing and off-

highway vehicle use (including motorcycling, all-terrain vehicle riding, and four-wheeling);

(C) allow future mineral and energy leasing and development in a manner that minimizes impacts to outdoor recreation;

(D) provide for new route and trail construction for off-highway vehicle and non-motorized use; and

(E) allow cross country off-highway vehicle travel authorized under the applicable travel management plan.

(3) MANAGEMENT OF OFF-HIGHWAY AND MOTORIZED VEHICLES.—The Secretary shall manage existing designated routes in a manner that—

(A) is consistent with off-highway and motorized vehicle use of the routes designated in the applicable travel management plan;

(B) allows for adjustment to the travel management plan within the regular amendment process;

(C) allows for the construction of new non-off-highway vehicle trails; and

(D) allows for continued cross country off-highway vehicle travel where authorized under the applicable travel management plan.

SEC. 815. RECAPTURE CANYON.

(a) APPROVAL OF RIGHT-OF-WAY.—The application of San Juan County, Utah, for a Title V of the Federal Land Policy and Management Act of 1976 Right-of-Way, originally submitted to the Bureau of Land Management Monticello Field Office in the State of Utah on March 30, 2006, and later amended on November 13, 2012, is approved.

(b) PURPOSE OF RIGHT-OF-WAY.—The purpose of the Title V Federal Land Policy and Management Act of 1976 right-of-way, as stated by the County's application, is to perform routine maintenance to existing trails and routes in an effort to encourage travel in the Recapture Canyon to remain on a single established route through the canyon that minimizes impacts to the surrounding environment.

(c) APPLICABILITY OF OTHER LAWS.—Section 306108 of title 54, United States Code, and the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.) shall apply to the right-of-way to avoid adverse impact to archaeological sites.

SEC. 816. BIG BURRITO NON-MOTORIZED TRAIL.

The 9.3 mile non-motorized trail within the Sand Flats Recreation Area, Utah, approved by the Bureau of Land Management Moab Field Office on December 18, 2015, and commonly known as the Big Burrito Non-Motorized Trail, shall not be subject to administrative or judicial review.

TITLE IX—RED ROCK COUNTRY OFF-HIGHWAY VEHICLE TRAIL

SEC. 901. DEFINITIONS.

In this title:

(1) COUNTY.—The term ''County'' means Grand and San Juan Counties, Utah.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) TRAIL.—The term ''Trail'' means the Red Rock Country Off-Highway Vehicle Trail established under section 902.

(4) FEDERAL LAND.—The term ''Federal land'' means land owned by the Bureau of Land Management as depicted on the Utah PLI Recreation Plans Map dated June 30, 2016.

SEC. 902. DESIGNATION.

(1) IN GENERAL.—The Secretary shall designate a trail system in the County—

(A) for use by off-highway vehicles; and

(B) to be known as the ''Red Rock Country Off-Highway Vehicle Trail''.

(2) REQUIREMENTS.—In designating the Trail, the Secretary shall give priority consideration to a long-distance route for off-highway vehicles that is

generally depicted on the Utah PLI Recreation Plans Map dated June 30, 2016, that—

(A) connects the Federal land adjacent to Moab, Utah, to the Federal land adjacent to Grand Junction, Colorado, through the Dee Pass and Utah Rims Recreation Zone;

(B) connects the Federal land adjacent to Moab, Utah, to the Federal land adjacent to Green River, Utah, through the Dee Pass and Utah Rims Recreation Zone;

(C) connects the Federal land adjacent to Moab, Utah, to the Federal land adjacent to Monticello, Utah, through the Cameo Cliffs Recreation Zone;

(D) uses existing routes, where feasible, which may include the Kokopelli Trail, the Orange Trail, and Trail 1;

(E) minimizes the use of graded roads; and

(F) creates a recreational experience that provides—

(i) opportunities for scenic vistas;

(ii) challenging terrain for off-highway vehicle travel;

(iii) connections to other existing trail systems or trails;

(iv) minimal conflicts between off-highway vehicle and non-off-highway vehicle users; and

(v) off-highway vehicle singletrack and doubletrack options where feasible.

(3) MAP.—A map that depicts the Trail shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 903. MANAGEMENT.

