

115TH CONGRESS
2D SESSION

H. R. 6843

To provide for increased recreation, conservation, economic use, and sound balanced management of lands in northern Utah.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 20, 2018

Mr. BISHOP of Utah introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To provide for increased recreation, conservation, economic use, and sound balanced management of lands in northern Utah.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Northern Utah Lands
5 Management Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

DIVISION A—PUBLIC LANDS RECREATION ACT

TITLE I—MCCOY FLATS TRAIL SYSTEM

- Sec. 101. Establishment.
- Sec. 102. Map and legal description.
- Sec. 103. General provisions.
- Sec. 104. Additional provisions.

TITLE II—ASHLEY KARST NATIONAL RECREATION AND
GEOLOGIC AREA

- Sec. 201. Ashley Karst National Recreation and Geologic Area.
- Sec. 202. Map and legal description.
- Sec. 203. Administration.
- Sec. 204. Additional provisions.

TITLE III—LAND CONVEYANCE

- Sec. 301. Land conveyance.

TITLE IV—NATIONAL CONSERVATION AREA

- Sec. 401. National conservation area.
- Sec. 402. Map and legal description.
- Sec. 403. Administration of National Conservation Area.
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TITLE V—JONES HOLE NATIONAL FISH HATCHERY

- Sec. 501. Conveyance of Jones Hole National Fish Hatchery to the State of Utah.

DIVISION B—UTAH MISCELLANEOUS PROVISIONS

TITLE I—BIG SAND WASH PROJECT TITLE TRANSFER

- Sec. 101. Short title.
- Sec. 102. Definitions.
- Sec. 103. Conveyance of facilities and land.
- Sec. 104. Relationship to Uinta Basin Replacement Project.
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TITLE II—HYDE PARK LAND CONVEYANCE

- Sec. 201. Short title.
- Sec. 202. Definitions.
- Sec. 203. Land conveyance, City of Hyde Park, Utah.

TITLE III—GOLDEN SPIKE 150TH ANNIVERSARY

- Sec. 301. Short title.
- Sec. 302. Definitions.
- Sec. 303. Redesignation.
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- Sec. 305. Agreements affecting certain historical crossings.
- Sec. 306. Invasive species control.
- Sec. 307. Funding clarification.

TITLE IV—NATIONAL BEAR RIVER HERITAGE AREA ACT

- Sec. 401. Short title.
- Sec. 402. Purpose.

- Sec. 403. Definitions.
- Sec. 404. Designation of the Bear River National Heritage Area.
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- Sec. 409. Private property and regulatory protections.
- Sec. 410. Evaluation; report.
- Sec. 411. Termination of authority.

1 **DIVISION A—PUBLIC LANDS**
 2 **RECREATION ACT**
 3 **TITLE I—MCCOY FLATS TRAIL**
 4 **SYSTEM**

5 **SEC. 101. ESTABLISHMENT.**

6 Subject to valid existing rights, there is established
 7 the McCoy Flats Trail System, comprised of certain Fed-
 8 eral land administered by the Bureau of Land Manage-
 9 ment in Uintah County, Utah, as identified in the October
 10 2012 Decision Record for the McCoy Flats Trail System.

11 **SEC. 102. MAP AND LEGAL DESCRIPTION.**

12 (a) **IN GENERAL.**—Not later than 1 year from the
 13 date of enactment of this Act, the Secretary of the Interior
 14 shall file a map and legal description of the trail system
 15 established by this title with the Committee on Natural
 16 Resources of the House of Representatives and the Com-
 17 mittee on Energy and Natural Resources of the Senate.

18 (b) **FORCE AND EFFECT.**—The map and legal de-
 19 scription submitted under this title shall have the same
 20 force and effect as if included in this title, except that
 21 the Secretary of the Interior may make any minor modi-

1 fications of any clerical or typographical errors in the map
2 or legal description.

3 (c) PUBLIC AVAILABILITY.—A copy of the map and
4 legal description shall be on file and available for public
5 inspection in the appropriate offices of the Bureau of
6 Land Management.

7 **SEC. 103. GENERAL PROVISIONS.**

8 (a) ADMINISTRATION.—

9 (1) IN GENERAL.—The Secretary of the Inte-
10 rior shall administer the trail system established by
11 section 101 in accordance with—

12 (A) this title;

13 (B) the Federal Land Policy and Manage-
14 ment Act of 1976 (43 U.S.C. 1701 et. seq.);

15 (C) the 2012 Decision Record for Environ-
16 mental Assessment DOI–BLM G010–2012–
17 0057 McCoy Flats Trail System; and

18 (D) other applicable laws.

19 (2) USES.—In administering the McCoy Flats
20 Trails System, the Secretary of the Interior shall—

21 (A) coordinate and consult with Uintah
22 County, Utah;

23 (B) provide for new route and trail con-
24 struction for mountain biking to further rec-
25 reational opportunities; and

1 (C) minimize conflict between non-motor-
2 ized recreation and off-highway vehicle use
3 (only on designated routes).

4 (b) MANAGEMENT OF MCCOY FLATS TRAIL SYS-
5 TEM.—The Secretary of the Interior shall manage the
6 trail system in a manner that—

7 (1) is consistent with the 2012 Decision Record
8 for the McCoy Flats Trail System;

9 (2) allows for adjustment to the travel manage-
10 ment plan within the regular amendment process;
11 and

12 (3) allows for the construction of new mountain
13 biking trails.

14 **SEC. 104. ADDITIONAL PROVISIONS.**

15 (a) MANAGEMENT PLAN.—

16 (1) PLAN REQUIRED.—Not later than 2 years
17 after the date of enactment of this Act, the Sec-
18 retary of the Interior shall develop a management
19 plan for the long-term management of the trail sys-
20 tem.

21 (2) RECOMMENDATIONS AND CONSULTATION.—

22 The Secretary of the Interior shall prepare the man-
23 agement plan in consultation and coordination with
24 Uintah County, Utah.

1 (b) FEES.—The United States Department of Inte-
2 rior is prohibited from the collecting or requiring fees for
3 access or day use of the trail system or related parking
4 areas.

5 (c) TRAIL EXPANSION.—The Secretary shall within
6 5 years of the date of enactment of this Act acquire non-
7 Federal lands and minerals within the trail system from
8 willing sellers through exchange or purchase. Any acquired
9 lands shall be added to the McCoy Flats Trail System and
10 be managed in accordance with the management plan for
11 the trail system.

12 **TITLE II—ASHLEY KARST NA-**
13 **TIONAL RECREATION AND**
14 **GEOLOGIC AREA**

15 **SEC. 201. ASHLEY KARST NATIONAL RECREATION AND**
16 **GEOLOGIC AREA.**

17 (a) ESTABLISHMENT.—Subject to valid existing
18 rights, the approximately 173,163 acres generally depicted
19 on the map entitled “Uintah County, Utah Federal Lands
20 Conservation and Management Act Map” and dated
21 _____, are hereby established as the “Ashley Karst
22 National Recreation and Geologic Area”.

23 (b) PURPOSES.—The purposes of the Ashley Karst
24 National Recreation and Geologic Area (referred to in this
25 title as the Area) are to provide recreational opportunities,

1 protect and manage water resources, utilize commercial
2 forest products, and withdraw minerals from development.

3 **SEC. 202. MAP AND LEGAL DESCRIPTION.**

4 (a) IN GENERAL.—Not later than 1 year after the
5 date of enactment of this Act, the Secretary of Agriculture
6 shall file a map and legal description of the Area with the
7 Committee on Natural Resources of the House of Rep-
8 resentatives and the Committee on Agriculture, Nutrition,
9 and Forestry of the Senate.

10 (b) EFFECT.—The map and legal description pre-
11 pared under subsection (a) shall have the same force and
12 effect as if included in this title, except that the Secretary
13 of Agriculture may correct minor errors in the map or
14 legal description.

15 (c) PUBLIC AVAILABILITY.—A copy of the map and
16 legal description shall be on file and available for public
17 inspection in the appropriate offices of the United States
18 Forest Service.

19 **SEC. 203. ADMINISTRATION.**

20 (a) ADMINISTRATION.—

21 (1) IN GENERAL.—The Secretary of Agriculture
22 shall administer the Area in accordance with—

23 (A) the National Forest Management Act
24 of 1976 (16 U.S.C. 1600 et seq.);

25 (B) this title; and

1 (C) other applicable laws.

2 (2) MANAGEMENT PLAN.—

3 (A) PLAN REQUIRED.—Not later than 2
4 years after the date of enactment of this Act,
5 the Secretary of Agriculture shall develop a
6 management plan for the long-term manage-
7 ment of the Area.

8 (B) CONSULTATION.—The Secretary of
9 Agriculture shall prepare the management plan
10 in consultation and coordination with Uintah
11 County, Utah.

