DRAFT

This document is not a proposal, nor is it intended to represent a finished product. It is a working document and includes language from the Washington County Land Use Bill and ideas and issues that have been identified in public meetings, subcommittee meetings and field trips conducted by the Emery County Public Lands Council.

EMERY COUNTY PUBLIC LAND MANAGEMENT ACT

Of 2011

SEC. xxxx. DEFINITIONS.

In this subtitle:

SEC. XXXX SAN RAFAEL SWELL, WESTERN HERITAGE AND HISTORIC MINING NATIONAL CONSERVATION AREA.

(a) Establishment- Subject to valid existing rights, there is established in the State the San Rafael Swell, Western Heritage and Historic Mining National Conservation Area.

The 664,885-acre conservation area highlights and encompasses unique geologic features; the San Rafael Swell, the associated San Rafael River, and spectacular landscapes associated with the Wild Horse Mesa area. The Swell is a 60 mile long and 30 mile wide uplifted area in the heart of the Colorado Plateau. The resulting geologic formations consist of slot canyons, exposed mesas and buttes, mineral deposits and unique geologic formations, and the ecosystem hosts a rich array of plant communities and wildlife. The Wild Horse Mesa area is known for its "lunar" landscapes, unique "goblin" like formations and proximity to nearby slot canyons and Goblin Valley State Park. Users enjoy activities such as Off-Highway vehicle (OHV) travel on designated routes, livestock grazing, hiking, rock climbing, rock hounding, horseback riding, dispersed and primitive camping, wildlife viewing and visitation of historic mining, Cold War (link to 111-11) and ranching sites and related activities. A highlight of the area is the Wedge overlook, a significant view area of the

San Rafael River and the deep Canyon it has carved. The Cleveland-Lloyd Dinosaur Quarry contains the greatest accumulation of Jurassic dinosaur bones in the world. Since the 1920s, paleontologists have collected more than 12,000 fossil bones at the quarry. The deposit is also the largest collection of a large meat-eating dinosaur (*allosaurus fragilis*) ever found. There are more museums around the world with material from Cleveland-Lloyd than any other dinosaur quarry. Historic uses in the NCA include uranium, copper, and clay mining as well as grazing and related ranching activities, including saddle and pack stock use. The area features significant archaeological sites, scenic vistas, important wildlife habitat, and is to be managed to allow opportunities for primitive, mechanized and motorized recreation as well as dispersed and managed camping. Identification, interpretation and maintenance, protection and preservation of, and visitation to key historical sites are also important components of the conservation area. Protection and preservation of the natural heritage aspects within the NCA is accomplished through Wilderness and Wild and Scenic Rivers designations, subsections xxx and xxx.

(b) Purpose- The purpose of this section is to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the scenic, wildlife, recreational (including motorized, mechanized, and primitive), cultural, historical, natural heritage, and educational resources of the San Rafael Swell, Western Heritage and Historic Mining National Conservation Area.

(a) Definitions- In this section:

(1) MANAGEMENT PLAN- The term `management plan' means the management plan for the National Conservation Area developed by the Secretary and the Advisory Council under subsection (d)(1).

(2) NATIONAL CONSERVATION AREA- The term `National Conservation Area' means the San Rafael Swell, Western Heritage and Historic Mining National Conservation Area that--

(A) consists of approximately 664,885 acres of public land in Emery County, Utah as generally depicted on the San Rafael Swell, Western Heritage and Historic Mining National Conservation Area Map; and

(B) is established by subsection (a).

(b) Management Plan-

(1) IN GENERAL- Not later than 3 years after the date of enactment of this Act and in accordance with paragraph (2), the Secretary and the Advisory Council established by this act shall develop a comprehensive plan for the long-term management of the National Conservation Area.

(2) CONSULTATION- In developing the management plan required under paragraph (1), the Secretary shall consult with--

(A) appropriate State, tribal, and local governmental entities; and

(B) members of the public.

