

115TH CONGRESS  
1ST SESSION

# H. R. 1961

To provide for the conveyance of certain land to Washington County, Utah, to authorize the exchange of Federal land and non-Federal land in the State of Utah, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2017

Mr. STEWART introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To provide for the conveyance of certain land to Washington County, Utah, to authorize the exchange of Federal land and non-Federal land 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 “Southern Utah Open  
5       OHV Areas Act”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1           (1) COUNTY.—The term “County” means  
2 Washington County, Utah.

3           (2) FEDERAL LAND.—The term “Federal land”  
4 means land owned and managed by the Bureau of  
5 Land Management in the County that is identified  
6 on the map as “Federal Lands Proposed to Transfer  
7 to SITLA”.

8           (3) MAP.—The term “map” means the map  
9 prepared by the State of Utah School and Institu-  
10 tional Trust Lands Administration entitled “Sand  
11 Mountain Exchange Washington County, Utah” and  
12 dated June 19, 2015.

13           (4) NON-FEDERAL LAND.—The term “non-Fed-  
14 eral land” means the State land identified on the  
15 map as “SITLA Lands Proposed to Transfer to  
16 Federal”.

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

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

21 **SEC. 3. EXCHANGE OF FEDERAL LAND AND NON-FEDERAL**  
22 **LAND.**

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

1           (1) accept the offer; and

2           (2) on receipt of all right, title, and interest in  
3           and to the non-Federal land, convey to the State all  
4           right, title, and interest of the United States in and  
5           to the Federal land.

6           (b) VALID EXISTING RIGHTS.—The exchange author-  
7           ized under subsection (a) shall be subject to valid existing  
8           rights.

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

12          (d) APPRAISALS.—

13               (1) IN GENERAL.—The value of the Federal  
14               land and the non-Federal land to be exchanged  
15               under this section shall be determined by appraisals  
16               conducted by one or more independent appraisers re-  
17               tained by the State, with the consent of the Sec-  
18               retary.

19               (2) APPLICABLE LAW.—The appraisals under  
20               paragraph (1) shall be conducted in accordance with  
21               nationally recognized appraisal standards, including,  
22               as appropriate, the Uniform Appraisal Standards for  
23               Federal Land Acquisitions.

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

4           (4) REIMBURSEMENT OF STATE COSTS.—The  
5 Secretary shall reimburse the State in an amount  
6 equal to 50 percent of the costs incurred by the  
7 State in retaining independent appraisers under  
8 paragraph (1).

9           (e) EQUAL VALUE EXCHANGE.—

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

13                   (A) shall be equal; or

14                   (B) shall be made equal in accordance with  
15 paragraph (2).

16           (2) EQUALIZATION.—

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

23                           (i) by reducing the acreage of the  
24 Federal land to be conveyed;

1 (ii) by adding additional State land to  
2 the non-Federal land to be conveyed; or

3 (iii) by the State making a cash pay-  
4 ment to the United States.

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, as determined to be appropriate and ac-  
10 ceptable by the Secretary and the State—

11 (i) by reducing the acreage of the  
12 non-Federal land to be conveyed; or

13 (ii) by the United States making a  
14 cash payment to the State.

15 (f) USE OF NON-FEDERAL LAND.—On the convey-  
16 ance of the non-Federal land to the Secretary under this  
17 section, the non-Federal land shall be used only—

18 (1) as an open riding area for the use of off-  
19 highway vehicles; or

20 (2) for any other public purpose consistent with  
21 uses allowed under the Act of June 14, 1926 (com-  
22 monly known as the “Recreation and Public Pur-  
23 poses Act”) (43 U.S.C. 869 et seq.).

1 **SEC. 4. CONVEYANCE OF LAND TO WASHINGTON COUNTY,**  
2 **UTAH.**

3 (a) **IN GENERAL.**—As soon as practicable after noti-  
4 fication by the County and subject to valid existing rights,  
5 the Secretary shall convey to the County, without consid-  
6 eration, all right, title, and interest of the United States  
7 in and to the land described in subsection (b).

8 (b) **DESCRIPTION OF LAND.**—The land referred to in  
9 subsection (a) consists of the land managed by the Bureau  
10 of Land Management that is generally depicted on the  
11 map as “Hurricane Sand Dunes (NRA)”.

12 (c) **MAP AND LEGAL DESCRIPTION.**—

13 (1) **IN GENERAL.**—As soon as practicable after  
14 the date of enactment of this Act, the Secretary  
15 shall finalize the legal description of the land to be  
16 conveyed to the County under this section.

17 (2) **MINOR ERRORS.**—The Secretary may cor-  
18 rect any minor error in—

19 (A) the map; or

20 (B) the legal description.

21 (3) **AVAILABILITY.**—The map and legal descrip-  
22 tion shall be on file and available for public inspec-  
23 tion in the appropriate offices of the Bureau of  
24 Land Management.

25 (d) **USE OF CONVEYED LAND.**—The land conveyed  
26 under this section shall be used only—

1           (1) as an open riding area for the use of off-  
2 highway vehicles; or

3           (2) for any other public purpose consistent with  
4 uses allowed under the Act of June 14, 1926 (com-  
5 monly known as the “Recreation and Public Pur-  
6 poses Act”) (43 U.S.C. 869 et seq.).

7           (e) ADMINISTRATIVE COSTS.—The Secretary shall  
8 require the County to pay all survey costs and other ad-  
9 ministrative costs necessary for the preparation and com-  
10 pletion of any patents for, and transfers of title to, the  
11 land described in subsection (b).

12          (f) CONDITIONS.—As a condition of the conveyance  
13 under subsection (a), the County shall agree—

14           (1) to pay any administrative costs associated  
15 with the conveyance including the costs of any envi-  
16 ronmental, wildlife, cultural, or historical resources  
17 studies;

18           (2) to release and indemnify the United States  
19 from any claims or liabilities that may arise from  
20 uses carried out on the land described in subsection  
21 (b) on or before the date of enactment of this Act  
22 by the United States or any person; and

23           (3) to accept such reasonable terms and condi-  
24 tions as the Secretary determines necessary.

1           (g) REVERSION.—If the land conveyed under this sec-  
2 tion ceases to be used for a public purpose in accordance  
3 with subsection (d), the land shall, at the discretion of the  
4 Secretary, revert to the United States.

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