12 (C) USES.—The Secretary of Agriculture
13 shall allow only such uses of the Area that
14 would further the purposes of the Area as de-
15 scribed in section 201(b), and in consultation
16 and coordination with Uintah County, Utah.
17 The Secretary of Agriculture shall—

18 (i) provide for recreational opportuni-
19 ties including snowmobiling, designated
20 trails for motorcycle riding, roads, and off-
21 highway vehicle use, camping, and other
22 recreational activities consistent with this
23 title;

24 (ii) provide for appropriate forest
25 management, utilizing commercial har-

- 1 vesting for hazardous fuels reduction,
2 wildland fire control, control of insects and
3 disease, and ensure watershed health;
- 4 (iii) prohibit mineral development;
- 5 (iv) provide for the continuation of
6 communication towers including techno-
7 logical improvements; and
- 8 (v) promote the long-term protection
9 and management of the water resources
10 and underground karst system.

11 **SEC. 204. ADDITIONAL PROVISIONS.**

12 (a) **OFF-HIGHWAY VEHICLE AND MECHANIZED VE-**
13 **HICLES.—**

14 (1) **IN GENERAL.—**The use of vehicle, off-high-
15 way vehicle and mechanized vehicles shall be per-
16 mitted within the Area on designated routes.

17 (2) **MANAGEMENT.—**

18 (A) **IN GENERAL.—**The Secretary of Agri-
19 culture shall designate existing routes in a man-
20 ner that—

- 21 (i) utilizes Forest Service roads exist-
22 ing as of the date of enactment of this Act;
- 23 (ii) minimizes conflict with sensitive
24 habitat or cultural or historical resources;
25 and

1 (iii) does not interfere with private
2 property or water rights.

3 (B) CLOSURE OR REROUTING.—

4 (i) IN GENERAL.—A designated route
5 may be temporarily closed or rerouted, for
6 a period not to exceed two years, if the
7 Secretary of Agriculture, in consultation
8 with the State of Utah and Uintah County,
9 determines that—

10 (I) the designated route is dam-
11 aging cultural resources or historical
12 resources;

13 (II) temporary closure of the des-
14 igned route is necessary to repair
15 the designated route or protect public
16 safety;

17 (III) modification of the des-
18 igned route would not significantly
19 affect access within the Area;

20 (IV) all other options, other than
21 a temporary closure or rerouting, have
22 been exhausted; and

23 (V) an alternative route has been
24 provided.

1 (ii) NOTICE.—The Secretary of Agri-
2 culture shall provide information to the
3 public regarding any designated routes
4 that are open, have been rerouted, or are
5 temporarily closed through—

6 (I) use of appropriate signage
7 within the Area; and

8 (II) use of the internet and web
9 resources.

10 (C) WHITEROCKS LAKE.—Motorized access
11 shall be allowed for the Forest Service, State of
12 Utah and local governments, and water compa-
13 nies to access Whiterocks Lake for general and
14 emergency maintenance purposes.

15 (3) TRAIL CONSTRUCTION.—Nothing in this
16 title prohibits new trail construction.

17 (b) NO EFFECT ON NON-FEDERAL LAND OR INTER-
18 ESTS IN NON-FEDERAL LAND.—Nothing in this title af-
19 fects ownership, management, or other rights relating to
20 non-Federal land or interests in non-Federal land located
21 within the Area.

22 (c) OVERSNOW VEHICLES.—Where allowed prior to
23 the date of the enactment of this Act, the Secretary of
24 Agriculture shall authorize the use of snowmobiles and

1 other over snow vehicles within the Area when there is
2 at least 6 inches of snow coverage.

3 (d) FIRE, INSECTS, AND DISEASE.—In accordance
4 with this title, the Secretary of Agriculture may—

5 (1) carry out any measures to manage wildland
6 fire and treat hazardous fuels, insects, and diseases
7 in the Area; and

8 (2) coordinate those measures with the appro-
9 priate State or local agencies.

10 (e) WILDLAND FIRE OPERATIONS.—Nothing in this
11 title precludes a Federal, State, or local agency from con-
12 ducting wildfire management operations (including oper-
13 ations using aircraft or mechanized equipment) or inter-
14 feres with the authority of the Secretary of Agriculture
15 to authorize mechanical thinning of trees or underbrush
16 to prevent or control the spread of wildfires or the use
17 of mechanized equipment for wildfire pre-suppression and
18 suppression, and to improve water quality.

19 (f) LIVESTOCK GRAZING.—

20 (1) [____].—The grazing of livestock in the
21 Area, if established before the date of enactment of
22 this Act, shall be allowed to continue, subject to
23 such reasonable regulations, policies, and practices
24 as the Secretary of the Agriculture considers to be
25 necessary in accordance with existing laws and regu-

1 lations and Appendix A of the report of the Com-
2 mittee on Interior and Insular Affairs of the House
3 of Representatives accompanying H.R. 2570 of the
4 101st Congress (House Report 101-405).

5 (2) UTAH DEPARTMENT OF AGRICULTURE.—In
6 instances in which historic grazing areas, access, or
7 use is disputed by the permittee, data and informa-
8 tion provided by the Utah Department of Agri-
9 culture shall be given priority consideration by the
10 Secretary of the Agriculture to establish historic
11 grazing areas, access, or use.

12 (g) EXISTING EASEMENTS AND RIGHTS-OF-WAY.—
13 Nothing in this title precludes the Secretary of Agriculture
14 from renewing easements or rights-of-way in existence on
15 the date of enactment of this Act, in accordance with this
16 title and existing law.

17 (h) ADJACENT MANAGEMENT.—

18 (1) IN GENERAL.—Nothing in this title creates
19 a protective perimeter or buffer zone around the
20 Area.

21 (2) ACTIVITIES OUTSIDE AREA.—The fact that
22 an activity or use on land outside the Area can be
23 seen, heard, or smelled within the Area shall not
24 preclude the activity or use outside the boundary of
25 the Area.

1 (i) OUTFITTING AND GUIDE ACTIVITIES.—Commer-
2 cial services (including authorized outfitting and guide ac-
3 tivities) within the Area are authorized.

4 (j) FISH AND WILDLIFE.—Nothing in this title af-
5 fects the jurisdiction of the State of Utah with respect
6 to the management of fish and wildlife on Federal land
7 in the State, including the regulation of hunting, fishing,
8 trapping, and use of helicopters to maintain healthy wild-
9 life populations within the Area.

10 (k) ACCESS.—The Secretary of Agriculture shall pro-
11 vide the owner of State or private property within the Area
12 access to State or private property.

13 (l) WILDLIFE WATER DEVELOPMENT PROJECTS.—
14 Structures and facilities, including future structures and
15 facilities, for wildlife water development projects (includ-
16 ing guzzlers) in the Area are authorized.

17 (m) HUNTING AND FISHING.—Hunting and fishing
18 on lands and waters owned or managed by the Depart-
19 ment of the Agriculture shall continue in the Area des-
20 ignated by section 201, if these activities were authorized
21 before the date of enactment of this Act.

22 (n) WATER RIGHTS.—

23 (1) STATUTORY CONSTRUCTION.—Nothing in
24 this title—

1 (A) shall constitute either an express or
2 implied reservation by the United States of any
3 water rights with respect to the Area des-
4 ignated by this section;

5 (B) affects any water rights in the State;

6 (C) establishes a precedent with regard to
7 any future designations.

8 (D) shall restrict or prohibit the upstream
9 diversion of water rights held under Utah State
10 law nor shall any claim of resource damages
11 arise due to the rightful diversion or depletion
12 of streams or rivers affecting the Area.

13 (2) UTAH WATER LAW.—The Secretary of Agri-
14 culture shall follow the procedural and substantive
15 requirements of Utah State law to obtain and hold
16 any water rights not in existence on the date of the
17 enactment of this Act with respect to the Area.

18 (3) EFFECTS ON STATE WATER RIGHTS.—The
19 Secretary of Agriculture shall not take any action
20 that adversely affects—

21 (A) any water rights granted by the State;

22 (B) the authority of the State in adjudi-
23 cating water rights;

1 (C) definitions established by the State
2 with respect to the term “beneficial use” or
3 “priority of rights”;

4 (D) terms and conditions for groundwater
5 withdrawal;

6 (E) the use of groundwater resources that
7 are in accordance with State law; or

8 (F) other rights or obligations of the State
9 as established under State law.

10 (4) EXISTING WATER INFRASTRUCTURE.—

11 (A) Nothing in this title shall be construed
12 to limit off-highway vehicle access and road
13 maintenance by the State of Utah or local gov-
14 ernments for those maintenance activities nec-
15 essary to guarantee the continued viability of
16 water resource facilities that currently exist or
17 which may be necessary in the future to prevent
18 the degradation of the water supply in the
19 Area.

20 (B) Nothing in this title shall be construed
21 to encumber, transfer, impair, or limit any
22 water right, or recognized beneficial use, includ-
23 ing access to, development, and use of livestock
24 water rights as defined by State law.

1 (o) VEGETATION MANAGEMENT.—Nothing in this
 2 title prevents the Secretary of Agriculture from conducting
 3 vegetation management projects to improve water quality
 4 within the Area.