(3) MOTORIZED VEHICLES- In developing the management plan required under paragraph (1), the Secretary shall incorporate the restrictions on motorized vehicles described in subsection (e)(3).

(c) Management-

(B) IN GENERAL- The Secretary shall manage the National Conservation Area in a manner that conserves, protects, and enhances the resources of the National Conservation Area; and in accordance with--

(i) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(ii) this section; and

(iii) any other applicable law (including regulations).

(2) USES- The Secretary shall only allow uses of the National Conservation Area that the Secretary determines would further the purpose described in subsection (a).

(3) MOTORIZED VEHICLES-

(A) IN GENERAL- Except in cases in which motorized vehicles are needed for administrative purposes, or to respond to an emergency, the use of motorized vehicles in the National Conservation Area shall be permitted only on roads and trails designated by the Emery County Public Land Management Act, 2011.

(4)GRAZING- The grazing of livestock in the National Conservation Area, where established before the date of enactment of this Act, shall be permitted to continue--

(B) subject to--

(i) such reasonable regulations, policies, and practices as the Secretary considers necessary for effective livestock grazing management and administration of the area; and

(ii) applicable law (including regulations); and

(C) in a manner consistent with the purpose described in subsection (a), and the Congressional Guidelines, policy and fundamental philosophy established by H. Rept. 101-405 Appendix A.

(5) COLD WAR SITES – Insert info from 111-11.

(5) WILDLAND FIRE OPERATIONS- Nothing in this section prohibits the Secretary, in cooperation with other Federal, State, and local agencies, as appropriate, from conducting wildland fire operations in the National Conservation Area, consistent with the purposes of this section.

(f) Incorporation of Acquired Land and Interests- Any land or interest in land that is located in the National Conservation Area that is acquired by the United

States shall--

(1) become part of the National Conservation Area; and

(2) be managed in accordance with--

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(B) this section; and

(C) any other applicable law (including regulations).

(g) Withdrawal-

(1) IN GENERAL- Subject to valid existing rights, all Federal land located in the National Conservation Area is withdrawn from--

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

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

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

(2) ADDITIONAL LAND- If the Secretary acquires additional land that is located in the 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.

SEC. XXXX. SAN RAFAEL SWELL, WESTERN HERITAGE AND HISTORIC MINING NATIONAL CONSERVATION AREA ADVISORY COUNCIL.

(a) Establishment- Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall establish an advisory council, to be known as the `San Rafael Swell, Western Heritage and Historic Mining National Conservation Area Advisory Council'.

(b) Duties- The Council shall advise the Secretary with respect to the preparation and implementation of the management plan for the long-term protection and management of the conservation area required by section XXXX.

(c) Applicable Law- The Council shall be subject to--

(1) the Federal Advisory Committee Act (5 U.S.C. App.); and

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(d) Members-

(1) IN GENERAL- The Council shall include 9 members to be appointed by the Secretary, of whom, to the extent practicable--

(A) three members shall be appointed after considering the recommendations of the Emery County Commission;

(B) three members shall be appointed after considering the recommendations of the State of Utah;

(C) three members shall be appointed after considering the

recommendations of the Bureau of Land Management, Utah State Office;

(2) SPECIAL APPOINTMENT CONSIDERATIONS- The at-large members appointed under paragraph (1) must have backgrounds that reflect--

(D) the purposes for which the conservation area was established; and

(E) the interests of persons affected by the planning and management of the conservation area.

(3) REPRESENTATION- The Secretary shall ensure that the membership of the Council is fairly balanced in terms of the points of view represented and the functions to be performed by the Council.

SEC. XXXX. WILDERNESS AREAS.

(a) Additions to National Wilderness Preservation System-

(1) IN GENERAL-

(A) Within wilderness areas in certain Federal land managed by the Department of the Interior, Bureau of Land Management and the Department of Agriculture, United States Forest Service designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial; and (2) the grazing of livestock, where established prior to the effective date of this Act, shall be permitted to continue subject to such reasonable regulations as are deemed necessary by the Secretary of Agriculture.

