

**Calendar No. 625**114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 2383****[Report No. 114–349]**

To withdraw certain Bureau of Land Management land in the State of Utah from all forms of public appropriation, to provide for the shared management of the withdrawn land by the Secretary of the Interior and the Secretary of the Air Force to facilitate enhanced weapons testing and pilot training, enhance public safety, and provide for continued public access to the withdrawn land, to provide for the exchange of certain Federal land and State land, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

DECEMBER 10, 2015

Mr. HATCH (for himself and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

SEPTEMBER 13, 2016

Reported by Ms. MURKOWSKI, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**A BILL**

To withdraw certain Bureau of Land Management land in the State of Utah from all forms of public appropriation, to provide for the shared management of the withdrawn land by the Secretary of the Interior and the Secretary of the Air Force to facilitate enhanced weapons testing and pilot training, enhance public safety, and provide for continued public access to the withdrawn land, to

provide for the exchange of certain Federal land and State land, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
 5 “Utah Test and Training Range Encroachment Preven-  
 6 tion and Temporary Closure Act”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for  
 8 this Act is as follows:

Sec. 1. Short title; table of contents.  
 Sec. 2. Findings.  
 Sec. 3. Definitions.

**TITLE I—UTAH TEST AND TRAINING RANGE**

Sec. 101. Management of BLM land.  
 Sec. 102. Temporary closures.  
 Sec. 103. Community resource group.  
 Sec. 104. Liability.  
 Sec. 105. Effects of title.

**TITLE II—LAND EXCHANGE**

Sec. 201. Findings and purpose.  
 Sec. 202. Definitions.  
 Sec. 203. Exchange of Federal land and non-Federal land.  
 Sec. 204. Status and management of non-Federal land after exchange.  
 Sec. 205. Hazardous materials.

**TITLE III—HIGHWAY RIGHTS-OF-WAY**

Sec. 301. Recognition and transfer of certain highway rights-of-way.

9 **SEC. 2. FINDINGS.**

10 Congress finds that—

11 (1) the testing and development of military  
 12 weapons systems and the training of military forces

1 are critical to ensuring the national security of the  
2 United States;

3 (2) the Utah Test and Training Range is a  
4 unique and irreplaceable national asset at the core  
5 of the test and training mission of the Department  
6 of Defense;

7 (3) continued access to the special use airspace  
8 and land that comprise the Utah Test and Training  
9 Range, under the terms and conditions described in  
10 this Act is a national security priority;

11 (4) multiple use of, sustained yield activities on,  
12 and access to the BLM land are vital to the cus-  
13 toms, culture, economy, ranching, grazing, and  
14 transportation interests of the counties in which the  
15 BLM land is situated; and

16 (5) the limited use by the military of the BLM  
17 land and airspace above the BLM land is vital to  
18 improving and maintaining the readiness of the  
19 Armed Forces.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) **BLM LAND.**—The term “BLM land”  
23 means the Bureau of Land Management land in the  
24 State comprising approximately 625,643 acres, as  
25 generally depicted on the map entitled “Utah Test

1 and Training Range Enhancement/West Desert  
2 Land Exchange” and dated October 28, 2015.

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

5 (3) STATE.—The term “State” means the State  
6 of Utah.

7 (4) UTAH TEST AND TRAINING RANGE.—

8 (A) IN GENERAL.—The term “Utah Test  
9 and Training Range” means the portions of the  
10 military land and airspace operating area of the  
11 Utah Test and Training Area that are located  
12 in the State.

13 (B) INCLUSION.—The term “Utah Test  
14 and Training Range” includes the Dugway  
15 Proving Ground.

## 16 **TITLE I—UTAH TEST AND** 17 **TRAINING RANGE**

### 18 **SEC. 101. MANAGEMENT OF BLM LAND.**

19 (a) MEMORANDUM OF AGREEMENT.—

20 (1) DRAFT.—

21 (A) IN GENERAL.—Not later than 90 days  
22 after the date of enactment of this Act, the Sec-  
23 retary and the Secretary of the Air Force shall  
24 complete a draft of the memorandum of agree-  
25 ment required under paragraph (2).

1           (B) PUBLIC COMMENT PERIOD.—During  
2 the 30-day period beginning on the date on  
3 which the draft memorandum of agreement is  
4 completed under subparagraph (A), there shall  
5 be an opportunity for public comment on the  
6 draft memorandum of agreement, including an  
7 opportunity for the Utah Test and Training  
8 Range Community Resource Group established  
9 under section 103(a) to provide comments on  
10 the draft memorandum of agreement.

11       (2) REQUIREMENT; DEADLINE.—

12           (A) IN GENERAL.—Not later than 180  
13 days after the date of enactment of this Act,  
14 the Secretary and the Secretary of the Air  
15 Force shall enter into a memorandum of agree-  
16 ment that provides for the continued manage-  
17 ment of the BLM land by the Secretary, in a  
18 manner that provides for the limited use of the  
19 BLM land by the Secretary of the Air Force,  
20 consistent with this Act.

21           (B) SIGNATURES REQUIRED.—The terms  
22 of the memorandum of agreement, including a  
23 temporary closure of the BLM land under the  
24 memorandum of agreement, may not be carried  
25 out until the date on which all parties to the

1 memorandum of agreement have signed the  
2 memorandum of agreement.

3 ~~(3) MANAGEMENT BY SECRETARY.~~—The memo-  
4 randum of agreement under paragraph ~~(2)~~ shall pro-  
5 vide that the Secretary (acting through the Director  
6 of the Bureau of Land Management) shall continue  
7 to manage the BLM land—

8 (A) as land described in section  
9 6901(1)(B) of title 31, United States Code;

10 (B) for multiple use and sustained yield  
11 goals and activities as required under sections  
12 102(a)(7) and 202(e)(1) of the Federal Land  
13 Policy and Management Act of 1976 (43 U.S.C.  
14 1701(a)(7), 1712(e)(1)) and defined in sections  
15 103 of that Act (43 U.S.C. 1702), including all  
16 principal or major uses on Federal land recog-  
17 nized pursuant to the definition of the term in  
18 section 103 of that Act (43 U.S.C. 1702);

19 (C) in accordance with section 202 of the  
20 Federal Land Policy and Management Act of  
21 1976 (43 U.S.C. 1712); and

22 (D) subject to use by the Secretary of the  
23 Air Force provided under section 102 for—

24 (i) the preservation of the Utah Test  
25 and Training Range against current and

1 future encroachments that the Secretary of  
 2 the Air Force finds to be incompatible with  
 3 current and future test and training re-  
 4 quirements;

5 (ii) the testing of—

6 (I) advanced weapon systems, in-  
 7 cluding current weapons systems, 5th  
 8 generation weapon systems, and fu-  
 9 ture weapon systems; and

10 (II) the standoff distance for  
 11 weapons;

12 (iii) the testing and evaluation of  
 13 hypersonic weapons;

14 (iv) increased public safety for civil-  
 15 ians accessing the BLM land; and

16 (v) other purposes relating to meeting  
 17 national security needs.

18 (b) MAP.—The Secretary may correct any minor er-  
 19 rors in the map described in section 3(1).