5 (p) WITHDRAWAL.—Subject to valid rights in exist-
 6 ence on the date of enactment of this Act, the Federal
 7 land within the Area is withdrawn from—

8 (1) all forms of entry, appropriation, and dis-
 9 posal under the Federal land laws;

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

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

14 (q) FEES.—Except for improved campgrounds, with-
 15 in the Area the United States Forest Service is prohibited
 16 from the collecting or requiring fees for access or use.

17 **TITLE III—LAND CONVEYANCE**

18 **SEC. 301. LAND CONVEYANCE.**

19 (a) IN GENERAL.—Notwithstanding the land use
 20 planning requirements of sections 202 and 203 of the Fed-
 21 eral Land Policy and Management Act of 1976 (43 U.S.C.
 22 1712, 1713), upon the request of Uintah County, the Sec-
 23 retary of the Interior and the Secretary of Agriculture as
 24 appropriate shall convey the following Federal land to that
 25 entity, without consideration:

1 【(1) ASHLEY SPRING PROPERTY.—The approxi-
2 mately 1,103 acres generally depicted on the map
3 entitled “Uintah County, Utah Federal Lands Con-
4 servation and Management Act Map”, and dated
5 _____ as “Ashley Spring Property” to Uintah
6 County, Utah, for public use, drinking water devel-
7 opment, and non-motorized recreation.】

8 (b) MAP AND LEGAL DESCRIPTIONS.—

9 (1) IN GENERAL.—Not later than one year
10 after the date of enactment of this Act, the Sec-
11 retary of the Interior and the Secretary of Agri-
12 culture shall file a map and legal description of the
13 property to be conveyed under subsection (a) with
14 the Committee on Natural Resources of the House
15 of Representatives, the Committee on Energy and
16 Natural Resources of the Senate, and the Committee
17 on Agriculture, Nutrition, and Forestry of the Sen-
18 ate.

19 (2) FORCE AND EFFECT.—Each map and legal
20 description submitted under this section shall have
21 the same force and effect as if included in this title,
22 except that the Secretary of the Interior or the Sec-
23 retary of Agriculture as appropriate may make any
24 minor modifications of any clerical or typographical
25 errors in the map or legal description.

1 (3) PUBLIC AVAILABILITY.—A copy of the map
2 and legal description shall be on file and available
3 for public inspection in the appropriate offices of the
4 Bureau of Land Management or the United States
5 Forest Service, as appropriate.

6 **TITLE IV—NATIONAL** 7 **CONSERVATION AREA**

8 **[SEC. 401. NATIONAL CONSERVATION AREA.**

9 Subject to valid existing rights, the following area in
10 the State of Utah is hereby established as a National Con-
11 servation Area:】

12 **[(1) JOHN WESLEY POWELL.—**Certain Federal
13 land, comprising approximately 29,868 acres admin-
14 istered by the Bureau of Land Management in
15 Uintah County, Utah, as generally depicted on the
16 map entitled “Uintah County, Utah Federal Lands
17 Conservation and Management Act Map”, and dated
18 _____, to be known as the “John Wesley Pow-
19 ell National Conservation Area”.】

20 **SEC. 402. MAP AND LEGAL DESCRIPTION.**

21 (a) IN GENERAL.—Not later than one year from the
22 date of enactment of this Act, the Secretary of the Interior
23 shall file a map and legal description of the National Con-
24 servation Area established by this title with the Committee
25 on Natural Resources of the House of Representatives and

1 the Committee on Energy and Natural Resources of the
2 Senate.

3 (b) **FORCE AND EFFECT.**—The map and legal de-
4 scription submitted under this section shall have the same
5 force and effect as if included in this title, except that
6 the Secretary of the Interior may make any minor modi-
7 fications of any clerical or typographical errors in the map
8 or legal description.

9 (c) **PUBLIC AVAILABILITY.**—A copy of the map and
10 legal description shall be on file and available for public
11 inspection in the appropriate office of the Bureau of Land
12 Management.

13 **SEC. 403. ADMINISTRATION OF NATIONAL CONSERVATION**
14 **AREA.**

15 (a) **PURPOSES.**—In accordance with this title, the
16 Federal Land Policy and Management Act of 1976 (43
17 U.S.C. 1701 et seq.), and other applicable laws, the Sec-
18 retary of the Interior shall manage the National Conserva-
19 tion Area established by this title in a manner that—

20 (1) protects, conserves, and enhances the
21 unique and nationally important historic, cultural,
22 scientific, scenic, recreational, archaeological, flora
23 and fauna, and educational resources of the National
24 Conservation Areas;

1 (2) maintains and enhances cooperative and in-
2 novative management practices between resource
3 managers, private landowners, and the public in the
4 National Conservation Areas;

5 (3) recognizes and maintains to the extent prac-
6 ticable uses authorized or allowed on the day prior
7 to the date of enactment of this Act within the Na-
8 tional Conservation Areas; and

9 (4) maintain and improve Greater sage-grouse
10 habitat.

11 (b) MANAGEMENT PLANS.—

12 (1) PLAN REQUIRED.—Not later than 2 years
13 after the date of enactment of this Act, the Sec-
14 retary of the Interior shall develop a management
15 plan for the long-term management of the national
16 conservation area.

17 (2) CONSULTATION.—The Secretary of the In-
18 terior shall prepare the management plan in con-
19 sultation and coordination with the State of Utah
20 and Uintah County, Utah.

21 **SEC. 404. GENERAL PROVISIONS.**

22 (a) WITHDRAWALS.—Subject to valid existing rights,
23 all Federal land within the National Conservation Area
24 established under this title, including any land or interest
25 in land that is acquired by the United States within the

1 national conservation area after the date of enactment of
2 this Act, is withdrawn from—

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

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

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

9 (b) FIRE, INSECTS, AND DISEASE.—The Secretary of
10 the Interior may take such measures in the National Con-
11 servation Area established under this title as are necessary
12 for the control of fire, insects, and diseases (including, as
13 the Secretary determines to be appropriate, the coordina-
14 tion of the activities with a State or local agency).

15 (c) WILDLAND FIRE OPERATIONS.—Nothing in this
16 title precludes a Federal, State, or local agency from con-
17 ducting wildfire management operations (including oper-
18 ations using aircraft or mechanized equipment) in the Na-
19 tional Conservation Area established under this title sub-
20 ject to reasonable regulations as prescribed by the Sec-
21 retary.

22 (d) LIVESTOCK GRAZING.—

23 (1) [____].—The grazing of livestock in the
24 National Conservation Area established by this title,
25 if established before the date of enactment of this

1 Act, shall be allowed to continue, subject to such
2 reasonable regulations, policies, and practices as the
3 Secretary of the Interior considers to be necessary in
4 accordance with existing laws and regulations and
5 Appendix A of the report of the Committee on Inte-
6 rior and Insular Affairs of the House of Representa-
7 tives accompanying H.R. 2570 of the 101st Con-
8 gress (House Report 101-405).

9 (2) UTAH DEPARTMENT OF AGRICULTURE.—In
10 instances in which historic grazing areas, access, or
11 use is disputed by the permittee, data and informa-
12 tion provided by the Utah Department of Agri-
13 culture shall be given priority consideration by the
14 Secretary of Interior to establish historic grazing
15 areas, access, or use.

16 (e) ACCESS.—The Secretary of the Interior shall pro-
17 vide in the management plan of the National Conservation
18 Area reasonable and adequate motorized access to and
19 within the National Conservation Area to further the pur-
20 poses of this title and promote public access to and within
21 the National Conservation Area; utilizing existing roads
22 and disturbances as reasonably practicable.

23 (f) EXISTING EASEMENTS AND RIGHTS-OF-WAY.—
24 Nothing in this title precludes the Secretary of the Interior
25 from renewing easements or rights-of-way in the National

1 Conservation Area established under this title in existence
2 on the date of enactment of this Act, in accordance with
3 this Act and existing law.

4 (g) ADJACENT MANAGEMENT.—

5 (1) IN GENERAL.—Nothing in this title creates
6 a protective perimeter or buffer zone around the Na-
7 tional Conservation Area designated by this title.

8 (2) ACTIVITIES OUTSIDE CONSERVATION
9 AREA.—The fact that an activity or use on land out-
10 side the National Conservation Area established
11 under this title can be seen, heard, or smelled within
12 the National Conservation Area shall not preclude
13 the activity or use outside the boundary of the Na-
14 tional Conservation Area.

15 (h) OUTFITTING AND GUIDE ACTIVITIES.—Commer-
16 cial services (including authorized outfitting and guide ac-
17 tivities) within the National Conservation Area established
18 under this title are authorized.

19 (i) FISH AND WILDLIFE.—Nothing in this title af-
20 fects the jurisdiction of the State of Utah with respect
21 to the management of fish and wildlife on Federal land
22 in the State, including the regulation of hunting, fishing,
23 and trapping and use of helicopters to maintain healthy
24 wildlife populations, within the National Conservation
25 Area established under this title.

1 (j) ACCESS.—The Secretary of the Interior shall pro-
2 vide the owner of State or private property within the
3 boundary of a conservation area established under this Act
4 reasonable access to the owner’s property.