(a) IN GENERAL.—The Secretary shall manage future designated routes on the Trail in a manner that—

(1) is consistent with section 902; and

(2) does not interfere with private property or water rights.

(b) CLOSURE.—The Secretary, in consultation with the State and the County, may temporarily close or permanently reroute, subject to subsection (c), a route on the Trail if the Secretary determines that—

(1) the route is significantly damaging designated critical habitat or cultural resources;

(2) the route threatens public safety;

(3) closure of the route is necessary to repair damage to the Trail; or

(4) closure of the route is necessary to repair resource damage.

(c) REROUTING.—Portions of the route that are temporarily closed may be permanently rerouted by utilizing a previously closed route or constructing a new route.

(d) NOTICE.—The Secretary shall provide information to the public regarding any designated routes on the Trail that are open, have been relocated, or are temporarily closed through—

(1) use of appropriate signage within the Trail; and

(2) use of the Internet and Web resources.

(e) NO EFFECT ON NON-FEDERAL LAND OR INTERESTS IN NON-FEDERAL LAND.—Nothing in this title affects ownership, management, or other rights relating to non-Federal land or interests in non-Federal land.

(f) ADDITIONAL ROUTE CONSTRUCTION.—

(1) FEASIBILITY STUDY.—Not later than 180 days after the date of enactment of this Act, the Secretary shall study the feasibility and public interest in constructing new routes as part of the Trail to further off-highway vehicle recreational opportunities.

(2) CONSTRUCTION.—

(A) CONSTRUCTION AUTHORIZED.—If the Secretary determines that the construction of a route on the Trail is feasible, construction is authorized.

(B) USE OF VOLUNTEER SERVICES AND CONTRIBUTIONS.—A route on the Trail may be constructed under this subsection through the acceptance of volunteer services and contributions from non-Federal sources to eliminate the need for Federal expenditures to construct the route.

(3) COMPLIANCE.—In carrying out this subsection, the Secretary shall comply with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(B) this title; and

(C) other applicable law.

TITLE X—LONG-TERM INDIAN ECONOMIC DEVELOPMENT CERTAINTY

SEC. 1001. INDIAN ECONOMIC DEVELOPMENT IN SAN JUAN COUNTY, UTAH.

(a) MCCRACKEN MESA MINERAL TRANSFER.—All right and interest in the Federal minerals located within the McCracken Extension of the Navajo Nation shall be transferred to the Utah Navajo Trust Fund.

(b) USE OF ROYALTIES.—The Act of March 1, 1933 (47 Stat. 1418), is amended in the first section, by striking ''37½'' each place it appears and inserting ''62.5''.

SEC. 1002. UTE INDIAN TRIBE ECONOMIC DEVELOPMENT AREA.

(a) SPLIT ESTATE UNIFICATION.—With respect to any land within the Uintah and Ouray Reservation, where the United States holds title to the surface or mineral estate in trust for the Ute Tribe but the United States manages the corresponding mineral or surface estate, the title to interests managed by the United States shall be held by the Secretary of the Interior in trust for the benefit of the tribe in order to unify the surface and mineral estates for the benefit of the tribe.

(b) MINERALS TRANSFER.—The Bureau of Land Management shall transfer title to the mineral estate of public lands within the Hill Creek Extension (originally established under the Act of March 11, 1948 (62 Stat. 72)) south of the south boundary of Township 11 South, Salt Lake Base & Meridian, other than lands for which selection applications have been filed by the State of Utah with the Bureau of Land Management under authority of the Hill Creek Cultural Preservation and Energy Development Act, Public Law 113–133, to the Bureau of Indian Affairs to be held in trust for the benefit of the Ute Tribe.

SEC. 1003. WATER STUDY FOR UINTAH AND DUCHESNE COUNTIES.

The Secretary of the Interior, using existing authorities through the Bureau of Reclamation, shall undertake a

water study that includes a needs, opportunities and constraints assessment in Uintah and Duchesne Counties for storage of Ute tribal water and the use of water rights currently held by the Ute Tribe.

TITLE XI—LONG-TERM ENERGY DEVELOPMENT CERTAINTY IN UTAH

SEC. 1101. SENSE OF CONGRESS.