20 (c) LAND USE PLANS.—Any land use plan in exist-  
 21 ence on the date of enactment of this Act that applies to  
 22 the BLM land shall continue to apply to the BLM land.

23 (d) MAINTAIN CURRENT USES.—

24 (1) IN GENERAL.—Notwithstanding subsection  
 25 (a)(3)(D), the memorandum of agreement entered

1 into under subsection (a) and the land use plans de-  
 2 scribed in subsection (e) shall not diminish any  
 3 major or principle use that is recognized pursuant to  
 4 section 103(l) of the Federal Land Policy and Man-  
 5 agement Act of 1976 (43 U.S.C. 1702(l)), except to  
 6 the extent authorized in subsection (a).

7 ~~(2) ACTIONS BY SECRETARY OF THE AIR~~  
 8 ~~FORCE.—The Secretary of the Air Force shall—~~

9 ~~(A) if corrective action is necessary due to~~  
 10 ~~an action of the Air Force, as determined by~~  
 11 ~~the Secretary of the Air Force, render the BLM~~  
 12 ~~land safe for public use; and~~

13 ~~(B) appropriately communicate the safety~~  
 14 ~~of the land to the Secretary once the BLM land~~  
 15 ~~is rendered safe for public use.~~

16 ~~(e) GRAZING.—~~

17 ~~(1) NEW GRAZING LEASES AND PERMITS.—~~

18 ~~(A) IN GENERAL.—The Secretary shall~~  
 19 ~~issue and administer any new grazing lease or~~  
 20 ~~permit on the BLM land, in accordance with~~  
 21 ~~applicable law (including regulations) and other~~  
 22 ~~authorities applicable to livestock grazing on~~  
 23 ~~Bureau of Land Management land.~~

24 ~~(B) NON-FEDERAL LAND LEVELS.—The~~  
 25 ~~Secretary (acting through the Director of the~~



1 Bureau of Land Management) shall continue to  
2 issue and administer livestock grazing leases  
3 and permits on the non-Federal land described  
4 in section 202(3), subject to the requirements  
5 described in subparagraphs (A) through (C) of  
6 paragraph (2).

7 (2) EXISTING GRAZING LEASES AND PER-  
8 MITS.—Any livestock grazing lease or permit appli-  
9 cable to the BLM land that is in existence on the  
10 date of enactment of this Act shall continue in ef-  
11 fect—

12 (A) at the number of permitted animal  
13 unit months authorized under current applica-  
14 ble land use plans;

15 (B) if range conditions permit, at levels  
16 greater than the level of active use; and

17 (C) subject to such reasonable increases  
18 and decreases of active use of animal unit  
19 months and other reasonable regulations, poli-  
20 cies, and practices as the Secretary may con-  
21 sider appropriate based on rangeland condi-  
22 tions.

23 (f) MEMORANDUM OF UNDERSTANDING ON EMER-  
24 GENCY ACCESS AND RESPONSE.—Nothing in this section  
25 precludes the continuation of the memorandum of under-

1 standing that is between the Department of the Interior  
2 and the Department of the Air Force with respect to emer-  
3 gency access and response, as in existence as of the date  
4 of enactment of this Act.

5 (g) ~~WITHDRAWAL.~~—Subject to valid existing rights,  
6 the BLM land is withdrawn from all forms of appropri-  
7 ation under the public land laws, including the mining laws,  
8 the mineral leasing laws, and the geothermal leasing laws.

9 (h) ~~LIMITATION ON FUTURE RIGHTS-OF-WAY OR~~  
10 ~~USE PERMITS.~~—The Secretary may not issue any new use  
11 permits or rights-of-way on the BLM land for any pur-  
12 poses that the Secretary of the Air Force determines to  
13 be incompatible with current or projected military require-  
14 ments, with consideration given to the rangeland improve-  
15 ments under section 105(h).

16 (i) ~~GRAZING AND RANCHING.~~—Efforts described in  
17 this Act to facilitate grazing and ranching on the BLM  
18 land and the non-Federal land described in section 202(3)  
19 shall be considered to be compatible with mission require-  
20 ments of the Utah Test and Training Range.

21 **SEC. 102. TEMPORARY CLOSURES.**

22 (a) ~~IN GENERAL.~~—If the Secretary of the Air Force  
23 determines that military operations (including operations  
24 relating to the fulfillment of the mission of the Utah Test  
25 and Training Range), public safety, or national security

1 require the temporary closure to public use of any road,  
2 trail, or other portion of the BLM land, the Secretary of  
3 the Air Force may take such action as the Secretary of  
4 the Air Force determines necessary to carry out the tem-  
5 porary closure.

6 (b) LIMITATIONS.—Any temporary closure under  
7 subsection (a)—

8 (1) shall be limited to the minimum areas and  
9 periods during which the Secretary of the Air Force  
10 determines are required to carry out a closure under  
11 this section;

12 (2) shall not occur on a State or Federal holi-  
13 day, unless notice is provided in accordance with  
14 subsection (e)(1)(B);

15 (3) shall not occur on a Friday, Saturday, or  
16 Sunday, unless notice is provided in accordance with  
17 subsection (e)(1)(B); and

18 (4)(A) if practicable, shall be for not longer  
19 than a 3-hour period per day;

20 (B) shall only be for longer than a 3-hour pe-  
21 riod per day—

22 (i) for mission essential reasons; and

23 (ii) as infrequently as practicable and in no  
24 case for more than 10 days per year; and

1           (C) shall in no case be for longer than a 6-hour  
2 period per day.

3       (e) NOTICE.—

4           (1) IN GENERAL.—Except as provided in para-  
5 graph (2), the Secretary of the Air Force shall—

6           (A) keep appropriate warning notices post-  
7 ed before and during any temporary closure;  
8 and

9           (B) provide notice to the Secretary, public,  
10 and relevant stakeholders concerning the tem-  
11 porary closure—

12           (i) at least 30 days before the date on  
13 which the temporary closure goes into ef-  
14 fect;

15           (ii) in the case of a closure during the  
16 period beginning on March 1 and ending  
17 on May 31, at least 60 days before the  
18 date on which the closure goes into effect;  
19 or

20           (iii) in the case of a closure described  
21 in paragraph (3) or (4) of subsection (b),  
22 at least 90 days before the date on which  
23 the closure goes into effect.

24           (2) SPECIAL NOTIFICATION PROCEDURES.—In  
25 each case for which a mission-unique security re-

1        requirement does not allow for the notifications de-  
2        scribed in paragraph (1)(B), the Secretary of the Air  
3        Force shall work with the Secretary to achieve a mu-  
4        tually agreeable timeline for notification.

5        (d) MAXIMUM ANNUAL CLOSURES.—The total cumu-  
6        lative hours of temporary closures authorized under this  
7        section with respect to the BLM land shall not exceed 100  
8        hours annually.

9        (e) PROHIBITION ON CERTAIN TEMPORARY CLO-  
10       SURES.—The northernmost area identified as “Newfound-  
11       land’s” on the map described in section 3(1) shall not be  
12       subject to any temporary closure between August 21 and  
13       February 28, in accordance with the lawful hunting meth-  
14       ods and seasons of the State of Utah.