5 (k) WILDLIFE WATER DEVELOPMENT PROJECTS.—
6 Structures and facilities, including future and existing
7 structures and facilities, for wildlife water development
8 projects (including guzzlers) in the National Conservation
9 Area established under this title are authorized.

10 (l) HUNTING AND FISHING.—Within the National
11 Conservation Area established under this title, hunting
12 and fishing in areas where hunting and fishing has been
13 allowed on lands and waters owned or managed by the
14 Department of the Interior before the date of enactment
15 of this Act, shall continue.

16 (m) WATER RIGHTS.—

17 (1) STATUTORY CONSTRUCTION.—Nothing in
18 this title—

19 (A) shall constitute either an express or
20 implied reservation by the United States of any
21 water rights with respect to the National Con-
22 servation Area designated by this title;

23 (B) affects any water rights in the State of
24 Utah existing on the date of enactment of this

1 Act, including any water rights held by the
2 United States;

3 (C) establishes a precedent with regard to
4 any future National Conservation Area designa-
5 tions.

6 (D) shall restrict or prohibit the upstream
7 diversion of water rights held under Utah State
8 law nor shall any claim of resource damages
9 arise due to the rightful diversion or depletion
10 of streams or rivers affecting the Area.

11 (2) EXISTING WATER INFRASTRUCTURE.—
12 Nothing in this title shall be construed to limit mo-
13 torized access and road maintenance by local munici-
14 palities and water right holders for those mainte-
15 nance activities necessary to guarantee the continued
16 viability of water resource facilities that currently
17 exist or which may be necessary in the future to pre-
18 vent the degradation of the water supply in the Na-
19 tional Conservation Area designated by this title
20 subject to such reasonable regulations deemed nec-
21 essary by the Secretary of Interior.

22 (n) WILDERNESS RELEASE.—

23 (1) Congress finds that the Federal lands com-
24 prising the National Conservation Area designated
25 in this title have been adequately studied for wilder-

1 ness character and wilderness designation pursuant
2 to section 603 of the Federal Land Policy and Man-
3 agement Act of 1976 (43 U.S.C. 1782) and are no
4 longer subject to the requirement of subsection (c)
5 of such section pertaining to the management of wil-
6 derness study areas in a manner that does not im-
7 pair the suitability of such areas for preservation as
8 wilderness.

9 (2) The Secretary of the Interior may not pro-
10 mulgate or issue any system-wide regulation, direc-
11 tive, instruction memorandum or order that would
12 direct management of the Federal lands designated
13 as National Conservation Area in this title in a man-
14 ner contrary to this title.

15 (o) VEGETATION MANAGEMENT.—Nothing in this
16 title prevents the Secretary of the Interior from con-
17 ducting vegetation management projects within the Na-
18 tional Conservation Area established under and consistent
19 with this title.

20 (p) OFF-HIGHWAY VEHICLES.—

21 (1) IN GENERAL.—Except in cases in which off-
22 highway vehicles are needed for administrative pur-
23 poses, including project construction and mainte-
24 nance, or to respond to an emergency, the use of off-
25 highway vehicles shall be permitted only on des-

1 ignated routes within the National Conservation
2 Area designated by this title.

3 (2) DESIGNATED ROUTES.—

4 (A) IN GENERAL.—The Secretary of the
5 Interior shall manage existing designated routes
6 in a manner that—

7 (i) is consistent with off-highway vehi-
8 cle and mechanized use of the designated
9 routes under existing laws and regulations
10 established one day prior to enactment of
11 this Act;

12 (ii) minimizes conflict with sensitive
13 habitat or cultural or historical resources;
14 and

15 (iii) does not interfere with private
16 property or water rights.

17 (B) CLOSURE OR REROUTING.—

18 (i) IN GENERAL.—A designated route
19 may be temporarily closed or rerouted, for
20 a period not to exceed two years, if the
21 Secretary of the Interior, in consultation
22 with the State of Utah, and relevant local
23 government within the State determines
24 that—

1 (I) the designated route is dam-
2 aging cultural resources or historical
3 resources;

4 (II) temporary closure of the des-
5 igned route is necessary to repair
6 the designated route or protect public
7 safety;

8 (III) modification of the des-
9 igned route would not significantly
10 affect access within the conservation
11 area;

12 (IV) all other options, other than
13 a temporary closure or rerouting, have
14 been exhausted; and

15 (V) an alternative route has been
16 provided, which may include routes
17 previously closed.

18 (ii) If temporary closure and rerouting
19 options as outlined in clause (i) have been
20 exhausted, and the designated route con-
21 tinues to damage sensitive habitat or cul-
22 tural or historical resources, the minimum
23 track of the designated route necessary to
24 protect those resources may be perma-
25 nently closed.

1 (C) NOTICE.—The Secretary of the Inte-
2 rior shall provide information to the public re-
3 garding any designated routes that are open,
4 have been rerouted, or are temporarily or per-
5 manently closed through—

6 (i) use of appropriate signage within
7 the National Conservation Area as des-
8 ignated by this title; and

9 (ii) use of the internet and web re-
10 sources.

11 (3) PERMANENT ROAD CONSTRUCTION.—After
12 the date of enactment of this Act, except as nec-
13 essary for administrative purposes or to respond to
14 an emergency, the Secretary of the Interior shall not
15 construct any new permanent road within the Na-
16 tional Conservation Area designated under this title.

17 (q) NO EFFECT ON NON-FEDERAL LAND OR INTER-
18 ESTS IN NON-FEDERAL LAND.—Nothing in this title af-
19 fects ownership, management, or other rights relating to
20 non-Federal land or interests in non-Federal land.

21 (r) RESEARCH AND INTERPRETIVE FACILITIES.—

22 (1) IN GENERAL.—The Secretary of Interior
23 may establish facilities for—

24 (A) the conduct of scientific research; and

1 (B) the interpretation of the historical, cul-
2 tural, scientific, archeological, natural and edu-
3 cational resources of the National Conservation
4 Area designated by this title.

5 (2) GRANTS; COOPERATIVE AGREEMENTS.—In
6 carrying out paragraph (1), the Secretary of the In-
7 terior may make grants to, or enter into cooperative
8 agreements with the State of Utah, local govern-
9 mental entities, other institutions and organizations,
10 and private entities to conduct research, develop sci-
11 entific analyses, and carry out any other initiative
12 relating to the restoration or conservation of the Na-
13 tional Conservation Area established by this title.

14 (s) PARTNERSHIPS.—In recognition of the value of
15 collaboration to foster innovation and enhance research
16 and development efforts, the Secretary of the Interior shall
17 encourage partnerships, including public-private partner-
18 ships, between and among Federal, State and local agen-
19 cies, academic institutions, non-profit organizations and
20 private entities.

21 (t) RECREATION.—The Secretary of the Interior shall
22 continue to authorize, maintain, and enhance the rec-
23 reational use of the National Conservation Area des-
24 igned by this title, including hunting, fishing, camping,
25 hiking, backpacking, cross-country skiing, hang gliding,

1 paragliding, rock climbing, canyoneering, sightseeing, na-
2 ture study, horseback riding, mountain biking, rafting,
3 off-highway vehicle recreation on authorized routes, and
4 other recreational activities, so long as such recreational
5 use is consistent with the purposes of the national con-
6 servation area, this section, and applicable management
7 plans.

8 (u) ACQUISITION.—

9 (1) IN GENERAL.—The Secretary of the Inte-
10 rior as appropriate may acquire land or interest in
11 land within the boundaries of the National Con-
12 servation Area designated by this title only by dona-
13 tion, exchange, transfer from another Federal agen-
14 cy, or purchase from a willing seller.

15 (2) NO CONDEMNATION.—Within the National
16 Conservation Area designated by this title, the use
17 of eminent domain or condemnation shall be prohib-
18 ited.

19 (3) INCORPORATION IN NATIONAL CONSERVA-
20 TION AREA.—Any land or interest in land located in-
21 side the boundary of a National Conservation Area
22 designated by this title that is acquired by the
23 United States after the date of enactment of this
24 Act shall be added to and administered as part of
25 the National Conservation Area.

1 (4) SCHOOL TRUST LANDS.—Upon request of
 2 the Utah School and Institutional Trust Lands Ad-
 3 ministration, the Secretary shall within five years of
 4 the date of enactment of this act acquire lands and
 5 minerals owned by the Utah School and Institutional
 6 Trust Lands Administration within the National
 7 Conservation Area through exchange or purchase.
 8 Any acquired lands shall be added to the National
 9 Conservation Area and shall be managed in accord-
 10 ance with the management plan of the area.

11 (v) **[_____]**.—Nothing in this title shall affect exist-
 12 ing or future sage grouse conservation projects, including
 13 the management of vegetation through mechanical means
 14 within the John Wesley Powell National Conservation
 15 Area established under this title.

16 (w) FEES.—Except for improved campgrounds, with-
 17 in the National Conservation Area the United States De-
 18 partment of Interior is prohibited from the collecting or
 19 requiring fees for access or use.