Within Uintah, Carbon, Emery, Grand, Duchesne and San Juan counties in the State of Utah, the increased production and transmission of energy in a safe and environmentally sound manner is essential to the well-being of the rural Utahns and the American people. It is the sense of Congress that the Federal departments and agencies involved in energy development projects on Federal lands in Utah shall take appropriate actions, including Federal primacy delegation, to expedite projects that will increase the production or development of energy and mineral resources on Federal lands.

SEC. 1102. ACTIONS TO EXPEDITE ENERGY-RELATED PROJECTS.

(a) IN GENERAL.—The State of Utah—

(1) may establish a program covering the permitting processes, regulatory requirements, and any other provisions by which the State would exercise the

rights of the State to develop and permit all forms of energy resources on available Federal land administered by the Price, Vernal, Moab, and Monticello Field Offices of the Bureau of Land Management; and

(2) shall submit, as a condition of certification under section 1103(a), a declaration to the Department of the Interior that a program under paragraph (1) has been established or amended.

(b) AMENDMENT OF PROGRAMS.—The State of Utah may amend a program developed and certified under this title at any time.

(c) CERTIFICATION OF AMENDED PROGRAMS.—Any program amended under subsection (b) shall be certified under section 1103(a).

SEC. 1103. PERMITTING AND REGULATORY PROGRAMS.

(a) FEDERAL CERTIFICATION AND TRANSFER OF DEVELOPMENT RIGHTS.—Upon submission of a declaration by the State of Utah under section 1102(a)(2)—

(1) the program under section 1102(a)(1) shall be certified; and

(2) the State shall receive all rights from the Federal Government to permit all forms of energy resources covered by the program.

(b) ISSUANCE OF PERMITS.—

(1) No later than 60 days after the enactment of this Act, the Governor of the State of Utah shall make an election as to whether the State of Utah will process permits for the development of any form of energy resource on available Federal land within the area covered by the Field Offices referenced in section 1102(a)(1). In the event the Governor elects to assume the permitting as set forth herein, he shall notify the Secretary of the Interior of his decision within 60 days.

(2) Upon an election to assume permitting as set forth in paragraph (1), the permitting process shall be in accordance with Federal statutes and regulations.

SEC. 1104. JUDICIAL REVIEW.

(a) JURISDICTION.—The United States District Court for the District of Utah shall have original and exclusive jurisdiction over any civil action brought pursuant to this title.

(b) EXPEDITED CONSIDERATION.—The Court shall set any civil action brought under this section for expedited consideration.

SEC. 1105. COMPLETION OF ADMINISTRATIVE LAND EXCHANGE PROCESS.

The land exchange application, referred to as UTU–78673 pending before the Moab Field Office, shall be considered in the public interest and approved.

TITLE XII—LONG-TERM TRAVEL MANAGEMENT CERTAINTY

SEC. 1201. RIGHTS-OF-WAY FOR CERTAIN ROADS.

(a) IN GENERAL.—Subject to valid existing rights and consistent with this section, the Secretary of the Interior shall acknowledge the State of Utah's and its counties' ownership of, and shall forever disclaim all Federal interest in, a right-of-way for public travel and access on all roads claimed as Class B, that are paved as of January 1, 2016, and identified as rights-of-way in judicial actions in the Federal court system as of January 1, 2016, in Uintah, Duchesne, Carbon, Emery, Grand, and San Juan counties, Utah.

(b) APPLICABLE LAW.—A right-of-way disclaimed under subsection (a) shall constitute the United States acceptance of the county's and State's RS 2477 ownership and that all Federal ownership authority is extinguished. The State and counties in return shall withdraw lawsuits in the Federal court system affecting those individual disclaimed roads.

(c) ADMINISTRATION.—

(1) Each right-of-way disclaimed by the Secretary of the Interior under the provisions covered by subsection (b) of this title shall consist of the full geographic extent authorized by Utah State law in effect as of January 1, 2016.

(2) Each right-of-way disclaimed pursuant to this title may be abandoned pursuant to Utah State law.

(3) The right-of-way area of disturbance shall generally remain the same as of January 1, 2016.

SEC. 1202. GRAND COUNTY COUNCIL RECOMMENDATIONS FOR CERTAIN ROADS.