15       (f) EMERGENCY GROUND RESPONSE.—A temporary  
16       closure of a portion of the BLM land shall not affect the  
17       conduct of emergency response activities on the BLM land  
18       during the temporary closure.

19       (g) LAW ENFORCEMENT AND SECURITY.—The Sec-  
20       retary and the Secretary of the Air Force may enter into  
21       cooperative agreements with State and local law enforce-  
22       ment officials with respect to lawful procedures and proto-  
23       cols to be used in promoting public safety and operation  
24       security on or near the BLM land during noticed test and  
25       training periods.

1       (h) **LIVESTOCK.**—Livestock shall be allowed to re-  
 2 main on the BLM land during a temporary closure of the  
 3 BLM land under this section.

4 **SEC. 103. COMMUNITY RESOURCE GROUP.**

5       (a) **ESTABLISHMENT.**—Not later than 60 days after  
 6 the date of enactment of this Act, there shall be estab-  
 7 lished the Utah Test and Training Range Community Re-  
 8 source Group (referred to in this section as the “Commu-  
 9 nity Group”) to provide regular and continuing input to  
 10 the Secretary and the Secretary of the Air Force on mat-  
 11 ters involving public access to, use of, and overall manage-  
 12 ment of the BLM land.

13       (b) **MEMBERSHIP.**—

14           (1) **IN GENERAL.**—The Secretary (acting  
 15 through the State Bureau of Land Management Of-  
 16 fice) shall appoint members to the Community  
 17 Group, including—

18                   (A) operational and land management per-  
 19 sonnel of the Air Force;

20                   (B) 1 Indian representative, to be nomi-  
 21 nated by a majority vote conducted among the  
 22 Indian tribes in the vicinity of the BLM land;

23                   (C) not more than 2 county commissioners  
 24 from each of Box Elder, Tooele, and Juab  
 25 Counties, Utah;

1           ~~(D)~~ 2 representatives of off-road and high-  
2           way use, hunting, and other recreational  
3           groups;

4           ~~(E)~~ 2 representatives of livestock grazers  
5           on any public land located within the BLM  
6           land;

7           ~~(F)~~ 1 representative of the Utah Depart-  
8           ment of Agriculture and Food; and

9           ~~(G)~~ not more than 3 representatives of  
10          State or Federal offices or agencies, or private  
11          groups, if the Secretary determines that such  
12          representatives would further the goals and ob-  
13          jectives of the Community Group.

14          ~~(2) CHAIRPERSON.~~—The members described in  
15          paragraph ~~(1)~~ shall elect from among the members  
16          of the Community Group—

17                 ~~(A)~~ 1 member to serve as Chairperson of  
18                 the Community Group; and

19                 ~~(B)~~ 1 member to serve as Vice-Chairperson  
20                 of the Community Group.

21          ~~(c) CONDITIONS AND TERMS OF APPOINTMENT.~~—

22                 ~~(1) IN GENERAL.~~—Each member of the Com-  
23                 munity Group shall serve voluntarily and without re-  
24                 muneration.

25                 ~~(2) TERM OF APPOINTMENT.~~—

1           (A) IN GENERAL.—Each member of the  
2           Community Group shall be appointed for a  
3           term of 4 years.

4           (B) ORIGINAL MEMBERS.—Notwith-  
5           standing subparagraph (A), the Chairperson  
6           shall select  $\frac{1}{2}$  of the original members of the  
7           Community Group to serve for a term of 4  
8           years and the  $\frac{1}{2}$  to serve for a term of 2 years  
9           to ensure the replacement of members shall be  
10          staggered from year to year.

11          (C) REAPPOINTMENT AND REPLACE-  
12          MENT.—The Secretary may reappoint or re-  
13          place a member of the Community Group ap-  
14          pointed under subsection (b)(1), if—

15               (i) the term of the member has ex-  
16               pired;

17               (ii) the member has retired; or

18               (iii) the position held by the member  
19               described in subparagraph (A) through (C)  
20               of paragraph (1) has changed to the extent  
21               that the ability of the member to represent  
22               the group or entity that the member rep-  
23               resents has been significantly affected.

24          (d) MEETINGS.—



1           (1) IN GENERAL.—The Community Group shall  
2 meet not less than once per year, and at such other  
3 frequencies as determined by five or more of the  
4 members of the Community Group.

5           (2) RESPONSIBILITIES OF COMMUNITY  
6 GROUP.—The Community Group shall be responsible  
7 for determining appropriate schedules for, details of,  
8 and actions for meetings of the Community Group.

9           (3) NOTICE.—The Chairperson shall provide  
10 notice to each member of the Community Group not  
11 less than 10 business days before the date of a  
12 scheduled meeting.

13           (4) EXEMPT FROM FEDERAL ADVISORY COM-  
14 MITTEE ACT.—The Federal Advisory Committee Act  
15 (5 U.S.C. App.) shall not apply to meetings of the  
16 Community Group.

17           (e) COORDINATION WITH RECOMMENDATIONS OF  
18 COMMUNITY GROUP.—The Secretary and Secretary of the  
19 Air Force, consistent with existing laws (including regula-  
20 tions), shall take under consideration recommendations  
21 from the Community Group.

22           (f) TERMINATION OF AUTHORITY.—The Community  
23 Group shall terminate on the date that is 10 years after  
24 the date of enactment of this Act, unless the Secretary

1 and the Community Group mutually elect to terminate the  
2 Community Group before that date.

3 (g) RENEWAL.—The Community Group may elect, by  
4 simple majority, to renew the term of the Community  
5 Group for 10 years, upon or within 90 days of termi-  
6 nation, with the option to renew every 10 years thereafter.

7 **SEC. 104. LIABILITY.**

8 The United States (including all departments, agen-  
9 cies, officers, and employees of the United States) shall  
10 be held harmless and shall not be liable for any injury  
11 or damage to any individual or property suffered in the  
12 course of any mining, mineral, or geothermal activity, or  
13 any other authorized nondefense-related activity, con-  
14 ducted on the BLM land.

15 **SEC. 105. EFFECTS OF TITLE.**

16 (a) EFFECT ON WEAPON IMPACT AREA.—Nothing in  
17 this title expands the boundaries of the weapon impact  
18 area of the Utah Test and Training Range.

19 (b) EFFECT ON SPECIAL USE AIRSPACE AND TRAIN-  
20 ING ROUTES.—Nothing in this title precludes—

21 (1) the designation of new units of special use  
22 airspace; or

23 (2) the expansion of existing units of special  
24 use airspace.

1 (e) EFFECT ON EXISTING RIGHTS AND AGREE-  
2 MENTS.—

3 (1) KNOLLS SPECIAL RECREATION MANAGE-  
4 MENT AREA; BLM COMMUNITY PITS CENTRAL  
5 GRAYBACK AND SOUTH GRAYBACK.—Except as pro-  
6 vided in section 102, nothing in this title limits or  
7 alters any existing right or right of access to—

8 (A) the Knolls Special Recreation Manage-  
9 ment Area; or

10 (B)(i) the Bureau of Land Management  
11 Community Pits Central Grayback and South  
12 Grayback; and

13 (ii) any other county or community pit lo-  
14 cated within close proximity to the BLM land.