(B) In accordance with the Wilderness Act (16 U.S.C. 1133(c)) and subject to such terms and conditions as the Secretary may prescribe, and except as otherwise provided in this Act, use of aircraft to land or drop people or materials is prohibited within wilderness established by this Act, with the exception of agency-approved administrative use or emergency search-and-rescue operations involving the health and safety of persons within the area.

(2) ADDITIONS- Subject to valid existing rights, the following land in

the State is designated as wilderness and as components of the National Wilderness Preservation System:

Bureau of Land Management Lands

(A) CRACK CANYON- Certain Federal land managed by the Bureau of Land Management, comprising approximately 26,606 acres, as generally depicted on the Crack Canyon Wilderness Map, which shall be known as the `Crack Canyon Wilderness'.

(B) DESOLATION CANYON- Certain Federal land managed by the Bureau of Land Management, comprising approximately 177,645 acres, as generally depicted on the Desolation Canyon Wilderness Map, which shall be known as the `Desolation Canyon Wilderness'.

(C) DEVIL'S CANYON- Certain Federal land managed by the Bureau of Land Management, comprising approximately 8,660 acres, as generally depicted on the Devil's Canyon Wilderness Map, which shall be known as the `Devil's Canyon Wilderness'.

(E) HORSESHOE CANYON (NORTH)- Certain Federal land managed by the Bureau of Land Management, comprising approximately 27,804 acres, as generally depicted on the Horseshoe Canyon (North) Wilderness Map, which shall be known as the `Horseshoe Canyon (North) Wilderness'.

(F) MEXICAN MOUNTAIN- Certain Federal land managed by the Bureau of Land Management, comprising approximately 64,117 acres, as generally depicted on the Mexican Mountain Wilderness Map, which shall be known as the `Mexican Mountain Wilderness'.

(G) MUDDY CREEK- Certain Federal land managed by the Bureau of Land Management, comprising approximately 30,886 acres, as generally depicted on the Muddy Creek Wilderness Map, which shall be known as the `Muddy Creek Wilderness'.

(I) SAN RAFAEL REEF- Certain Federal land managed by the Bureau of Land Management, comprising approximately 59,884 acres, as generally depicted on the San Rafael Reef Wilderness Map, which shall be known as the `San Rafael Reef Wilderness'.

(J) SID'S MOUNTAIN- Certain Federal land managed by the Bureau of Land Management, comprising approximately 74,522 acres, as generally depicted on the Sid's Mountain Wilderness Map, which shall be known as the `Sid's Mountain Wilderness'.

Forest Service Lands

(A) Nelson Mountain

(B) Candland Mountain

(2) MAPS AND LEGAL DESCRIPTIONS-

(A) IN GENERAL- As soon as practicable after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a map and legal description of each wilderness area designated by paragraph (1).

(B) FORCE AND EFFECT- Each map and legal description submitted under subparagraph (A) shall have the same force and effect as if included in this subtitle, except that the Secretary may correct any clerical or typographical errors in the map or legal description.

(C) AVAILABILITY- Each map and legal description submitted under subparagraph (A) shall be available in the appropriate offices of--

(i) the Bureau of Land Management; and

(ii) the Forest Service.

(b) Administration of Wilderness Areas-

(1) MANAGEMENT- Subject to valid existing rights, each area designated as wilderness by subsection (a)(1) shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that--

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

(B) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary who has jurisdiction over the land.