20 **TITLE V—JONES HOLE**
 21 **NATIONAL FISH HATCHERY**

22 **SEC. 501. CONVEYANCE OF JONES HOLE NATIONAL FISH**
 23 **HATCHERY TO THE STATE OF UTAH.**

24 (a) DEFINITIONS.—In this section:

1 (1) PROPERTY.—The term “Property” means
2 the approximately 390 acres known as the “Jones
3 Hole National Fish Hatchery”, which—

4 (A) is located at 24495 East Jones Hole
5 Hatchery Road, Vernal, Utah, as established
6 under section 8 of the Colorado River Storage
7 Project Act of 1956 (Public Law 84–485); and

8 (B) includes—

9 (i) all improvements and related per-
10 sonal property under the jurisdiction of the
11 Secretary that are located on that land, in-
12 cluding buildings, structures, equipment;

13 (ii) all easements and leases related to
14 that land; and

15 (iii) all water rights relating to that
16 land.

17 (2) SECRETARY.—The term “Secretary” means
18 the Secretary of the Interior.

19 (3) STATE.—The term “State” means the State
20 of Utah.

21 (b) CONVEYANCE.—At the request of the governor of
22 the State and subject to subsection (c), the Secretary shall
23 convey to the State, without reimbursement, all right,
24 title, and interest of the United States in and to the Prop-

erty, for use by the Utah Division of Wildlife Resources
as a component of the State’s fish culture program.

(c) CONDITIONS.—The Secretary shall convey the
Property not more than 180 days after each of the fol-
lowing have occurred:

(1) The United States Fish and Wildlife Service
repairs the spring development and sanitary sewer
system of the Property.

(2) The State enters into an agreement to oper-
ate and maintain the fish hatchery on the Property
at the State’s expense.

DIVISION B—UTAH
MISCELLANEOUS PROVISIONS
TITLE I—BIG SAND WASH
PROJECT TITLE TRANSFER

SEC. 101. SHORT TITLE.

This title may be cited as the “Big Sand Wash
Project Title Transfer Act”.

SEC. 102. DEFINITIONS.

In this title:

(1) ACQUIRED LANDS.—The term “Acquired
Lands” means those lands that were acquired by the
Central Utah Water Conservancy District with Fed-
eral and District funds for the purpose of water

1 storage and conveyance in the Big Sand Wash Fa-
2 cilities.

3 (2) ASSOCIATION.—The term “Association”
4 means the Moon Lake Water Users Association, an
5 association of 8 irrigation companies in Utah.

6 (3) BIG SAND WASH FACILITIES.—The term
7 “Big Sand Wash Facilities”—

8 (A) means the following features that are
9 part of the Uinta Basin Replacement Project
10 authorized by the Central Utah Project Comple-
11 tion Act (Public Law 102–575)—

12 (i) the Big Sand Wash Dam, includ-
13 ing the enlarged reservoir and outlet
14 works;

15 (ii) the Feeder Pipeline;

16 (iii) the Feeder Diversion;

17 (iv) the Roosevelt Pipeline; and

18 (v) the Big Sand Wash Facilities; and

19 (B) does not include—

20 (i) the Moon Lake Dam and Res-
21 ervoir; and

22 (ii) the modified outlet works.

23 (4) DISTRICT.—The term “District” means the
24 Central Utah Water Conservancy District, a political
25 subdivision of the State of Utah with certain respon-

1 sibilities for the implementation of the Central Utah
2 Project Completion Act.

3 (5) DUCHESNE COUNTY.—The term “Duchesne
4 County” means the Duchesne County Water Conser-
5 vancy District in Duchesne County, Utah.

6 (6) FEDERAL LANDS.—The term “Federal
7 Lands” means parcels of federally owned lands and
8 easements acquired for the expansion of the Big
9 Sand Wash Facilities, and includes those original,
10 Association lands deeded to the United States in No-
11 vember 2001 as a permanent easement for the con-
12 veyance and storage of water and the right of in-
13 gress and egress.

14 (7) FEEDER DIVERSION.—The term “Feeder
15 Diversion” means the diversion structure and appur-
16 tenances constructed in the Lake Fork River to di-
17 vert water into the Big Sand Wash Project, and in-
18 cludes the property acquired by easement for the di-
19 version structure and rights of egress and ingress to
20 the property.

21 (8) FEEDER PIPELINE.—The term “Feeder
22 Pipeline” means the pipeline and appurtenances con-
23 structed from the Feeder Diversion to the Big Sand
24 Wash Reservoir, and includes the property acquired
25 by easement for the pipeline.

1 (9) ROOSEVELT PIPELINE.—The term “Roo-
2 sevelt Pipeline” means the pipeline and appur-
3 tenances constructed to deliver project and non-
4 project water from the Big Sand Wash Facilities for
5 the Association and Duchesne County, and includes
6 the property acquired by easement for the pipeline.

7 (10) SECRETARY.—The term “Secretary”
8 means the Secretary of the Interior or a designee of
9 the Secretary.

10 (11) UINTA BASIN REPLACEMENT PROJECT.—
11 The term “Uinta Basin Replacement Project” ap-
12 plies to the project that was authorized by the Cen-
13 tral Utah Project Completion Act to enlarge the Big
14 Sand Wash Dam and Reservoir, construct the Feed-
15 er Diversion, construct the Feeder Pipeline, con-
16 struct the Roosevelt Pipeline, modify the Moon Lake
17 outlet works, develop mitigation lands, and develop
18 other facilities as required to complete project pur-
19 poses.

20 **SEC. 103. CONVEYANCE OF FACILITIES AND LAND.**

21 (a) IN GENERAL.—Subject to subsection (b) and in
22 consideration of the District assuming from the United
23 States all liability for administration, operation, and main-
24 tenance of the Big Sand Wash Facilities, the Secretary
25 shall convey to the District all right, title, and interest

1 of the United States in and to the Acquired Lands, the
2 Federal Lands, and the Big Sand Wash Facilities in exist-
3 ence on the date of the enactment of this Act.

4 (b) CONDITIONS.—The conveyance under subsection
5 (a) shall not be completed until all of the following occur:

6 (1) The District pays to the Secretary the net
7 present value of the remaining repayment obliga-
8 tions identified in the Water Service Contract, Sup-
9 plement No. 2, Contract No. 14–06–400–4286 and
10 Block Notice Number UBRP1, as determined by Of-
11 fice of Management and Budget Circular A–129 (in
12 effect on the date of the enactment of this Act).
13 Such prepayment shall not affect the contract to de-
14 liver water between the District and Duchesne Coun-
15 ty and shall remedy all outstanding issues relating
16 to the District’s expenditure of Federal funds for
17 land acquisition.

18 (2) The Association, the District, and Duchesne
19 County enter into an agreement, only as mutually
20 deemed necessary by the Parties, reflecting as much
21 as possible the existing operating agreement, Agree-
22 ment No. 01–07–40–R7020 dated November 15,
23 2001, that provides for the future operation of and
24 delivery of water from the Big Sand Wash Facilities.

1 (3) The Association and the District enter into
2 an agreement to convey Acquired Lands, Federal
3 Lands, the Feeder Diversion, and the Feeder Pipe-
4 line to the Association.

5 (4) The Association and the District enter into
6 an agreement that ensures the minimum stream flow
7 requirements contained in the Final Environmental
8 Assessment, section 203(a), Uinta Basin Replace-
9 ment Project, dated October 2001.

10 (5) The District and the United States enter
11 into an agreement that ensures the minimum stream
12 flow requirements contained in the Final Environ-
13 mental Assessment, section 203(a), Uinta Basin Re-
14 placement Project, dated October 2001.

15 (6) The District enters into an agreement to
16 convey Acquired Lands and Federal Lands to the
17 Utah Department of Transportation.

18 (7) The District enters into an agreement to
19 convey the Roosevelt Pipeline to Duchesne County.

20 (c) PREPAYMENT AUTHORITY.—The District is here-
21 by granted authority to prepay, at net present value as
22 determined by Office of Management and Budget Circular
23 A-129 (as in effect on the date of the enactment of this
24 Act), all irrigation block notices associated with the Bon-
25 neville Unit of the Central Utah Project.

1 (d) PAYMENT OF COSTS.—The District shall pay any
2 necessary and reasonable administrative and real estate
3 transfer costs incurred by the Secretary in carrying out
4 the conveyance authorized by subsection (a).

5 (e) COMPLIANCE WITH ENVIRONMENTAL LAWS.—

6 (1) IN GENERAL.—Before conveying land and
7 facilities under subsection (a), the Secretary shall
8 comply with all applicable requirements under—

9 (A) the National Environmental Policy Act
10 of 1969 (42 U.S.C. 4321 et seq.);

11 (B) the Endangered Species Act of 1973
12 (16 U.S.C. 1531 et seq.); and

13 (C) any other law applicable to the land
14 and facilities.

15 (2) EFFECT.—Nothing in this title modifies or
16 alters any obligations under—

17 (A) the National Environmental Policy Act
18 of 1969 (42 U.S.C. 4321 et seq.); or

19 (B) the Endangered Species Act of 1973
20 (16 U.S.C. 1531 et seq.).