15 (2) NATIONAL HISTORIC TRAILS AND OTHER  
16 HISTORICAL LANDMARKS.—Except as provided in  
17 section 102, nothing in this title limits or alters any  
18 existing right or right of access to a component of  
19 the National Trails System or other Federal or  
20 State historic landmarks within the BLM land, in-  
21 cluding the California National Historic Trail, the  
22 Pony Express National Historic Trail, or the GAPA  
23 Launch Site and Blockhouse.

24 (3) CLOSURE OF INTERSTATE 80.—Nothing in  
25 this title authorizes any additional authority or right

1 to the Secretary or the Secretary of the Air Force  
2 to temporarily close Interstate 80.

3 (4) EFFECT ON LIMITATION ON AMENDMENTS  
4 TO CERTAIN INDIVIDUAL RESOURCE MANAGEMENT  
5 PLANS.—Nothing in this title affects the limitation  
6 established under section 2815(d) of the National  
7 Defense Authorization Act for Fiscal Year 2000  
8 (Public Law 106–65; 113 Stat. 852).

9 (5) EFFECT ON MEMORANDUM OF UNDER-  
10 STANDING.—Nothing in this title affects the memo-  
11 randum of understanding entered into by the Air  
12 Force, the Bureau of Land Management, the Utah  
13 Department of Natural Resources, and the Utah Di-  
14 vision of Wildlife Resources relating to the reestab-  
15 lishment of bighorn sheep in the Newfoundland  
16 Mountains and signed by the parties to the memo-  
17 randum of understanding during the period begin-  
18 ning on January 24, 2000, and ending on February  
19 4, 2000.

20 (6) EFFECT ON EXISTING MILITARY SPECIAL  
21 USE AIRSPACE AGREEMENT.—Nothing in this title  
22 limits or alters the Military Operating Areas of Air-  
23 space Use Agreement between the Federal Aviation  
24 Administration and the Air Force in effect on the  
25 date of enactment of this Act.

1 (d) EFFECT ON WATER RIGHTS.—

2 (1) NO RESERVATION CREATED.—Nothing in  
3 this title—

4 (A) establishes any reservation in favor of  
5 the United States with respect to any water or  
6 water right on the BLM land; or

7 (B) authorizes any appropriation of water  
8 on the BLM land, except in accordance with  
9 applicable State law.

10 (2) PREVIOUSLY ACQUIRED AND RESERVED  
11 WATER RIGHTS.—Nothing in this title affects—

12 (A) any water right acquired or reserved  
13 by the United States before the date of enact-  
14 ment of this Act; or

15 (B) the authority of the Secretary or the  
16 Secretary of the Air Force, as applicable, to ex-  
17 ercise any water right described in subpara-  
18 graph (A).

19 (3) NO EFFECT ON MCCARRAN AMENDMENT.—  
20 Nothing in this title diminishes, enhances, or other-  
21 wise affects in any way the rights, duties, and obli-  
22 gations of the United States, the State of Utah, the  
23 counties in which the BLM land is situated, and the  
24 residents and stakeholders in those counties under  
25 section 208 of the Act of July 10, 1952 (commonly

1 known as the “McCarran Amendment”) (~~43~~ U.S.C.  
2 666).

3 (c) EFFECT ON FEDERALLY RECOGNIZED INDIAN  
4 TRIBES.—

5 (1) IN GENERAL.—Nothing in this title alters  
6 any right reserved by treaty or Federal law for a  
7 federally recognized Indian tribe for tribal use.

8 (2) CONSULTATION.—The Secretary of the Air  
9 Force shall consult with any federally recognized In-  
10 dian tribe in the vicinity of the BLM land before  
11 taking any action that will affect any tribal right or  
12 cultural resource protected by treaty or Federal law.

13 (f) EFFECT ON PAYMENTS IN LIEU OF TAXES.—

14 (1) ELIGIBILITY OF BLM LAND AND NON-FED-  
15 ERAL LAND.—The BLM land and the non-Federal  
16 land described in section 202(3) shall remain eligible  
17 as entitlement land under section 6901 of title 31,  
18 United States Code.

19 (2) NO PREJUDICE TO COUNTY PAYMENT IN  
20 LIEU OF TAXES RIGHTS.—Nothing in this title di-  
21 minishes, enhances, or otherwise affects any other  
22 right or entitlement of the counties in which the  
23 BLM land is situated to payments in lieu of taxes  
24 based on the BLM land, under section 6901 of title  
25 31, United States Code.

1 (g) WILDLIFE GUZZLERS.—

2 (1) IN GENERAL.—The Bureau of Land Man-  
3 agement and the Utah Division of Wildlife Re-  
4 sources shall continue the management of wildlife  
5 guzzlers in existence as of the date of enactment of  
6 this Act on the BLM land.

7 (2) NEW GUZZLERS.—Nothing in this title pre-  
8 vents the Bureau of Land Management and the  
9 Utah Division of Wildlife Resources from entering  
10 into agreements for new wildlife guzzlers.

11 (3) ACQUIRED GUZZLERS.—The Secretary shall  
12 continue to manage existing wildlife guzzlers or wild-  
13 life improvements on the non-Federal land conveyed  
14 to the Secretary under section 203(a) that were in  
15 existence on the day before the date of the convey-  
16 ance.

17 (h) RANGELAND IMPROVEMENTS.—The Secretary  
18 shall continue to manage, in a manner that promotes and  
19 facilitates grazing—

20 (1) rangeland improvements on the BLM land  
21 that are in existence on the date of enactment of  
22 this Act; and

23 (2) rangeland improvements on the non-Federal  
24 land conveyed to the Secretary under section 203(a)

1 that were in existence on the day before the date of  
2 the conveyance.

3 (i) **NEW RANGELAND IMPROVEMENTS.**—Nothing in  
4 this title prevents the Bureau of Land Management, the  
5 Utah Department of Agriculture or other State entity, or  
6 a Federal land permittee from entering into agreements  
7 for new rangeland improvements that promote and facili-  
8 tate grazing.

9 (j) **SCHOOL AND INSTITUTIONAL TRUST LANDS AD-**  
10 **MINISTRATION.**—The Bureau of Land Management shall  
11 maintain rangeland grazing improvements in existence as  
12 of the date of enactment of this Act on acquired land of  
13 the School and Institutional Trust Lands Administration.