(2) LIVESTOCK- The grazing of livestock, its management, and the maintenance of existing facilities related to grazing in each area designated as wilderness by subsection (a)(1), where established before the date of enactment of this Act, shall be permitted to continue--

(A) subject to such reasonable regulations, policies, and practices that the Secretary considers necessary for effective livestock grazing management and administration of the area; and

(B) in accordance with--

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

(ii) the Congressional Grazing Guidelines set forth in House Report 101-405 Appendix A;

(iii) the Taylor Grazing Act (43 USC 315);

(iv) 2008 Approved BLM Price Resource Management Plan;

(v) Identify appropriate FS doc(s).

(C) Provided, however, that the designation of these areas as

wilderness shall not:

(i) interfere with the construction of additional fencing authorized by the grazing allotment management plan for the area;

(ii) be cause to require reductions in existing potential animal unit months under the applicable grazing allotment management plan for the area;

(iii) preclude the use of motorized access to maintain fences, ponds, troughs, springs, etc. in accordance with allotment management plans, and grazing permits, as established prior to enactment of this Act;

(iv) preclude the use of motorized vehicles to maintain, or retrieve wounded, crippled, sick or restricted animals.

INVENTORY – Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct an inventory of existing facilities and improvements associated with grazing activities in the wilderness areas and wild and scenic rivers designated by this subtitle. Said inventory shall be conducted with the participation of affected grazing permitees and shall include the review and updating of relevant allotment management plans and grazing permit information.

WILDFIRE, INSECT, AND DISEASE MANAGEMENT- In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)); and House Report 98-40 of the 98th Congress, the Secretary may prescribe such measures in each area designated as wilderness by subsection (a)(1) as the Secretary determines to be necessary for the control of fire, noxious weeds, non-native invasive plants, insects, and diseases (including, as the Secretary determines to be appropriate, the coordination of those activities with a State or local agency). The Secretary is authorized to use the full spectrum of management tools including prescribed fire and silvicultural treatments to benefit fish and wildlife habitat, to improve livestock grazing management and to otherwise accomplish the purposes of Subtitle (3). The Secretary may require restoration concurrent with or as soon as practicable upon completion of such measures.

(4) ADJACENT MANAGEMENT-

(A) IN GENERAL- Nothing in this section creates a protective perimeter or buffer zone around any area designated as wilderness by subsection (a)(1).

(B)ACTIVITIES OUTSIDE WILDERNESS- The fact that an activity or use on land outside any area designated as wilderness by subsection (a)(1) can be seen or heard within the wilderness shall not preclude the activity or use outside the boundary of the wilderness.

CHERRY-STEMMED ROADS.—(1) DEFINITION.—In this subsection, the term ''cherry-stemmed road'' means a road that is excluded from the wilderness areas designated by subsection (a)(1) by a non-wilderness corridor having designated wilderness on both sides, as generally depicted on the maps described in such section. (2) CLOSURES AND RESTRICTIONS.—The Secretary shall not— (A) close any cherry-stemmed road that is open to the public as of the date of the enactment of this Act; (B) prohibit motorized access on a cherry-stemmed road that is open to the public for motorized access as of the date of the enactment of this Act; or (C) prohibit mechanized access on a cherry-stemmed road that is open to the public for mechanized access as of the date of the enactment of this Act. (3) EXCEPTIONS.—Nothing in this subsection shall be construed as precluding the Secretary from temporarily closing or restricting access to a cherry-stemmed road for purposes of significant resource protection or public safety. Provided, however, that if the closure becomes permanent, or the length of the temporary closure impairs established access and use normally provided by the cherry-stemmed road, the secretary shall establish alternate access, equivalent to that provided by the cherry-stemmed road.

(5) MILITARY OVERFLIGHTS- Nothing in this section restricts or precludes--

(A) low-level overflights of military aircraft over any area designated as wilderness by subsection (a)(1), including military overflights that can be seen or heard within any wilderness area;

(B) flight testing and evaluation; or

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

(6) ACQUISITION AND INCORPORATION OF LAND AND INTERESTS IN LAND-

(A) ACQUISITION AUTHORITY- In accordance with applicable laws (including regulations), the Secretary may acquire any land or interest in land within the boundaries of the wilderness areas designated by subsection (a)(1) by purchase from willing sellers, donation, or exchange.