21 **SEC. 104. RELATIONSHIP TO UINTA BASIN REPLACEMENT**
22 **PROJECT.**

23 After the conveyance authorized under section
24 103(a), the United States shall not be liable for damages
25 arising out of any act, omission, or occurrence relating to

1 the Big Sand Wash Facilities, Acquired Lands, and Fed-
2 eral Lands, except for damages caused by acts of neg-
3 ligence committed by the United States or by any em-
4 ployee or agent of the United States before the date of
5 the conveyance, consistent with chapter 171 of title 28,
6 United States Code.

7 **SEC. 105. REPORT.**

8 If the conveyance authorized by section 103(a) is not
9 completed by the date that is 12 months after the date
10 of the enactment of this Act, the Secretary shall submit
11 to Congress a report that—

12 (1) describes the status of the conveyance;

13 (2) describes any obstacles to completing the
14 conveyance; and

15 (3) specifies an anticipated date for completion
16 of the conveyance.

17 **TITLE II—HYDE PARK LAND**
18 **CONVEYANCE**

19 **SEC. 201. SHORT TITLE.**

20 This title may be cited as the “Hyde Park Land Con-
21 veyance Act”.

22 **SEC. 202. DEFINITIONS.**

23 For the purposes of this title:

24 (1) CITY.—The term “City” means the City of
25 Hyde Park, Utah.

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior.

3 **SEC. 203. LAND CONVEYANCE, CITY OF HYDE PARK, UTAH.**

4 (a) CONVEYANCE REQUIRED.—Subject to valid exist-
5 ing rights, if the City submits a written request to the
6 Secretary not later than 90 days after the date of enact-
7 ment of this Act requesting the conveyance of the Bureau
8 of Land Management land described in subsection (b) for
9 public purposes, the Secretary shall convey, without con-
10 sideration and by quitclaim deed, to the City all right,
11 title, and interest of the United States in and to the parcel
12 of land, including improvements thereon, described in sub-
13 section (b).

14 (b) DESCRIPTION OF LAND.—

15 (1) IN GENERAL.—The parcel of Bureau of
16 Land Management land and any improvements to be
17 conveyed under subsection (a) is the approximately
18 80-acre parcel identified on the map entitled “Hyde
19 Park Land Conveyance Act” and dated October 23,
20 2017.

21 (2) AVAILABILITY OF MAP.—The map referred
22 to in paragraph (1) shall be kept on file and avail-
23 able for public inspection in the appropriate office of
24 the Bureau of Land Management. The Secretary
25 may correct minor errors in the map.

1 (c) SURVEY.—The exact acreage and legal descrip-
2 tion of the Bureau of Land Management land to be con-
3 veyed under subsection (a) shall be determined by a survey
4 satisfactory to the Secretary.

5 (d) COSTS OF CONVEYANCE.—As a condition for the
6 conveyance under subsection (a), all costs associated with
7 such conveyance shall be paid by the City.

8 (e) TIME FOR COMPLETION OF CONVEYANCE.—The
9 Secretary shall complete the conveyance under subsection
10 (a) not later than one year after the date on which the
11 City submits the written request described in such sub-
12 section.

13 **TITLE III—GOLDEN SPIKE 150TH** 14 **ANNIVERSARY**

15 **SEC. 301. SHORT TITLE.**

16 This title may be cited as the “Golden Spike 150th
17 Anniversary Act”.

18 **SEC. 302. DEFINITIONS.**

19 In this title:

20 (1) ADJACENT LANDOWNER.—The term “adja-
21 cent landowner” means the non-Federal owner of
22 property that directly abuts the Park boundaries.

23 (2) HISTORICAL CROSSING.—The term “histor-
24 ical crossing” means a corridor with a maximum

1 width of 30 feet across former railroad rights-of-way
2 within the Park—

3 (A) that has been used by adjacent land-
4 owners in an open manner multiple times in
5 more than 1 of the past 10 years for vehicle,
6 farm machinery, or livestock travel; or

7 (B) where existing utility or pipelines have
8 been placed.

9 (3) NETWORK.—The term “Network” means
10 the Transcontinental Railroad Network established
11 under section 4.

12 (4) PARK.—The term “Park” means the Gold-
13 en Spike National Historical Park designated under
14 section 3.

15 (5) SECRETARY.—The term “Secretary” means
16 the Secretary of the Interior, acting through the Di-
17 rector of the National Park Service.

18 (6) TRANSCONTINENTAL RAILROAD.—The term
19 “Transcontinental Railroad” means the approxi-
20 mately 1,912-mile continuous railroad constructed
21 between 1863 and 1869 from Council Bluffs, Iowa,
22 to San Francisco, California.

23 **SEC. 303. REDESIGNATION.**

24 (a) REDESIGNATION.—The Golden Spike National
25 Historic Site designated April 2, 1957, and placed under

1 the administration of the National Park Service under the
2 Act of July 10, 1965 (79 Stat. 426), shall be known and
3 designated as the “Golden Spike National Historical
4 Park”.

5 (b) REFERENCES.—Any reference in a law, map, reg-
6 ulation, document, paper, or other record of the United
7 States to the Golden Spike National Historic Site shall
8 be considered a reference to the “Golden Spike National
9 Historical Park”.

10 (c) NETWORK.—The Park shall be part of the Net-
11 work.

12 **SEC. 304. TRANSCONTINENTAL RAILROAD NETWORK.**

13 (a) IN GENERAL.—The Secretary shall establish,
14 within the National Park Service, the Transcontinental
15 Railroad Network. The Network shall not include prop-
16 erties used in active freight railroad operations (or other
17 ancillary purposes) or reasonably anticipated to be used
18 for freight railroad operations in the future.

19 (b) STUDY.—The Secretary shall—

20 (1) inventory National Park Service sites, facili-
21 ties, and programs; and

22 (2) identify other sites, facilities, and programs,
23 to determine their suitability for inclusion in the Network,
24 as delineated under subsection (e).

1 (c) DUTIES OF THE SECRETARY.—In carrying out
2 the Network, the Secretary shall—

3 (1) produce and disseminate appropriate edu-
4 cation materials relating to the history, construction,
5 and legacy of the Transcontinental Railroad, such as
6 handbooks, maps, interpretive guides, or electronic
7 information;

8 (2) identify opportunities to enhance the rec-
9 ognition of immigrant laborers' contributions to the
10 history, construction, and legacy of the Trans-
11 continental Railroad;

12 (3) enter into appropriate cooperative agree-
13 ments and memoranda of understanding to provide
14 technical assistance under subsection (d); and

15 (4) create and adopt an official, uniform symbol
16 or device for the Network and issue guidance for the
17 use of such symbol or device.

18 (d) ELEMENTS.—The Network shall encompass the
19 following elements:

20 (1) All units and programs of the National
21 Park Service that are determined by the Secretary
22 to relate to the history, construction, and legacy of
23 the Transcontinental Railroad.

24 (2) With the consent of each person owning any
25 legal interest in the property, other Federal, State,

1 local, and privately owned properties that have a
2 verifiable connection to the history, construction,
3 and legacy of the Transcontinental Railroad and are
4 included in, or determined by the Secretary to be eli-
5 gible for inclusion in, the National Register of His-
6 toric Places.

7 (3) Other governmental and nongovernmental
8 programs of an educational, research, or interpretive
9 nature that are directly related to the history, con-
10 struction, and legacy of the Transcontinental Rail-
11 road.

12 (e) COOPERATIVE AGREEMENTS AND MEMORANDA
13 OF UNDERSTANDING.—To achieve the purposes of this
14 section and to ensure effective coordination of the Federal
15 and non-Federal elements of the Network described in
16 subsection (d) with National Park System units and pro-
17 grams of the National Park Service, the Secretary may
18 enter into cooperative agreements and memoranda of un-
19 derstanding with, and provide technical assistance to, the
20 heads of other Federal agencies, States, units of local gov-
21 ernment, regional governmental bodies, and private enti-
22 ties.

1 **SEC. 305. AGREEMENTS AFFECTING CERTAIN HISTORICAL**
2 **CROSSINGS.**

3 (a) PROGRAMMATIC AGREEMENT.—No later than 6
4 months after the date of enactment of this title, the Sec-
5 retary shall enter into a Programmatic Agreement with
6 the Utah State Historic Preservation Office and other con-
7 sulting parties to add certain undertakings in the Park
8 to the list of those eligible for streamlined review under
9 section 106 of the Historic Preservation Act of 1966 (54
10 U.S.C. 306108). In the development of the Programmatic
11 Agreement, the Secretary shall collaborate with adjacent
12 landowners, Tribes, and other consulting parties.

13 (b) PROCESS FOR APPROVAL.—After the completion
14 of the Programmatic Agreement under subsection (a), an
15 adjacent landowner shall give the Secretary notice of pro-
16 posed certain undertakings. Within 30 days of the receipt
17 of the notice, the Secretary shall review and approve the
18 proposed certain undertakings if consistent with the Pro-
19 grammatic Agreement.