## 14 **TITLE II—LAND EXCHANGE**

### 15 **SEC. 201. FINDINGS AND PURPOSE.**

16 (a) **FINDINGS.**—Congress finds that—

17 (1) the State owns approximately 68,057 acres  
18 of land and approximately 10,280 acres of mineral  
19 interests located within the Utah Test and Training  
20 Range in Box Elder, Tooele, and Juab Counties,  
21 Utah;

22 (2) the State owns approximately 2,353 acres  
23 of land and approximately 3,560 acres of mineral in-  
24 terests located wholly or partially within the Cedar  
25 Mountains Wilderness in Tooele County, Utah;



1           (3) the parcels of State land described in para-  
2 graphs (1) and (2)—

3           (A) were granted by Congress to the State  
4 pursuant to the Act of July 16, 1894 (28 Stat.  
5 107, chapter 138), to be held in trust for the  
6 benefit of the public school system and other  
7 public institutions of the State; and

8           (B) are largely scattered in checkerboard  
9 fashion among Federal land;

10          (4) continued State ownership and development  
11 of State trust land within the Utah Test and Train-  
12 ing Range and the Cedar Mountains Wilderness is  
13 incompatible with—

14          (A) the critical national defense uses of the  
15 Utah Test and Training Range; and

16          (B) the Federal management of the Cedar  
17 Mountains Wilderness; and

18          (5) it is in the public interest of the United  
19 States to acquire in a timely manner all State trust  
20 land within the Utah Test and Training Range and  
21 the Cedar Mountains Wilderness, in exchange for  
22 the conveyance of the Federal land to the State, in  
23 accordance with the terms and conditions described  
24 in this title.

1 (b) PURPOSE.—It is the purpose of this title to di-  
 2 rect, facilitate, and expedite the exchange of certain Fed-  
 3 eral land and non-Federal land between the United States  
 4 and the State.

5 **SEC. 202. DEFINITIONS.**

6 In this title:

7 (1) EXCHANGE MAP.—The term “Exchange  
 8 Map” means the map prepared by the Bureau of  
 9 Land Management entitled “Utah Test and Train-  
 10 ing Range Enhancement/West Desert Land Ex-  
 11 change” and dated October 28, 2015.

12 (2) FEDERAL LAND.—The term “Federal land”  
 13 means the Bureau of Land Management land lo-  
 14 cated in Box Elder, Millard, Juab, Tooele, and Bea-  
 15 ver Counties, Utah, that is identified on the Ex-  
 16 change Map as “BLM Lands Proposed for Transfer  
 17 to State Trust Lands”.

18 (3) NON-FEDERAL LAND.—The term “non-Fed-  
 19 eral land” means the land owned by the State in  
 20 Box Elder, Tooele, and Juab Counties, Utah, that is  
 21 identified on the Exchange Map as—

22 (A) “State Trust Land Proposed for  
 23 Transfer to BLM”; and

24 (B) “State Trust Minerals Proposed for  
 25 Transfer to BLM”.

1           (4) STATE.—The term “State” means the State  
2           of Utah, acting through the School and Institutional  
3           Trust Lands Administration.

4 **SEC. 203. EXCHANGE OF FEDERAL LAND AND NON-FED-**  
5 **ERAL 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 (or  
12 a designee) all right, title, and interest of the United  
13 States in and 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 one 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) MINERAL LAND.~~—

9           ~~(A) MINERAL REPORTS.~~—The appraisals  
10       under paragraph ~~(1)~~ shall take into account  
11       mineral and technical reports provided by the  
12       Secretary and the State in the evaluation of  
13       mineral deposits in the Federal land and non-  
14       Federal land.

15           ~~(B) MINING CLAIMS.~~—An appraisal of any  
16       parcel of Federal land that is encumbered by a  
17       mining or millsite claim located under sections  
18       2318 through 2352 of the Revised Statutes  
19       (commonly known as the “Mining Law of  
20       1872”) (30 U.S.C. 21 et seq.) shall take into  
21       account the encumbrance created by the claim  
22       for purposes of determining the value of the  
23       parcel of the Federal land.

24           ~~(C) VALIDITY EXAMINATION.~~—Nothing in  
25       this title requires the United States to conduct

1           a mineral examination for any mining claim on  
2           the Federal land.

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

6           (5) DISPUTE RESOLUTION.—If, by the date  
7           that is 90 days after the date of submission of an  
8           appraisal for review and approval under this sub-  
9           section, the Secretary or State do not agree to ac-  
10          cept the findings of the appraisals with respect to  
11          one or more parcels of Federal land or non-Federal  
12          land, the dispute shall be resolved in accordance  
13          with section 206(d)(2) of the Federal Land Policy  
14          and Management Act of 1976 (43 U.S.C.  
15          1716(d)(2)).

16          (6) DURATION.—The appraisals conducted  
17          under paragraph (1) shall remain valid until the  
18          date of the completion of the exchange authorized  
19          under this title.

20          (7) REIMBURSEMENT OF STATE COSTS.—The  
21          Secretary shall reimburse the State in an amount  
22          equal to 50 percent of the costs incurred by the  
23          State in retaining independent appraisers under  
24          paragraph (1).

1       (e) CONVEYANCE OF TITLE.—The land exchange au-  
 2 thORIZED under this title shall be completed by the later  
 3 of—

4           (1) the date that is 1 year after the date of  
 5 final approval by the Secretary and the State of the  
 6 appraisals conducted under subsection (d); and

7           (2) the date that is 1 year after the date of  
 8 completion of the dispute resolution process author-  
 9 ized under subsection (d)(5).

10       (f) PUBLIC INSPECTION AND NOTICE.—

11           (1) PUBLIC INSPECTION.—At least 30 days be-  
 12 fore the date of conveyance of the Federal land and  
 13 non-Federal land, all final appraisals and appraisal  
 14 reviews for land to be exchanged under this section  
 15 shall be available for public review at the office of  
 16 the State Director of the Bureau of Land Manage-  
 17 ment in the State of Utah.

18           (2) NOTICE.—The Secretary or the State, as  
 19 applicable, shall publish in a newspaper of general  
 20 circulation in Salt Lake County, Utah, a notice that  
 21 the appraisals conducted under subsection (d) are  
 22 available for public inspection.

23       (g) EQUAL VALUE EXCHANGE.—

1           (1) ~~IN GENERAL.~~—The value of the Federal  
2 land and non-Federal land to be exchanged under  
3 this section—

4                   (A) shall be equal; or

5                   (B) shall be made equal in accordance with  
6 paragraph (2).

7           (2) ~~EQUALIZATION.~~—

8                   (A) ~~SURPLUS OF FEDERAL LAND.~~—

9                           (i) ~~IN GENERAL.~~—If the value of the  
10 Federal land exceeds the value of the non-  
11 Federal land, the value of the Federal land  
12 and non-Federal land shall be equalized by  
13 the State conveying to the United States—

14                                   (I) State trust land parcel 1, as  
15 described in the assessment entitled  
16 “Bureau of Land Management Envi-  
17 ronmental Assessment UT-100-06-  
18 EA”, numbered UTU-82090, and  
19 dated March 2008; or

20                                   (II) State trust land located  
21 within any of the wilderness areas or  
22 national conservation areas in Wash-  
23 ington County, Utah, established  
24 under subtitle O of title I of the Om-  
25 nibus Public Land Management Act

1 of 2009 (Public Law 111-11; 123  
 2 Stat. 1075) that has an appraised  
 3 value equal to the difference be-  
 4 tween—

5 (aa) the value of the Federal  
 6 land; and

7 (bb) the value of the non-  
 8 Federal land.

9 (ii) ORDER OF CONVEYANCES.—Any  
 10 non-Federal land required to be conveyed  
 11 to the United States under clause (i) shall  
 12 be conveyed until the value of the Federal  
 13 land and non-Federal land is equalized, in  
 14 the following order:

15 (I) The State trust land parcel  
 16 described in clause (i)(I)

17 (II) State trust land parcels lo-  
 18 cated in the Red Cliffs National Con-  
 19 servation Area.