(B) INCORPORATION- Any land or interest in land acquired by the Secretary under subparagraph (A) shall be incorporated into, and administered as a part of, the wilderness area in which the land or interest in land is located.

(7) NATIVE AMERICAN CULTURAL AND RELIGIOUS USES-Nothing in this section diminishes--

(A) the rights of any Indian tribe; or

(B) any tribal rights regarding access to Federal land for tribal activities, including spiritual, cultural, and traditional food-gathering activities.

(8) CLIMATOLOGICAL DATA COLLECTION- In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to such terms and conditions as the

Secretary may prescribe, the Secretary may authorize the installation and maintenance of hydrologic (including stream gauges), meteorological, or climatological data collection devices or telecommunications facilities, or any combination of the foregoing, or limited motorized access in the wilderness areas designated by subsection (a)(1) if the Secretary determines that the facilities and access to the facilities are essential to flood warning, flood control, or water reservoir operation activities, or to further the scientific, educational, and conservation purposes of the wilderness areas designated by this Act.

(9) WATER RIGHTS-

(A) STATUTORY CONSTRUCTION- Nothing in this section-

(i) shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the land designated as wilderness by subsection (a)(1);

(ii) shall affect any water rights in the State existing on the date of enactment of this Act, including any water rights held by the United States;

(iii) shall be construed as establishing a precedent with regard to water rights and any future wilderness designations;

(iv) shall affect the interpretation of, or any designation made pursuant to, any other Act; or

(v) shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State and other States.

(B) STATE WATER LAW- The Secretary shall follow the procedural and substantive requirements of the law of the State in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the wilderness areas designated by subsection (a)(1).

(10) FISH AND WILDLIFE-

(A) JURISDICTION OF STATE- Utah Code Title 23, Wildlife Resources Code of Utah, declares wildlife the property of the state and authorizes and directs the Utah Division of Wildlife Resources for its management. Nothing in this section affects the jurisdiction of the State with respect to fish and wildlife management on public land located in the State, in accordance with U.C. Title 23.

(B) AUTHORITY OF SECRETARY- In furtherance of the purposes and principles of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may carry out management activities to maintain or restore fish and wildlife populations (including activities to maintain and restore fish and wildlife habitats to support the populations) in any wilderness area designated by subsection (a)(1) if the activities are--

(i) consistent with applicable wilderness management plans; and

(ii) carried out in accordance with--

(I) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(II) applicable guidelines and policies, including applicable policies described in Appendix B of House Report 101-405.

INCLUSIONS-Management activities under (B) may include the occasional and temporary use of motorized vehicles, if the use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values while causing the minimum impact necessary to accomplish those tasks. The Secretary is authorized to use the full spectrum of management tools including prescribed fire and silvicultural treatments to benefit fish and wildlife habitat, livestock grazing management, and to otherwise accomplish the purposes of Subtitle (3). The Secretary may require restoration concurrent with or as soon as practicable upon completion of such measures.

EXISTING ACTIVITIES-Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) and in accordance with appropriate policies, including those established in Appendix B of House Report 101-405, the State may use aircraft (including the landing of helicopters) in the wilderness areas designated by this Act to survey, capture, transplant, monitor and maintain, and provide water for wildlife populations and species, including bighorn sheep.

(11) WILDLIFE WATER DEVELOPMENT PROJECTS- Subject to paragraph (12), the Secretary may authorize structures and facilities, including existing structures and facilities, for wildlife and livestock water development projects, including guzzlers, in the wilderness areas designated by subsection (a)(1) if--

(A) the structures and facilities will, as determined by the Secretary, enhance wilderness values by promoting healthy, viable, and more naturally distributed wildlife populations; and

(B) the visual impacts of the structures and facilities on the wilderness areas can reasonably be minimized.