The recommendations of the Grand County Council for Hey Joe Canyon, Tenmile Canyon, and Mineral Canyon roads, as depicted on the map entitled Grand County PLI Final Map 4–17–2015 dated April 17, 2015, shall be implemented by the Secretary of the Interior, with the seasonal closures beginning the Tuesday following Memorial Day through Labor Day.

SEC. 1203. UINTAH COUNTY ROAD CERTAINTY.

Not later than two years after the enactment of this Act, and subject to valid existing rights and consistent with this section, the Secretary of the Interior shall grant a Title V of the Federal Land Policy and Management Act of 1976 right-of-way to Uintah County for public travel and access

upon all Class D roads, as claimed by the Uintah County on its duly adopted 2016 transportation map, and as described by GPS centerline description on file with Uintah County as a January 1, 2016, and that are also identified on the 2008 Vernal Resource Management Plan Transportation Plan.

TITLE XIII—LONG-TERM GRAZING CERTAINTY

SEC. 1301. CURRENT PERMITTED USE.

Unless otherwise specified by this Act, and pursuant to existing permits, on Federal lands managed by the Secretary of Agriculture or the Secretary of the Interior in Summit, Duchesne, Uintah, Grand, Emery, Carbon, and San Juan Counties, the grazing of domestic livestock shall continue and any adjustments in the numbers of livestock permitted should be made as a result of revisions in the normal grazing and land management planning and policy setting process.

SEC. 1302. BIGHORN SHEEP.

On Federal lands managed by the Secretary of Agriculture or the Secretary of the Interior in Summit, Duchesne, Uintah, Grand, Emery, Carbon, and San Juan Counties, the viability or existence of bighorn sheep shall not be used to remove or alter the use of domestic sheep

or cattle where such use was permitted as of January 1, 2016.

SEC. 1303. PROTECTION OF GRAZING LANDS.

To recognize the importance of public land grazing to the economy and culture of rural Utah, and to the State of Utah in general, it is the sense of Congress that this title shall ensure public grazing lands, including areas in Utah outside the areas designated in this title, not be reduced below current permitted levels, except for cases of extreme range conditions where water and forage is not available. The areas of public land that have reduced or eliminated grazing shall be reviewed and managed to support grazing at an economically viable level.

DIVISION C—LOCAL PARTICIPATION

TITLE I—LOCAL PARTICIPATION AND PLANNING

SEC. 101. DEFINITION.

The term ''Advisory Council'' means the Public Lands Initiative Planning and Implementation Advisory Council established under section 102(a) of this title.

SEC. 102. PUBLIC LANDS INITIATIVE PLANNING AND IMPLEMENTATION ADVISORY COUNCIL.

(a) ESTABLISHMENT.—The Secretary of the Interior and the Secretary of Agriculture shall jointly establish an

Advisory Council, to be known as the ''Public Lands Initiative Planning and Implementation Advisory Council'', to advise the Secretary concerned with respect to the development and implementation of the management plans required by this Act and with respect to policies or programs that encourage coordination among the public, local elected officials, and public lands stakeholders, and the State of Utah, tribes, and the Federal Government.

(b) APPLICABLE LAW.—The Advisory Council shall be subject to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(c) APPOINTMENT BY THE SECRETARIES.—

(1) APPOINTMENT AND TERM.—The Secretaries of the Interior and Agriculture shall jointly appoint the members of the Advisory Council for a term of 5 years beginning on the date of appointment. The Secretaries of the Interior and Agriculture may not reappoint members designated under subsection (d)(2)(B) to more than 3 terms.

(2) BASIC REQUIREMENTS.—The Secretaries of the Interior and Agriculture shall ensure that the Advisory Council established meets the requirements of subsection (d).

(3) INITIAL APPOINTMENT.—The Secretaries of the Interior and Agriculture shall make initial ap-

pointments to the Advisory Council not later than 180 days after the date of the enactment of this Act.

(4) VACANCIES.—The Secretaries of the Interior and Agriculture shall fill vacancies on the Advisory Council as soon as practicable after the vacancy has occurred.

(5) COMPENSATION.—Members of the Advisory Council shall not receive any compensation.

(d) COMPOSITION OF ADVISORY COUNCIL.—

(1) NUMBER.—The Advisory Council shall be comprised of no more than 22 members.

