

113TH CONGRESS
2D SESSION

S. _____

To establish the Hurricane Sand Dunes National Recreation Area in the State of Utah, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. HATCH introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To establish the Hurricane Sand Dunes National Recreation Area in the State of Utah, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hurricane Sand Dunes
5 National Recreation Area Act of 2014”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) EXCHANGE PARCEL.—The term “exchange
9 parcel” means the approximately 1,200 acres of Bu-

1 reau of Land Management land identified on the
 2 map as “Exchange Parcel”.

3 (2) FEDERAL LAND.—The term “Federal land”
 4 means the approximately **【_____】** acres of
 5 Bureau of Land Management land identified on **【the**
 6 **map】** as **【_____】**.

7 (3) MAP.—The term “map” means the map
 8 prepared by the Bureau of Land Management enti-
 9 tled “Sand Hollow Exchange Effect on Open OHV
 10 Area” and dated July 9, 2014.

11 (4) NON-FEDERAL LAND.—The term “non-Fed-
 12 eral land” means the approximately **【_____】**
 13 acres of State land identified on **【the map】** as
 14 **【_____】**.

15 (5) RECREATION AREA.—The term “Recreation
 16 Area” means the Hurricane Sand Dunes National
 17 Recreation Area established by section 3(a).

18 (6) SECRETARY.—The term “Secretary” means
 19 the Secretary of the Interior.

20 (7) STATE.—The term “State” means the Stat
 21 of Utah.

22 **SEC. 3. HURRICANE SAND DUNES NATIONAL RECREATION**
 23 **AREA, UTAH.**

24 (a) DESIGNATION.—There is established in the State
 25 the Hurricane Sand Dunes National Recreation Area to

1 provide for the protection, preservation, and enhancement
2 of recreational, ecological, scenic, cultural, watershed, and
3 fish and wildlife values.

4 (b) BOUNDARY.—

5 (1) IN GENERAL.—The Recreation Area shall
6 consist of the approximately 21,760 acres of Bureau
7 of Land Management land in the State identified on
8 the map as “Open OHV Area”.

9 (2) EXCLUSION.—The exchange parcel shall be
10 excluded from the Recreation Area.

11 (c) ADMINISTRATION OF RECREATION AREA AND
12 EXCHANGE PARCEL.—The Secretary shall—

13 (1) administer the Recreation Area and ex-
14 change parcel in accordance with the applicable Fed-
15 eral laws (including regulations) and rules applicable
16 to the Bureau of Land Management; and

17 (2) only allow uses of the Recreation Area that
18 are consistent with the purposes described in sub-
19 section (a).

20 (d) FISH AND WILDLIFE.—Nothing in this section
21 affects the jurisdiction or responsibilities of the State with
22 respect to fish and wildlife in the State.

23 (e) ADJACENT MANAGEMENT.—Nothing in this sec-
24 tion creates any protective perimeter or buffer zone
25 around the Recreation Area.

1 (f) USE OF OFF-HIGHWAY VEHICLES.—The land de-
2 scribed in subsection (b)(1) shall remain open, in per-
3 petuity, to the use of off-highway vehicles.

4 **SEC. 4. EXCHANGE OF FEDERAL LAND AND NON-FEDERAL**
5 **LAND.**

6 (a) IN GENERAL.—If the State offers to convey to
7 the United States title to the non-Federal land, the Sec-
8 retary shall—

9 (1) accept the offer; and

10 (2) on receipt of all right, title, and interest in
11 and to the non-Federal land, convey to the State all
12 right, title, and interest of the United States in and
13 to the Federal land.

14 (b) VALID EXISTING RIGHTS.—The exchange author-
15 ized under subsection (a) shall be subject to valid existing
16 rights.

17 (c) TITLE APPROVAL.—Title to the Federal land and
18 non-Federal land to be exchanged under this section shall
19 be in a format acceptable to the Secretary and the State.

20 (d) APPRAISALS.—

21 (1) IN GENERAL.—The value of the Federal
22 land and the non-Federal land to be exchanged
23 under this section shall be determined by appraisals
24 conducted by 1 or more independent appraisers re-

1 tained by the State, with the consent of the Sec-
2 retary.

3 (2) APPLICABLE LAW.—The appraisals under
4 paragraph (1) shall be conducted in accordance with
5 nationally recognized appraisal standards, including,
6 as appropriate, the Uniform Appraisal Standards for
7 Federal Land Acquisitions.

8 (3) APPROVAL.—The appraisals conducted
9 under paragraph (1) shall be submitted to the Sec-
10 retary and the State for approval.

11 (e) EQUAL VALUE EXCHANGE.—

12 (1) IN GENERAL.—The value of the Federal
13 land and non-Federal land to be exchanged under
14 this section—

15 (A) shall be equal; or

16 (B) shall be made equal in accordance with
17 paragraph (2).

18 (2) EQUALIZATION.—

19 (A) SURPLUS OF FEDERAL LAND.—If the
20 value of the Federal land exceeds the value of
21 the non-Federal land, the value of the Federal
22 land and non-Federal land shall be equalized,
23 as determined to be appropriate and acceptable
24 by the Secretary and the State—

1 (i) by reducing the acreage of the
2 Federal land to be conveyed; or

3 (ii) by adding additional State land to
4 the non-Federal land to be conveyed.

5 (B) SURPLUS OF NON-FEDERAL LAND.—If
6 the value of the non-Federal land exceeds the
7 value of the Federal land, the value of the Fed-
8 eral land and non-Federal land shall be equal-
9 ized by reducing the acreage of the non-Federal
10 land to be conveyed, as determined to be appro-
11 priate and acceptable by the Secretary and the
12 State.

13 (f) STATUS AND MANAGEMENT OF NON-FEDERAL
14 LAND.—On conveyance to the Secretary, the non-Federal
15 land shall, in accordance with section 206(c) of the Fed-
16 eral Land Policy Act of 1976 (43 U.S.C. 1716(c)), be
17 added to, and administered by the Secretary as part of,
18 the **【Recreation Area.】**