(12) COOPERATIVE AGREEMENT- Not later than 1 year after the date of enactment of this Act, the Secretary shall enter into a cooperative agreement with the State that specifies the terms and conditions under which wildlife management activities in the wilderness areas designated by subsection (a)(1) may be carried out.

RELEASE OF LANDS FOR NON-WILDERNESS USES FINDING-
Congress finds that -

(1) for the purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the public lands administered by the Bureau of Land Management in the County have been adequately inventoried, reviewed and evaluated for consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System;

(2) for the purposes of sections 102, 103, 201, 202, and 302 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701, 1702, 1711, 1712, 1732), the public lands administered by the Bureau of Land Management in

the County have been adequately inventoried, reviewed and evaluated for wilderness characteristics and consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System;

(3) with respect to the public lands administered by the Bureau of Land Management in the County which were inventoried, reviewed and evaluated in the Price Field Office Record of Decision and Approved Resource Management Plan (October 2008) and not found suitable for inclusion in the National Wilderness Preservation System and which are not designated wilderness upon enactment of this Act shall be managed for multiple use in accordance with resource management plans pursuant to section 202 of the Federal Land Policy and Management Act (43 U.S.C. 1712): *Provided,* That only such lands identified in the Price Field Office Record of Decision and Approved Resource Management Plan (October 2008) as Non-WSA Land with Wilderness Characteristics, or BLM natural areas, specifically Hondu Country, Mexican Mountain, Muddy Creek-Crack Canyon, San Rafael Reef, Wild Horse Mesa need be managed for the purpose of protecting their wilderness characteristics prior to or during revision of the approved resource management plan only until enactment of this Act;

(4) unless expressly authorized by Congress, the Department of the Interior shall not conduct any further review and evaluation of the public lands administered by the Bureau of Land Management in the County for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System or for wilderness characteristics.

Communication Sites- create ability to develop communication sites, especially along I-70 corridor.

Utility Corridors- add utility corridor following eastern end of Emery County Road #401.

SEC. XXXX. EMERY COUNTY COMPREHENSIVE TRAVEL AND TRANSPORTATION MANAGEMENT PLAN.

The Emery County Transportation system shall consist of the following and is consistent with the attached map.

- **Federal Interstate System Freeways.**
  Utah Department of Transportation Highways.
  Bureau of Land Management (BLM) system roads, including Elliot Mt. Rd.
  BLM designated motorized routes as identified in the Price Field Office Resource Management Plan (RMP) of 2008.
  Manti-LaSal National Forest (MLNF) forest roads.
  MLNF motorized trails.
  City and County Class A, B and D roads.
  Emery County motorized trails.

Federal, state and county designated non-motorized trails.

Roads and routes which provide access to dispersed camp sites.

Huntington Airport, Green River Airport, Cedar Mountain Backcountry Airstrip, Hidden Splendor Backcountry Airstrip, Mexican Mountain Backcountry Airstrip.

All Existing Routes east of SR-6 and east of SR-24.

Future OHV Route From Carbon County Line to Quitchumpah, West of Communities.

June's Bottom Road

Seasonal OHV Route From Hidden Splendor Mine Airstrip Along Muddy Creek to EM 1013.

Mexican Mountain Road to River.

Sid's Leap Road to end of road.

The Green River

TRAIL PLAN.—IN GENERAL-The Secretary, in consultation with interested parties, and after providing opportunities for public comment, in a manner consistent with the Emery County comprehensive travel and transportation management plan, shall develop a trail plan to provide— (1) in a manner consistent with the Wilderness Act (16 U.S.C. 1131 et seq.), hiking and equestrian trails in the wilderness areas designated by this Act; (2) nonmotorized and motorized recreation trails in the conservation area; (3) enhanced recreation trail opportunities, including a West-Side Multiple-User Community-Connector Trail System, on lands not designated wilderness or National Conservation Areas by this Act.