(2) COMMUNITY INTERESTS REPRESENTED.—Advisory Council members shall reside in the State of Utah and represent the following:

(A) GOVERNMENTAL INTERESTS.—

(i) The Utah State Director of the Bureau of Land Management or a designated representative of the Director.

(ii) The Regional Forester of Region 4 of the United States Forest Service or a designated representative of the Forester.

(iii) A representative of the Bureau of Indian Affairs Western Region.

(iv) A representative of the Bureau of Indian Affairs Navajo Region.

(v) A representative of the National Park Service Intermountain Region.

(vi) The Governor of the State of Utah or a designated representative of the Governor.

(vii) The Director of the Utah Department of Natural Resources or a designated representative of the Director.

(viii) The Chairperson of the Summit County Council or a designated representative of the Chairperson.

(ix) The Chairperson of the Uintah County Commission or a designated representative of the Chairperson.

(x) The Chairperson of the Duchesne County Commission or a designated representative of the Chairperson.

(xi) The Chairperson of the Carbon County Commission or a designated representative of the Chairperson.

(xii) The Chairperson of the Emery County Commission or a designated representative of the Chairperson.

(xiii) The Chairperson of the Grand County Council or a designated representative of the Chairperson.

(xiv) The Chairperson of the San Juan County Commission or a designated representative of the Chairperson.

(B) COMMUNITY INTERESTS.—

(i) The grazing community.

(ii) The off-highway vehicle community.

(iii) The sportsmen or hunting community.

(iv) The energy development industry.

(v) The guides and outfitters community.

(vi) The non-off-highway vehicle recreation community.

(vii) The conservation community.

(viii) Archaeological, cultural, and historic interests.

(ix) Biological interests.

(3) TERMS.—

(A) INITIAL APPOINTMENTS.—The Secretaries of the Interior and Agriculture shall make initial appointments to the Advisory Council not

later than 180 days after the date of the enactment of this Act.

(B) TERM LENGTH.—Members of the Advisory Council shall be jointly appointed by the Secretaries of the Interior and Agriculture for a term of 5 years.

(C) REAPPOINTMENT.—A member may be reappointed to serve on the Advisory Council for not more than 3 terms.

(D) VACANCIES.—The Secretaries of the Interior and Agriculture shall fill vacancies on the Advisory Council as soon as practicable after the vacancy has occurred.

(4) CHAIRPERSON.—The Secretaries of the Interior and Agriculture shall jointly select the chairperson of the Advisory Council for a term of 5 years.

(5) SERVICE WITHOUT COMPENSATION.—Members of the Advisory Council shall serve without pay.

(6) PRESERVATION OF PUBLIC ADVISORY STATUS.—No member of the Advisory Council appointed to represent the interests outlined in subparagraph (d)(2)(B) may be an officer or employee of the Federal Government or State of Utah.

(7) REPRESENTATION.—The Secretaries of the Interior and Agriculture shall ensure that member-

ship of the Advisory Council is fairly balanced in terms of the points of view represented and the functions to be performed by the Advisory Council.

(e) ANNUAL ADVISORY COUNCIL REPORT.—

(1) REPORT SUBMISSION.—The Advisory Council shall submit a report no later than September 30 of each year to the Secretaries of the Interior and Agriculture, the Committee on Natural Resources of the House of Representatives, and the Committees on Agriculture, Nutrition, and Forestry, and Energy and Natural Resources of the Senate. If the Advisory Council cannot meet the September 30 deadline in any year, the Secretary of the Interior or Secretary of Agriculture shall advise the Chair of each such Committee of the reasons for such delay and the date on which the submission of the report is anticipated.

(2) CONTENTS.—The report required by paragraph (1) shall describe—

(A) the activities of the Advisory Council during the preceding year;

(B) the reports and recommendations made by the Advisory Council to the Secretaries of the Interior and Agriculture during the preceding year; and

(C) an accounting of actions taken by the Secretaries of the Interior and Agriculture as a result of the recommendations.

(f) STAFF ASSISTANCE.—The Advisory Council may request and the Secretaries of the Interior and Agriculture may provide periodic staff assistance from Federal employees under the jurisdiction of the relevant Secretary.