20 (c) DEFINITION OF CERTAIN UNDERTAKINGS.—As
21 used in this section, the term “certain undertakings”
22 means those activities that take place on, within, or under
23 a historical crossing and—

24 (1) will last less than 1 month and will have
25 limited physical impact on the surface of the histor-
26 ical crossing;

1 (2) have been implemented by an adjacent land-
2 owner or other adjacent landowners in the past; or

3 (3) is the subject of a categorical exclusion
4 under the National Environmental Policy Act of
5 1969 (42 U.S.C. 4321 et seq.).

6 **SEC. 306. INVASIVE SPECIES CONTROL.**

7 At the request of an adjacent landowner, within 30
8 days of such a request, the Secretary shall authorize the
9 adjacent landowner to participate in the eradication of
10 invasive species in the Park for a period of up to 10 years,
11 subject to renewal. Such an authorization shall provide—

12 (1) that the invasive species proposed for eradi-
13 cation is identified as such by the National Park
14 Service;

15 (2) that the method, timing, and location of the
16 eradication must be approved by the Secretary; and

17 (3) appropriate indemnification of the adjacent
18 landowner.

19 **SEC. 307. FUNDING CLARIFICATION.**

20 No additional funds are authorized to carry out the
21 requirements of this title. Such requirements shall be car-
22 ried out using amounts otherwise authorized.

1 **TITLE IV—NATIONAL BEAR**
2 **RIVER HERITAGE AREA ACT**

3 **SEC. 401. SHORT TITLE.**

4 This title may be cited as the “National Bear River
5 Heritage Area Act”.

6 **SEC. 402. PURPOSE.**

7 The purposes of this title include—

8 (1) to foster a close working relationship with
9 all levels of government, Tribes, the private sector,
10 residents, business interests, and local communities
11 in the States of Idaho and Utah;

12 (2) to empower communities in the States of
13 Idaho and Utah to exercise stewardship of their her-
14 itage while strengthening future economic opportuni-
15 ties;

16 (3) to interpret, develop, and encourage stew-
17 ardship of the historic, cultural, and recreational re-
18 sources within the Heritage Area and the natural
19 and scenic features of which they are a part; and

20 (4) to expand, foster, and develop heritage busi-
21 nesses and products relating to the cultural heritage
22 of the Heritage Area.

23 **SEC. 403. DEFINITIONS.**

24 In this title:

1 (1) COUNCIL.—The term “Council” means the
2 Bear River Heritage Area Council, which includes
3 representatives of all signers of the Interlocal Co-
4 operation Agreement for the Bear River Heritage
5 Area, administered by the Bear River Association of
6 Governments.

7 (2) EXECUTIVE COMMITTEE.—The term “Exec-
8 utive Committee” means the Executive Committee of
9 the Council.

10 (3) HERITAGE AREA.—The term “Heritage
11 Area” means the National Bear River Heritage Area
12 established by section 404(a).

13 (4) LOCAL COORDINATING ENTITY.—The term
14 “local coordinating entity” means the local coordi-
15 nating entity for the Heritage Area designated by
16 section 405(a).

17 (5) MANAGEMENT PLAN.—The term “manage-
18 ment plan” means the management plan for the
19 Heritage Area required under section 405.

20 (6) SECRETARY.—The term “Secretary” means
21 the Secretary of the Interior.

22 (7) STATES.—The term “States” means the
23 States of Idaho and Utah.

24 (8) TRIBE OR TRIBAL.—The terms “Tribe” or
25 “Tribal” mean any federally recognized Indian Tribe

1 with cultural heritage and historic interests within
2 the proposed Bear River National Heritage Area.

3 **SEC. 404. DESIGNATION OF THE BEAR RIVER NATIONAL**
4 **HERITAGE AREA.**

5 (a) ESTABLISHMENT.—There is established in the
6 States the National Bear River Heritage Area.

7 (b) BOUNDARIES.—

8 (1) IN GENERAL.—The boundaries of the Herit-
9 age Area shall include—

10 (A) areas in the States that are within the
11 main drainage area of the Bear River;

12 (B) Bear Lake, Caribou, Franklin, and
13 Oneida Counties in the State of Idaho;

14 (C) Box Elder, Cache, and Rich Counties
15 in the State of Utah;

16 (D) the following communities in the State
17 of Idaho: Malad, Clifton, Dayton, Franklin,
18 Preston, Oxford, Weston, Bancroft, Soda
19 Springs, Grace, Bloomington, Paris, George-
20 town, Montpelier, and St. Charles; and

21 (E) the following communities in that
22 State of Utah: Bear River, Brigham City,
23 Corinne, Deweyville, Elwood, Fielding, Garland,
24 Honeyville, Howell, Mantua, Perry, Plymouth,
25 Portage, Snowville, Tremonton, Willard,

1 Amalga, Clarkston, Cornish, Hyde Park,
2 Hyrum, Lewiston, Logan, Mendon, Millville,
3 Newton, Nibley, North Logan, Paradise, Provi-
4 dence, Richmond, River Heights, Smithfield,
5 Trenton, Wellsville, Garden City, Laketown,
6 Randolph, and Woodruff.

7 (2) MAP.—The Secretary shall prepare a map
8 of the Heritage Area, which shall be on file and
9 available for public inspection in the office of the Di-
10 rector of the National Park Service.

11 (3) NOTICE TO LOCAL AND TRIBAL GOVERN-
12 MENTS.—The Council shall provide to the govern-
13 ment of each City, Town, County, or Tribe that has
14 jurisdiction over property proposed to be included in
15 the Heritage Area written notice of the proposed in-
16 clusion.

17 (c) ADMINISTRATION.—The Heritage Area shall be
18 administered in accordance with this title.

19 **SEC. 405. DESIGNATION OF LOCAL COORDINATING ENTITY.**

20 (a) LOCAL COORDINATING ENTITY.—The Council
21 shall be the management entity for the Heritage Area.

22 (b) AUTHORITIES OF LOCAL COORDINATING ENTI-
23 TY.—The local coordinating entity may, for purposes of
24 preparing and implementing the management plan—

1 (1) prepare reports, studies, interpretive exhib-
2 its and programs, historic preservation projects, and
3 other activities recommended in the management
4 plan for the Heritage Area;

5 (2) make grants to the States, political subdivi-
6 sions of the States, nonprofit organizations, and
7 other persons;

8 (3) enter into cooperative agreements with the
9 States, political subdivisions of the States, nonprofit
10 organizations, and other organizations;

11 (4) hire and compensate staff;

12 (5) obtain funds or services from any source,
13 including funds and services provided under any
14 Federal program or law, in which case the Federal
15 share of the cost of any activity assisted using Fed-
16 eral funds provided for National Heritage Areas
17 shall not be more than 50 percent; and

18 (6) contract for goods and services.

19 (c) DUTIES OF LOCAL COORDINATING ENTITY.—To
20 further the purposes of the Heritage Area, the local co-
21 ordinating entity shall—

22 (1) prepare a management plan for the Herit-
23 age Area in accordance with section 405;

24 (2) give priority to the implementation of ac-
25 tions, goals, and strategies set forth in the manage-

1 ment plan, including assisting units of government,
2 Tribes, and other persons in—

3 (A) carrying out programs and projects
4 that recognize and protect important resource
5 values in the Heritage Area;

6 (B) encouraging economic viability in the
7 Heritage Area in accordance with the goals of
8 the management plan;

9 (C) establishing and maintaining interpre-
10 tive exhibits in the Heritage Area;

11 (D) developing heritage-based recreational
12 and educational opportunities for residents and
13 visitors in the Heritage Area;

14 (E) increasing public awareness of and ap-
15 preciation for the natural, historic, cultural,
16 Tribal, scenic, and recreational resources of the
17 Heritage Area;

18 (F) restoring historic buildings that are—

19 (i) located in the Heritage Area; and

20 (ii) related to the themes of the Herit-
21 age Area; and

22 (G) installing throughout the Heritage
23 Area clear, consistent, and appropriate signs
24 identifying public access points and sites of in-
25 terest;

1 (3) consider the interests of diverse units of
2 government, Tribes, businesses, tourism officials,
3 private property owners, and nonprofit groups within
4 the Heritage Area in developing and implementing
5 the management plan;

6 (4) conduct public meetings at least semiannu-
7 ally regarding the development and implementation
8 of the management plan; and

9 (5) for any fiscal year for which Federal funds
10 provided for National Heritage Areas are expended
11 for the Heritage Area—

12 (A) submit to the Secretary an annual re-
13 port that describes—

14 (i) the accomplishments of the local
15 coordinating entity;

16 (ii) the expenses and income of the
17 local coordinating entity; and

18 (iii) the entities to which the local co-
19 ordinating entity made any grants;

20 (B) make available for audit all records re-
21 lating to the expenditure of the Federal funds
22 and any matching funds; and

23 (C) require, with respect to all agreements
24 authorizing the expenditure of Federal funds by
25 other organizations, that the receiving organiza-

1 tions make available for audit all records relat-
2 ing to the expenditure of the Federal funds.