WEST-SIDE MULTIPLE-USER COMMUNITY-CONNECTOR TRAIL SYSTEM DEFINED- For the purposes of this subsection, the term "West-Side Multiple-User Community-Connector Trail System" means…….

REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the implementation of the plan required under subsection (?), including the identification of priority trails for development.

SEC. XXXX. Road Setbacks

Road corridors within the National Conservation Area and setbacks of wilderness boundaries from roads will be measured from the center line of the road.

Setbacks along federal and state highways will be at the boundary of the right-of-way (ROW) or the property boundary or a minimum of 300 feet from center line, whichever is greater.

Setbacks from other paved roads or high standard dirt or gravel road will be at the ROW boundary, property boundary or 100 feet from center line, whichever is greater.

Setbacks from low standard dirt roads and designated routes will be at the ROW boundary, property boundary or 40 feet from center line.

NCA road corridors and wilderness boundary setbacks will be expanded at strategic locations to provide trailhead access, staging locations and dispersed camping for the protection of NCA and wilderness values.

SEC. XXXX RECREATION

Manage recreation consistent with the PFO RMP and the (identify and reference the appropriate FS doc(s).

MECHANIZED RECREATION: Mechanized recreation activity on routes designated for this purpose will not require permitting.

DISPERSED CAMPING: Allow dispersed camping throughout the PFO without permit, unless otherwise designated by the BLM. Determine and designate areas for dispersed camping and associated access routes with the cooperation of the county.

HORSEBACK RIDING.— Traditional recreational saddle and pack stock use is recognized as an appropriate and historical use of wilderness. Nothing in this ~~subtitle~~ Act precludes horseback riding in, or the entry of recreational or commercial saddle or pack stock into, an area designated as wilderness by this subtitle—

(1) in accordance with the Wilderness Act and

(2) in accordance with House Report 95-540 of P.L. 95-237, 1978 and using the minimum tool necessary to enhance wilderness character where appropriate and/or necessary

(3) subject to any terms and conditions determined to be necessary by the Secretary for the effective administration of the area.

Establish and maintain a trail system and associated trailhead structures to a sufficient standard to accommodate historical saddle and pack stock.

OUTFITTING AND GUIDE ACTIVITIES.—Consistent with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)), commercial services (including authorized outfitting and guide activities) are authorized in wilderness areas designated by this subtitle to the extent necessary for activities that fulfill the recreational or other wilderness purposes of the areas.

CASUAL COLLECTING.—The term ‘‘casual collecting’’ includes rock hounding and hobby collecting and means the collecting of a reasonable amount of common invertebrate and plant paleontological resources and rocks and minerals for non-commercial personal use, either by surface collection or the use of nonpowered hand tools resulting in only negligible disturbance to the Earth’s surface and other resources. As used in this paragraph, the terms ‘‘reasonable amount’’, ‘‘common invertebrate and plant paleontological resources’’ and ‘‘negligible disturbance’’ shall be determined by the Secretary.
Casual collecting is allowed in the NCA and wilderness areas designated by this Act if it is compatible with the purposes of the NCA and wilderness preservation,

and if the activity conforms with the applicable NCA Management Plan or Wilderness Management Plan, or the collector has an authorization from the Secretary.

SEC. XXXX. LAND DISPOSAL AND ACQUISITION.

Identify land desired by cities for open OHV areas and other uses here?

(a) In General- Consistent with applicable law, the Secretary of the Interior may sell public land located within Emery County, Utah, that, as of mm/dd/yyyy, has been identified for disposal in appropriate resource management plans.

(b) Use of Proceeds-

(1) IN GENERAL- Notwithstanding any other provision of law (other than a law that specifically provides for a portion of the proceeds of a land sale to be distributed to any trust fund of the State), proceeds from the sale of public land under subsection

(a) shall be deposited in a separate account in the Treasury to be known as the `Emery County, Utah Land Acquisition Account'.