(g) MEETINGS.—

(1) FREQUENCY.—The Advisory Council shall meet at the call of the Secretaries of the Interior or Agriculture, the Chairperson, or a majority of the members of the Council. Meetings shall be held no fewer than 1 time a year. A majority of the members of the Council constitutes a quorum for business of the Advisory Council.

(2) OPEN MEETINGS.—All meetings of the Advisory Council shall be announced at least one week in advance in publications of general circulation and shall be open to the public.

(h) RECORDS.—The Advisory Council shall maintain records of the meetings of the Advisory Council and make the records available for public inspection.

DIVISION D—BEAR EARS NATIONAL CONSERVATION AREA

TITLE I—BEAR EARS NATIONAL CONSERVATION AREA

SEC. 101. FINDINGS.

Congress finds the following:

(1) The lands within Bears Ears National Conservation Area have been used by Native Americans for thousands of years.

(2) The unique, intact archaeological record found throughout the Bears Ears National Conservation Area is sacred to numerous Native American tribes and Pueblos and is of great significance to American history.

(3) Tribes and Pueblos maintain deep connections and commitments to the lands within the Bears Ears National Conservation Area and continue to rely on and use these lands for ceremonies, spiritual rejuvenation, gathering herbs, firewood and cedar poles, hunting for game, and caretaking of sacred places.

(4) Many local residents, many with early pioneer heritage, have similarly strong attachments to the land and associated lifestyles, both vocational and avocational.

(5) Many visitors develop similar attachments and appreciation for these landscapes.

SEC. 102. ESTABLISHMENT.

Certain Federal land, comprising of approximately 857,603 acres administered by the Bureau of Land Management and United States Forest Service in San Juan County, Utah, as generally depicted on the map entitled Utah PLI National Conservation Area Map dated September 16, 2016, shall be designated as the ''Bears Ears National Conservation Area''.

SEC. 103. MAP AND LEGAL DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture, as appropriate, shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate a map and legal description of the National Conservation Area established in section 102 of this title.

(b) FORCE AND EFFECT.—The map and legal description submitted under this section shall have the same force and effect as if included in this title, except that the relevant Secretary may make minor modifications of any clerical or typographical errors in the map or legal description pro-

vided that prior to any modifications, clerical or typographical changes, these changes are reported to the State of Utah and the affected county.

(c) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Indian Affairs, the Bureau of Land Management, and the United States Forest Service.

SEC. 104. ADMINISTRATION OF BEAR EARS NATIONAL CONSERVATION AREA.

(a) PURPOSES.—In accordance with this title, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and other applicable laws, the relevant Secretary shall manage the Bears Ears National Conservation Area (hereinafter referred to as ''Bears Ears'') in a manner that—

(1) protects, conserves, and enhances the unique and nationally important historic, cultural, scientific, scenic, recreational, archaeological, natural, and educational resources of Bears Ears;

(2) encourages cooperative and innovative management practices between resource managers, private landowners, and the public in Bears Ears;

(3) recognizes and maintains historic uses of Bears Ears;

(4) provides for traditional access by indigenous persons for culturally significant subsistence, including but not limited to traditional gathering, wood cutting, hunting, and cultural and religious uses within Bears Ears;

(5) consistent with the Native American Graves Repatriation and Protection Act (Public Law 101–601; 25 U.S.C. 3001 et seq.; 104 Stat. 3048), the National Historic Preservation Act (Public Law 89–665; 54 U.S.C. 300101 et seq.), and the Utah State Antiquities Act (UCA 9–8–301–308) protects and preserves and minimizes disturbance to covered sites and properties, including human remains, from permitted uses of Bears Ears; and

(6) integrates Native American Traditional Ecological Knowledge as defined in 36 CFR 219.19 to improve social, economic, and ecological sustainability in accordance with United States Forest Service 2016 Planning Rule regulations (36 C.F.R. 219).

(b) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—As soon as practicable after the date of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture shall develop a joint comprehensive plan for the long-term

management of the Bears Ears National Conservation Area.