3 (d) PROHIBITION ON ACQUISITION OF REAL PROP-
4 ERTY.—

5 (1) IN GENERAL.—The local coordinating entity
6 shall not use Federal funds provided for National
7 Heritage Areas to acquire real property or any inter-
8 est in real property.

9 (2) OTHER SOURCES.—Nothing in this title
10 precludes the local coordinating entity from using
11 funds from other sources for authorized purposes,
12 including the acquisition of real property or any in-
13 terest in real property.

14 (e) DELEGATION.—

15 (1) IN GENERAL.—The Council may delegate
16 the responsibilities and actions under this section for
17 each area identified in section 404(b)(1).

18 (2) REVIEW.—All delegated responsibilities and
19 actions are subject to review and approval by the
20 Council.

21 **SEC. 406. MANAGEMENT PLAN.**

22 (a) IN GENERAL.—Not later than 3 years after the
23 date on which funds are first made available to carry out
24 this title, the local coordinating entity shall prepare and

1 submit to the Secretary a management plan for the Herit-
2 age Area.

3 (b) CONTENTS.—The management plan for the Her-
4 itage Area shall—

5 (1) include comprehensive policies, strategies,
6 and recommendations for the conservation, funding,
7 management, and development of the Heritage Area;

8 (2) include a description of actions and commit-
9 ments that governments, private organizations, and
10 citizens will take to protect, enhance, and interpret
11 the natural, historic, cultural, scenic, Tribal, edu-
12 cational, and recreational resources of the Heritage
13 Area;

14 (3) describe a program of implementation for
15 the management plan that includes—

16 (A) performance goals and ongoing per-
17 formance evaluation;

18 (B) plans for resource protection, enhance-
19 ment and interpretation; and

20 (C) specific commitments for implementa-
21 tion that have been made by the local coordi-
22 nating entity or any government, Tribe, organi-
23 zation, business or individual;

24 (4) include an interpretative plan for the Herit-
25 age Area;

1 (5) take into consideration existing State, coun-
2 ty, local, and Tribal plans;

3 (6) specify the existing and potential sources of
4 funding to protect, manage, and develop the Herit-
5 age Area;

6 (7) include an inventory of the natural, historic,
7 cultural, scenic, Tribal, educational, and recreational
8 resources of the Heritage Area relating to the
9 themes of the Heritage Area that should be pre-
10 served, restored, managed, developed, or maintained;
11 and

12 (8) include an analysis of, and recommenda-
13 tions for, ways in which Federal, State, local, and
14 Tribal government programs, may best be coordi-
15 nated to further the purposes of this title, including
16 recommendations for the role of the National Park
17 Service in the Heritage Area.

18 (c) APPROVAL AND DISAPPROVAL OF MANAGEMENT
19 PLAN.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date on which the local coordinating entity
22 submits the management plan to the Secretary, the
23 Secretary, in consultation with the States, affected
24 counties, and Tribal governments, shall approve or
25 disapprove the proposed management plan.

1 (2) CONSIDERATIONS.—In determining whether
2 to approve or disapprove the management plan, the
3 Secretary shall consider whether—

4 (A) the local coordinating entity is rep-
5 resentative of the diverse interests of the Herit-
6 age Area, including governments, natural and
7 historic resource preservation organizations,
8 Tribes, educational institutions, businesses, and
9 recreational organizations;

10 (B) the local coordinating entity has pro-
11 vided adequate opportunities (including public
12 meetings) for public, Tribal, and governmental
13 involvement in the preparation of the manage-
14 ment plan;

15 (C) the resource protection and interpreta-
16 tion strategies contained in the management
17 plan, if implemented, would adequately protect
18 the natural, historic, Tribal, cultural, and rec-
19 reational resources of the Heritage Area; and

20 (D) the management plan is supported by
21 the appropriate State, local, and Tribal offi-
22 cials, the cooperation of which is needed to en-
23 sure the effective implementation of the State,
24 local, and Tribal aspects of the management
25 plan.

1 (3) DISAPPROVAL AND REVISIONS.—

2 (A) IN GENERAL.—If the Secretary dis-
3 approves a proposed management plan, the Sec-
4 retary shall—

5 (i) advise the local coordinating entity,
6 in writing, of the reasons for the dis-
7 approval; and

8 (ii) make recommendations for revi-
9 sion of the proposed management plan.

10 (B) APPROVAL OR DISAPPROVAL.—The
11 Secretary shall approve or disapprove a revised
12 management plan not later than 180 days after
13 the date on which the revised management plan
14 is submitted.

15 (d) APPROVAL OF AMENDMENTS.—The Secretary
16 shall review and approve or disapprove substantial amend-
17 ments to the management plan in accordance with sub-
18 section (c).

19 **SEC. 407. RELATIONSHIP TO TRIBAL GOVERNMENTS.**

20 Nothing in this title shall construe, define, waive
21 limit, or affect any rights of any federally recognized In-
22 dian Tribe and Federal trust responsibility.

1 **SEC. 408. RELATIONSHIP TO OTHER FEDERAL AGENCIES.**

2 (a) IN GENERAL.—Nothing in this title affects the
3 authority of a Federal agency to provide technical or fi-
4 nancial assistance under any other law.

5 (b) CONSULTATION AND COORDINATION.—The head
6 of any Federal agency planning to conduct activities that
7 may have an impact on the Heritage Area is encouraged
8 to consult and coordinate the activities with the Secretary
9 and the local coordinating entity to the extent practicable.

10 (c) OTHER FEDERAL AGENCIES.—Nothing in this
11 title—

12 (1) modifies, alters, or amends any law or regu-
13 lation authorizing a Federal agency to manage Fed-
14 eral land under the jurisdiction of the Federal agen-
15 cy;

16 (2) limits the discretion of a Federal land man-
17 ager to implement an approved land use plan within
18 the boundaries of the Heritage Area; or

19 (3) modifies, alters, or amends any authorized
20 use of Federal land under the jurisdiction of a Fed-
21 eral agency.

22 **SEC. 409. PRIVATE PROPERTY AND REGULATORY PROTEC-**
23 **TIONS.**

24 Nothing in this title—

25 (1) abridges the rights of any property owner
26 (whether public or private), including the right to re-

1 frain from participating in any plan, project, pro-
2 gram, or activity conducted within the Heritage
3 Area;

4 (2) requires any property owner to permit pub-
5 lic access (including access by Federal, State, or
6 local agencies) to the property of the property
7 owner, or to modify public access or use of property
8 of the property owner under any other Federal,
9 State, or local law;

10 (3) alters any duly adopted land use regulation,
11 approved land use plan, or other regulatory author-
12 ity of any Federal, State, Tribal or local agency, or
13 conveys any land use or other regulatory authority
14 to the local coordinating entity;

15 (4) authorizes or implies the reservation or ap-
16 propriation of water or water rights;

17 (5) affects the licensing or relicensing of facili-
18 ties by the Federal Energy Regulatory Commission
19 within the proposed Heritage Area;

20 (6) diminishes the authority of the States to
21 manage fish and wildlife, including the regulation of
22 fishing and hunting within the Heritage Area or the
23 authority of Tribes to regulate their members with
24 respect to such matters in the exercise of Tribal
25 treaty rights; or

1 (7) creates any liability, or affects any liability
2 under any other law, of any private property owner
3 with respect to any person injured on the private
4 property.

5 **SEC. 410. EVALUATION; REPORT.**

6 (a) IN GENERAL.—Not later than 3 years before the
7 date specified under section 411, the Secretary shall—

8 (1) conduct an evaluation of the accomplish-
9 ments of the Heritage Area; and

10 (2) prepare a report in accordance with sub-
11 section (c).

12 (b) EVALUATION.—An evaluation conducted under
13 subsection (a)(1) shall—

14 (1) assess the progress of the local coordinating
15 entity with respect to—

16 (A) accomplishing the purposes of this title
17 for the Heritage Area; and

18 (B) achieving the goals and objectives of
19 the approved management plan for the Heritage
20 Area;

21 (2) analyze the Federal, State, local, Tribal,
22 and private investments in the Heritage Area to de-
23 termine the leverage and impact of the investments;
24 and

1 (3) review the management structure, partner-
2 ship relationships, and funding of the Heritage Area
3 for purposes of identifying the critical components
4 for sustainability of the Heritage Area.

5 (c) REPORT.—

6 (1) IN GENERAL.—Based on the evaluation con-
7 ducted under subsection (a)(1), the Secretary shall
8 prepare a report that includes recommendations for
9 the future role of the National Park Service, if any,
10 with respect to the Heritage Area.

11 (2) SUBMISSION TO CONGRESS.—On completion
12 of the report, the Secretary shall submit the report
13 to—

14 (A) the Committee on Energy and Natural
15 Resources of the Senate; and

16 (B) the Committee on Natural Resources
17 of the House of Representatives.

18 **SEC. 411. TERMINATION OF AUTHORITY.**

19 The authority of the Secretary to provide assistance
20 under this title terminates on the date that is 15 years
21 after the date of enactment of this title.

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