(2) AVAILABILITY-

(A) IN GENERAL- Amounts in the account shall be available to the Secretary, without further appropriation, to purchase from willing sellers lands or interests in land within the wilderness areas and National Conservation Areas established by this subtitle.

(B) APPLICABILITY- Any purchase of land or interest in land under subparagraph (A) shall be in accordance with applicable law.

SEC. XXXX. PUBLIC PURPOSE CONVEYANCES.

Identify areas near cities for open OHV areas here?

(a) In General- Notwithstanding the land use planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), upon the request of the appropriate local governmental entity, as described below, the Secretary shall convey the following parcels of public land without consideration, subject to the provisions of this section:

(1)
(2)
(3)
(4)
(5)

(b) Map and Legal Descriptions- As soon as practicable after the date of

enactment of this Act, the Secretary shall finalize legal descriptions of the parcels to be conveyed under this section. The Secretary may correct any minor errors in the map referenced in subsection (a) or in the applicable legal descriptions. The map and legal descriptions shall be on file and available for public inspection in the Price Field Office of the Bureau of Land Management.

(c) Reversion-

(1) IN GENERAL- If any parcel conveyed under this section ceases to be used for the public purpose for which the parcel was conveyed, as described in subsection (a), the land shall, at the discretion of the Secretary based on his determination of the best interests of the United States, revert to the United States.

(2) RESPONSIBILITY OF LOCAL GOVERNMENTAL ENTITY- If the Secretary determines pursuant to paragraph (1) that the land should revert to the United States, and if the Secretary determines that the land is contaminated with hazardous waste, the local governmental entity to which the land was conveyed shall be responsible for remediation of the contamination.

SEC. XXXX. SCHOOL AND INSTITUTIONAL TRUST LANDS ADMINISTRATION LANDS WITHIN DESIGATED WILDERNESS

SITLA lands within designated wilderness areas will be traded out for determined federal areas, in agreement with federal agencies. The land trade will be accomplished in a tandem piece of legislation. To the extent possible, federal land areas within Emery County will be considered for trade.

SEC. XXXX. WILD AND SCENIC RIVER DESIGNATION.

(a) Designation- Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as amended by section 1852) is amended by adding the following approximately 96 miles of segments of the Green River across Federal land within the boundary of Emery County, as generally depicted on the map entitled XXXXX and dated XXXXX, to be administered by the Secretary of the Interior in the following classifications and subject to the following specific management prescriptions consistent with the Price Field Office Resource Management Plan, 2008 :

Chandler Creek to Florence Creek (Desolation Canyon)
Scenic

- **Oil and gas leasing: Unavailable**
- **OHV category: Closed**
- **VRM designation: Class I**

Florence Creek to Nefertiti boat ramp (Desolation and Gray Canyons)
Wild
- **Oil and gas leasing: Unavailable**
- **OHV category: Closed**
- **VRM designation: Class I**

Nefertiti boat ramp to Swasey's Beach boat ramp
Recreational
- **Oil and gas leasing: Unavailable**
- **OHV category: Closed**
- **VRM designation: Class I**

Confluence with San Rafael River to Canyonlands National Park
Scenic
- **Oil and gas leasing: NSO**
- **OHV category: Limited to designated routes**

VRM designation: Class II

The prescriptions reflect the least restrictive level of management that is applied to the Approved 2008 Price RMP – Special Designations: Wild and Scenic Rivers entire segment, although more restrictive management may apply to portions of the segment due to overlap from other management prescriptions.

Unless expressly authorized by Congress, the Department of the Interior and the Department of Agriculture shall not conduct any further review and evaluation of the river segments crossing public lands administered by the Bureau of Land Management, or National Forest Lands in the County for the purpose of determining their eligibility and suitability for inclusion in the National Wild and Scenic Rivers System.