(2) RECOMMENDATIONS AND CONSULTATION.—In developing the management plan required under paragraph (1), the Secretary of the Interior and the Secretary of Agriculture shall consult with appropriate State, local, and tribal government entities, members of the public, and the Public Lands Initiative Planning and Implementation Advisory Council established under Division C of this Act. If the Secretary of the Interior and the Secretary of Agriculture do not incorporate recommendations submitted by the State, local governments, and Indian tribes into the management plans, the Secretary of the Interior and the Secretary of Agriculture shall submit a written explanation before the effective date of the management plan to the House Committee on Natural Resources, the Senate Committee on Energy and Natural Resources, and the Senate Committee on Agriculture, Nutrition, and Forestry outlining the reasons for rejecting the recommendations.

SEC. 105. GENERAL PROVISIONS.

The general provisions of section 205 of Division A of this Act shall apply to this title.

SEC. 106. COOPERATING AGENCIES.

The Secretary of the Interior and the Secretary of Agriculture shall designate and involve as cooperating agencies interested tribes and Pueblos that trace their culture and heritage to the lands within the Bears Ears in accordance with the National Environmental Policy Act (42 U.S.C. 4321 et seq.).

SEC. 107. BEARS EARS TRIBAL COMMISSION.

(a) CREATION OF COMMISSION.—In preparing the management plan under section 104(b) for the Bears Ears, the Secretary of the Interior and the Secretary of Agriculture shall create a Commission consisting of tribal representatives and Federal agency staff, in recognition of the importance of tribal participation to the care and management of the Bear Ears' natural and cultural resources.

(b) APPOINTMENT AND TERM.—The Secretary of the Interior and the Secretary of Agriculture shall appoint for a term of five years beginning on the date of appointment—

(1) three Federal members, one each from the Bureau of Land Management, the National Park Service, and the United States Forest Service; and

(2) no more than seven elected officers of tribal governments or their designated employees.

(c) REQUIREMENTS.—The Secretary of the Interior and the Secretary of Agriculture shall select tribal members of the Commission who demonstrate—

(1) a historical or geographical connection to the objects and lands of the Bears Ears;

(2) relevant traditional knowledge; and

(3) the ability to contribute to the management of the Bears Ears.

(d) DUTIES.—The Commission shall provide information and proposals as needed to integrate the tribes' traditional knowledge and special expertise where relevant to the care and management of the Bears Ears' natural and cultural resources, including in the development of the management plan developed under section 104(b) of this title. The Secretary of the Interior and the Secretary of Agriculture shall carefully consider these proposals, and may use all applicable federal authorities to ensure that the management plan and management decisions incorporate, as appropriate, the information and proposals provided from the Commission. Such input from the Commission may include, but need not be limited to:

(1) Protections for and use of sacred sites;

(2) Cultural and educational programming;

(3) Plants, animals, and special resources;

(4) Traditional uses, such as gathering firewood;

(5) Historical and archaeological resources;

(6) Impacts of off-road use and off-road vehicles on cultural and environmental resources;

(7) Recreational uses, such as climbing; and

(8) Resource uses, such as grazing, timber production, and mining.

SEC. 108. TRIBAL EMPLOYMENT.

In employing individuals to perform any administrative, interpretation, construction, maintenance, or other service in the Bears Ears, the Secretary of the Interior and the Secretary of Agriculture shall give priority consideration to members of tribes that meet publically posted job qualifications and criteria consistent with standard Federal hiring practices.

SEC. 109. TRIBAL LIAISON.

The Secretary of the Interior shall appoint a liaison to the tribes that enter into cooperating agency status pursuant to section 106. The liaison shall work to ensure the voice and perspectives of the cooperating tribal entities are represented in the management of the Bears Ears.

SEC. 110. BEARS EARS ADVISORY COMMITTEE.

(a) ESTABLISHMENT AND PURPOSE OF THE BEARS EARS ADVISORY COMMITTEE.—

(1) ESTABLISHMENT.—The Secretary of the Interior and the Secretary of Agriculture shall establish and maintain the Bears Ears Advisory Committee to perform the duties in subsection (b).

(2) PURPOSE.—The purpose of the Bears Ears Advisory Committee is to advise the Secretary of the Interior and the Secretary of Agriculture on the Bears Ears National Conservation Area.

(b) DUTIES.—The Bears Ears Advisory Committee shall advise the Secretary of the Interior and the Secretary of Agriculture with regard to—

(1) implementation of the Bears Ears National Conservation Area Management Plan; and

(2) administration of the Bears Ears National Conservation Area.