20 (III) State trust land parcels lo-  
 21 cated in the Does Pass Wilderness.

22 (IV) State trust land parcels lo-  
 23 cated in the Beaver Dam Wash Na-  
 24 tional Conservation Area.





1 the Cedar Mountains Wilderness shall, in accordance with  
 2 section 206(e) of the Federal Land Policy Act of 1976  
 3 (~~43~~ U.S.C. 1716(e)), be added to, and administered as  
 4 part of, the Cedar Mountains Wilderness.

5 **SEC. 205. HAZARDOUS MATERIALS.**

6 (a) COSTS.—Except as provided in subsection (b), the  
 7 costs of remedial actions relating to hazardous materials  
 8 on land acquired under this title shall be paid by those  
 9 entities responsible for the costs under applicable law.

10 (b) REMEDIATION OF PRIOR TESTING AND TRAINING  
 11 ACTIVITY.—The Department of Defense shall bear all  
 12 costs of evaluation, management, and remediation caused  
 13 by the previous testing of military weapons systems and  
 14 the training of military forces on non-Federal land to be  
 15 conveyed to the United States under this title.

16 **TITLE III—HIGHWAY RIGHTS-OF-**  
 17 **WAY**

18 **SEC. 301. RECOGNITION AND TRANSFER OF CERTAIN HIGH-**  
 19 **WAY RIGHTS-OF-WAY.**

20 (a) DEFINITIONS.—In this section:

21 (1) ~~HIGHWAY RIGHT-OF-WAY.~~—The term  
 22 “highway right-of-way” means a right-of-way across  
 23 Federal land for all county roads in the Counties of  
 24 Box Elder, Tooele, and Juab, in the State of Utah,  
 25 according to official transportation map and center-

1 line descriptions of each county in existence as of  
2 March 1, 2015.

3 (2) MAP.—The term “official transportation  
4 map and centerline description” means—

5 (A) the map entitled “Official Transpor-  
6 tation Map of Box Elder County, Utah” and  
7 dated March 1, 2015, and accompanying cen-  
8 terline description of each road on file with the  
9 Clerk of Box Elder County as of March 1,  
10 2015;

11 (B) the map entitled “Official Transpor-  
12 tation Map of Tooele County” and dated March  
13 1, 2015, and accompanying centerline descrip-  
14 tion of each road on file with the Clerk of  
15 Tooele County as of March 1, 2015; and

16 (C) the map entitled “Official Transpor-  
17 tation Map of Juab County” and dated March  
18 1, 2015, and accompanying centerline descrip-  
19 tion of each road on file with the Clerk of Juab  
20 County as of March 1, 2015.

21 (3) SECRETARY.—The term “Secretary”  
22 means—

23 (A) the Secretary of Agriculture, with re-  
24 spect to land administered by the Chief of the  
25 Forest Service; or

1           (B) the Secretary of the Interior, with re-  
2           spect to land administered by the Director of  
3           the Bureau of Land Management.

4           (b) RECOGNITION OF EXISTENCE AND VALIDITY OF  
5           RIGHTS-OF-WAY.—Congress recognizes the existence and  
6           validity of each of the highway rights-of-way identified on  
7           the official transportation maps and centerline descrip-  
8           tions.

9           (c) CONVEYANCE OF AN EASEMENT ACROSS FED-  
10          ERAL LAND.—

11           (1) BOX ELDER COUNTY, UTAH.—The Sec-  
12          retary shall convey, without consideration, to Box  
13          Elder County, Utah, and the State of Utah as joint  
14          tenants with undivided interests, easements for mo-  
15          torized travel rights of way across Federal land for  
16          all highways shown and described in the official  
17          transportation map and centerline description of the  
18          county described in subsection (a)(2)(A).

19           (2) JUAB COUNTY, UTAH.—The Secretary shall  
20          convey, without consideration, to Juab County,  
21          Utah, and the State of Utah as joint tenants with  
22          undivided interests, easements for motorized travel  
23          rights of way across Federal land for all highways  
24          shown and described in the official transportation

1 map and centerline description of the county de-  
 2 scribed in subsection (a)(2)(B).

3 (3) TOOELE COUNTY, UTAH.—The Secretary  
 4 shall convey, without consideration, to Tooele Coun-  
 5 ty, Utah, and the State of Utah as joint tenants  
 6 with undivided interests, easements for motorized  
 7 travel rights of way across Federal land for all high-  
 8 ways shown and described in the official transpor-  
 9 tation map and centerline description of the county  
 10 described in subsection (a)(2)(C).

11 (d) DESCRIPTION OF FEDERAL LAND SUBJECT TO  
 12 EASEMENT.—

13 (1) IN GENERAL.—All easements under sub-  
 14 section (e) shall include—

15 (A) the current disturbed width of each  
 16 subject highway as shown and described in the  
 17 official transportation maps and centerline de-  
 18 scriptions; and

19 (B) any additional acreage on either side  
 20 of the disturbed width that the respective coun-  
 21 ty transportation department determines is nec-  
 22 essary for the efficient maintenance, repair,  
 23 signage, administration, and use of the Federal  
 24 land subject to the easement.

25 (2) DESCRIPTION.—

1           (A) IN GENERAL.—The exact acreage and  
2           legal description of the Federal land subject to  
3           the easements conveyed under subsection (c)  
4           shall be—

5                     (i) as described in the centerline de-  
6                     scriptions;

7                     (ii) as referenced in the official trans-  
8                     portation maps; and

9                     (iii) as described and referenced ac-  
10                    cording to the disturbed width of each  
11                    highway as of the date of conveyance for  
12                    travel purposes, plus any reasonable addi-  
13                    tional width as may be necessary for sur-  
14                    face maintenance, repairs, and turnaround  
15                    purposes.

16           (B) SURVEY NOT REQUIRED.—Notwith-  
17           standing any other provision of law, the convey-  
18           ance of easements under subsection (c) shall be  
19           effective without a survey of the exact acreage  
20           and local description of the Federal land subject  
21           to the easements.

22           (c) RETENTION OF MAPS AND CENTERLINE DE-  
23           SCRIPTIONS.—The maps and centerline descriptions re-  
24           ferred to in clauses (i) and (ii) of subsection (d)(2)(A)  
25           shall be on file in the appropriate office of the Secretary.