(c) APPOINTMENT BY THE SECRETARIES.—

(1) APPOINTMENT AND TERM.—The Secretary of the Interior and the Secretary of Agriculture shall appoint the members of the Bears Ears Advisory Committee for a term of five years beginning on the date of appointment. The Secretary of the Interior and the Secretary of Agriculture may not reappoint members to more than three terms.

(2) BASIC REQUIREMENTS.—The Secretary of the Interior and the Secretary of Agriculture shall ensure that the Bears Ears Advisory Committee established meets the requirements of subsection (d).

(3) INITIAL APPOINTMENT.—The Secretary of the Interior and the Secretary of Agriculture shall make

initial appointments to the Bears Ears Advisory Committee not later than 180 days after the date of the enactment of this Act.

(4) VACANCIES.—The Secretary of the Interior and the Secretary of Agriculture shall make appointments to fill vacancies on the Bears Ears Advisory Committee as soon as practicable after the vacancy has occurred.

(5) COMPENSATION.—Members of the Bears Ears Advisory Committee shall not receive any compensation.

(d) COMPOSITION OF BEARS EARS ADVISORY COMMITTEE.—

(1) NUMBER.—The Bears Ears Advisory Committee shall be comprised of no more than 10 members.

(2) COMMUNITY INTERESTS REPRESENTED.—Bears Ears Advisory Committee members shall reside in the State of Utah and be representative of the following members:

(A) One representative with historical expertise in the Hole-in-the-Rock Trail.

(B) One representative with paleontological expertise.

(C) One representative with archaeological or historic expertise.

(D) One representative of the off-highway vehicle community.

(E) One representative of the non-off-highway vehicle recreation community.

(F) One representative from the conservation community.

(G) One representative from the sportsmen community.

(H) One representative from the livestock grazing community.

(I) One representative of the San Juan County commission.

(J) One representative of the Tribal Collaboration Commission.

(3) PRESERVATION OF PUBLIC ADVISORY STATUS.—No individual serving under section 2 may be an officer or employee of the Federal Government or State of Utah Government.

(4) BALANCED REPRESENTATION.—In appointing Bears Ears Advisory Committee members, the Secretary of the Interior and the Secretary of Agriculture shall provide for balanced and broad representation.

(5) CHAIRPERSON.—The Secretary of the Interior and the Secretary of Agriculture shall select the chairperson of the Bears Ears Advisory Committee for a term of five years beginning on the date of appointment.

(e) ANNUAL BEARS EARS ADVISORY COMMITTEE REPORT.—

(1) REPORT SUBMISSION.—The Bears Ears Advisory Committee shall submit a report no later than September 30 of each year to the Secretary of the Interior, the Secretary of Agriculture, the Committee on Natural Resources of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committee on Energy and Natural Resources of the Senate. If the Bears Ears Advisory Committee cannot meet the September 30 deadline in any year, the Secretary of the Interior and the Secretary of Agriculture shall advise the Chair of each such Committee of the reasons for such delay and the date on which the submission of the report is anticipated.

(2) CONTENTS.—The report required by paragraph (1) shall describe—

(A) the activities of the Bears Ears Advisory Committee during the preceding year;

(B) the reports and recommendations made by the Bears Ears Advisory Committee to the Secretary of the Interior and the Secretary of Agriculture during the preceding year; and

(C) an accounting of actions taken by the Secretary of the Interior and the Secretary of Agriculture as a result of the recommendations.

(f) OTHER BEARS EARS ADVISORY COMMITTEE AUTHORITIES AND REQUIREMENTS.—

(1) STAFF ASSISTANCE.—The Bears Ears Advisory Committee may submit to the Secretary of the Interior and the Secretary of Agriculture a request for periodic staff assistance from Federal employees under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture.

(2) MEETINGS.—

(A) FREQUENCY.—The Bears Ears Advisory Committee shall meet at the call of the Secretary of the Interior, the Secretary of Agriculture, the Chairperson, or a majority of the members. Meetings shall be held no less than one time per year. A majority must be present to constitute an official meeting of the Bears Ears Advisory Committee.

(B) OPEN MEETINGS.—All meetings of the Bears Ears Advisory Committee shall be announced at least one week in advance in publications of general circulation and shall be open to the public.