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.*—*This Act may be cited as the*  
 3 *“Utah Test and Training Range Encroachment Prevention*  
 4 *and Temporary Closure Act”.*

5 (b) *TABLE OF CONTENTS.*—*The table of contents for*  
 6 *this Act is as follows:*

*Sec. 1. Short title; table of contents.*

*TITLE I—AUTHORIZATION FOR TEMPORARY CLOSURE OF CERTAIN  
 PUBLIC LAND ADJACENT TO THE UTAH TEST AND TRAINING  
 RANGE.*

*Sec. 101. Definitions.*

*Sec. 102. Memorandum of agreement.*

*Sec. 103. Temporary closures.*

*Sec. 104. Liability.*

*Sec. 105. Community Resource Advisory Group.*

*Sec. 106. Savings clauses.*

*TITLE II—BUREAU OF LAND MANAGEMENT LAND EXCHANGE WITH  
 STATE OF UTAH*

*Sec. 201. Definitions.*

*Sec. 202. Exchange of Federal land and non-Federal land.*

*Sec. 203. Status and management of non-Federal land acquired by the United  
 States.*

*Sec. 204. Hazardous materials.*

7 **TITLE I—AUTHORIZATION FOR**  
 8 **TEMPORARY CLOSURE OF**  
 9 **CERTAIN PUBLIC LAND ADJA-**  
 10 **CENT TO THE UTAH TEST AND**  
 11 **TRAINING RANGE.**

12 **SEC. 101. DEFINITIONS.**

13 *In this Act:*

14 (1) *BLM LAND.*—*The term “BLM land” means*  
 15 *certain public land administered by the Bureau of*  
 16 *Land Management land in the State comprising ap-*

1       *proximately 703,621 acres, as generally depicted on*  
2       *the map entitled “Utah Test and Training Range En-*  
3       *hancement/West Desert Land Exchange” and dated*  
4       *May 7, 2016.*

5               (2) *SECRETARY.*—*The term “Secretary” means*  
6       *the Secretary of the Interior.*

7               (3) *STATE.*—*The term “State” means the State*  
8       *of Utah.*

9               (4) *UTAH TEST AND TRAINING RANGE.*—*The*  
10       *term “Utah Test and Training Range” means the*  
11       *portions of the military land and airspace operating*  
12       *area of the Utah Test and Training Area that are lo-*  
13       *cated in the State, including the Dugway Proving*  
14       *Ground.*

15   **SEC. 102. MEMORANDUM OF AGREEMENT.**

16       (a) *MEMORANDUM OF AGREEMENT.*—

17               (1) *IN GENERAL.*—*Not later than 1 year after*  
18       *the date of enactment of this Act, the Secretary and*  
19       *the Secretary of the Air Force shall enter into a*  
20       *memorandum of agreement to authorize the Secretary*  
21       *of the Air Force, in consultation with the Secretary,*  
22       *to impose limited closures of the BLM land for mili-*  
23       *tary operations and national security and public*  
24       *safety purposes, as provided in this title.*

25               (2) *DRAFT.*—



1           (A) *IN GENERAL.*—Not later than 180 days  
2 after the date of enactment of this Act, the Sec-  
3 retary and the Secretary of the Air Force shall  
4 complete a draft of the memorandum of agree-  
5 ment required under paragraph (1).

6           (B) *PUBLIC COMMENT PERIOD.*—During the  
7 30-day period beginning on the date on which  
8 the draft memorandum of agreement is com-  
9 pleted under subparagraph (A), there shall be an  
10 opportunity for public comment on the draft  
11 memorandum of agreement, including an oppor-  
12 tunity for the Utah Test and Training Range  
13 Community Resource Advisory Group established  
14 under section 105(a) to provide comments on the  
15 draft memorandum of agreement.

16           (3) *MANAGEMENT BY SECRETARY.*—The memo-  
17 randum of agreement entered into under paragraph  
18 (1) shall provide that the Secretary shall continue to  
19 manage the BLM land in accordance with the Federal  
20 Land Policy and Management Act of 1976 (43 U.S.C.  
21 1701 et seq.) and applicable land use plans, while al-  
22 lowing for the temporary closure of the BLM land in  
23 accordance with this title.

24           (4) *PERMITS AND RIGHTS-OF-WAY.*—

1           (A) *IN GENERAL.*—*The Secretary shall con-*  
2           *sult with the Secretary of the Air Force regard-*  
3           *ing Utah Test and Training Range mission re-*  
4           *quirements before issuing new use permits or*  
5           *rights-of-way on the BLM land.*

6           (B) *FRAMEWORK.*—*The Secretary and the*  
7           *Secretary of the Air Force shall establish within*  
8           *the memorandum of agreement entered into*  
9           *under paragraph (1) a framework agreed to by*  
10          *the Secretary and the Secretary of the Air Force*  
11          *for resolving any disagreement on the issuance of*  
12          *permits or rights-of-way on the BLM land.*

13          (5) *TERMINATION.*—

14          (A) *IN GENERAL.*—*The memorandum of*  
15          *agreement entered into under paragraph (1)*  
16          *shall be for a term to be determined by the Sec-*  
17          *retary and the Secretary of the Air Force, not to*  
18          *exceed 25 years.*

19          (B) *EARLY TERMINATION.*—*The memo-*  
20          *randum of agreement may be terminated before*  
21          *the date determined under subparagraph (A) if*  
22          *the Secretary of the Air Force determines that*  
23          *the temporary closure of the BLM land is no*  
24          *longer necessary to fulfill Utah Test and Train-*  
25          *ing Range mission requirements.*

1       (b) *MAP.*—*The Secretary may correct any minor er-*  
2 *rors in the map described in section 101(1).*

3       (c) *LAND SAFETY.*—*If corrective action is necessary on*  
4 *the BLM land due to an action of the Air Force, the Sec-*  
5 *retary of the Air Force shall—*

6           (1) *render the BLM land safe for public use; and*

7           (2) *appropriately communicate the safety of the*  
8 *land to the Secretary on the date on which the BLM*  
9 *land is rendered safe for public use under paragraph*  
10 *(1).*

11       (d) *CONSULTATION.*—*The Secretary shall consult with*  
12 *any federally recognized Indian tribe in the vicinity of the*  
13 *BLM land before entering into any agreement under this*  
14 *title.*

15       (e) *GRAZING.*—

16           (1) *EFFECT.*—*Nothing in this title impacts the*  
17 *management of grazing on the BLM land.*

18           (2) *CONTINUATION OF GRAZING MANAGEMENT.*—  
19 *The Secretary shall continue grazing management on*  
20 *the BLM land pursuant to the Federal Land Policy*  
21 *and Management Act of 1976 (43 U.S.C. 1701 et seq.)*  
22 *and applicable resource management plans.*

23       (f) *MEMORANDUM OF UNDERSTANDING ON EMER-*  
24 *GENCY ACCESS AND RESPONSE.*—*Nothing in this section*  
25 *precludes the continuation of the memorandum of under-*

1 *standing between the Department of the Interior and the*  
2 *Department of the Air Force with respect to emergency ac-*  
3 *cess and response, as in existence on the date of enactment*  
4 *of this Act.*

5 *(g) WITHDRAWAL.—Subject to valid existing rights,*  
6 *the BLM land is withdrawn from all forms of appropri-*  
7 *ation under the public land laws, including the mining laws,*  
8 *the mineral leasing laws, and the geothermal leasing laws.*

9 **SEC. 103. TEMPORARY CLOSURES.**

10 *(a) IN GENERAL.—If the Secretary of the Air Force*  
11 *determines that military operations (including operations*  
12 *relating to the fulfillment of the mission of the Utah Test*  
13 *and Training Range), public safety, or national security*  
14 *require the temporary closure to public use of any road,*  
15 *trail, or other portion of the BLM land, the Secretary of*  
16 *the Air Force may take such action as the Secretary of the*  
17 *Air Force, in consultation with the Secretary, determines*  
18 *necessary to carry out the temporary closure.*

19 *(b) LIMITATIONS.—Any temporary closure under sub-*  
20 *section (a)—*

21 *(1) shall be limited to the minimum areas and*  
22 *periods during which the Secretary of the Air Force*  
23 *determines are required to carry out a closure under*  
24 *this section;*

1           (2) shall not occur on a State or Federal holi-  
2           day, unless notice is provided in accordance with sub-  
3           section (c)(1)(B);

4           (3) shall not occur on a Friday, Saturday, or  
5           Sunday, unless notice is provided in accordance with  
6           subsection (c)(1)(B); and

7           (4)(A) if practicable, shall be for not longer than  
8           a 3-hour period per day;

9           (B) shall only be for longer than a 3-hour  
10          period per day—

11                   (i) for mission essential reasons; and

12                   (ii) as infrequently as practicable and  
13                   in no case for more than 10 days per year;  
14                   and

15           (C) shall in no case be for longer than a 6-  
16          hour period per day.

17          (c) NOTICE.—

18           (1) IN GENERAL.—Except as provided in para-  
19          graph (2), the Secretary of the Air Force shall—

20                   (A) keep appropriate warning notices post-  
21                   ed before and during any temporary closure; and

22                   (B) provide notice to the Secretary, public,  
23                   and relevant stakeholders concerning the tem-  
24                   porary closure—

1                   (i) at least 30 days before the date on  
2                   which the temporary closure goes into effect;

3                   (ii) in the case of a closure during the  
4                   period beginning on March 1 and ending on  
5                   May 31, at least 60 days before the date on  
6                   which the closure goes into effect; or

7                   (iii) in the case of a closure described  
8                   in paragraph (3) or (4) of subsection (b), at  
9                   least 90 days before the date on which the  
10                  closure goes into effect.

11               (2) *SPECIAL NOTIFICATION PROCEDURES.*—*In*  
12               *each case for which a mission-unique security require-*  
13               *ment does not allow for the notifications described in*  
14               *paragraph (1)(B), the Secretary of the Air Force shall*  
15               *work with the Secretary to achieve a mutually agree-*  
16               *able timeline for notification.*

17               (d) *MAXIMUM ANNUAL CLOSURES.*—*The total cumu-*  
18               *lative hours of temporary closures authorized under this sec-*  
19               *tion with respect to the BLM land shall not exceed 100*  
20               *hours annually.*

21               (e) *PROHIBITION ON CERTAIN TEMPORARY CLO-*  
22               *SURES.*—*The northernmost area identified as “Newfound-*  
23               *land’s” on the map described in section 101(1) shall not*  
24               *be subject to any temporary closure between August 21 and*

1 *February 28, in accordance with the lawful hunting seasons*  
2 *of the State of Utah.*

3 (f) *EMERGENCY GROUND RESPONSE.—A temporary*  
4 *closure of a portion of the BLM land shall not affect the*  
5 *conduct of emergency response activities on the BLM land*  
6 *during the temporary closure.*

7 (g) *LIVESTOCK.—Livestock authorized by a Federal*  
8 *grazing permit shall be allowed to remain on the BLM land*  
9 *during a temporary closure of the BLM land under this*  
10 *section.*

11 (h) *LAW ENFORCEMENT AND SECURITY.—The Sec-*  
12 *retary and the Secretary of the Air Force may enter into*  
13 *cooperative agreements with State and local law enforce-*  
14 *ment officials with respect to lawful procedures and proto-*  
15 *cols to be used in promoting public safety and operation*  
16 *security on or near the BLM land during noticed test and*  
17 *training periods.*

18 **SEC. 104. LIABILITY.**

19 *The United States (including all departments, agen-*  
20 *cies, officers, and employees of the United States) shall be*  
21 *held harmless and shall not be liable for any injury or dam-*  
22 *age to any individual or property suffered in the course*  
23 *of any mining, mineral, or geothermal activity, or any*  
24 *other authorized nondefense-related activity, conducted on*  
25 *the BLM land.*

1 **SEC. 105. COMMUNITY RESOURCE ADVISORY GROUP.**

2       (a) *ESTABLISHMENT.*—Not later than 90 days after  
3 the date of enactment of this Act, there shall be established  
4 the Utah Test and Training Range Community Resource  
5 Advisory Group (referred to in this section as the “Commu-  
6 nity Group”) to provide regular and continuing input to  
7 the Secretary and the Secretary of the Air Force on matters  
8 involving public access to, use of, and overall management  
9 of the BLM land.

10       (b) *MEMBERSHIP.*—

11           (1) *IN GENERAL.*—The Secretary shall appoint  
12 members to the Community Group, including—

13           (A) 1 representative of Indian tribes in the  
14 vicinity of the BLM land, to be nominated by a  
15 majority vote conducted among the Indian tribes  
16 in the vicinity of the BLM land;

17           (B) not more than 1 county commissioner  
18 from each of Box Elder, Tooele, and Juab Coun-  
19 ties, Utah;

20           (C) 2 representatives of off-road and high-  
21 way use, hunting, or other recreational users of  
22 the BLM land;

23           (D) 2 representatives of livestock permittees  
24 on public land located within the BLM land;

25           (E) 1 representative of the Utah Depart-  
26 ment of Agriculture and Food; and



1           (F) not more than 3 representatives of State  
2           or Federal offices or agencies, or private groups  
3           or individuals, if the Secretary determines that  
4           such representatives would further the goals and  
5           objectives of the Community Group.

6           (2) CHAIRPERSON.—The members described in  
7           paragraph (1) shall elect from among the members of  
8           the Community Group—

9                   (A) 1 member to serve as Chairperson of the  
10           Community Group; and

11                   (B) 1 member to serve as Vice-Chairperson  
12           of the Community Group.

13           (3) AIR FORCE PERSONNEL.—The Secretary of  
14           the Air Force shall appoint appropriate operational  
15           and land management personnel of the Air Force to  
16           serve as a liaison to the Community Group.

17           (c) CONDITIONS AND TERMS OF APPOINTMENT.—

18                   (1) IN GENERAL.—Each member of the Commu-  
19           nity Group shall serve voluntarily and without com-  
20           pensation.

21                   (2) TERM OF APPOINTMENT.—

22                           (A) IN GENERAL.—Each member of the  
23           Community Group shall be appointed for a term  
24           of 4 years.

1           (B) *ORIGINAL MEMBERS.*—*Notwithstanding*  
2           *subparagraph (A), the Secretary shall select 1/2 of*  
3           *the original members of the Community Group*  
4           *to serve for a term of 4 years and the 1/2 to serve*  
5           *for a term of 2 years to ensure the replacement*  
6           *of members shall be staggered from year to year.*

7           (C) *REAPPOINTMENT AND REPLACEMENT.*—  
8           *The Secretary may reappoint or replace a mem-*  
9           *ber of the Community Group appointed under*  
10           *subsection (b)(1), if—*

11                   (i) *the term of the member has expired;*

12                   (ii) *the member has retired; or*

13                   (iii) *the position held by the member*  
14                   *described in subparagraph (A) through (F)*  
15                   *of paragraph (1) has changed to the extent*  
16                   *that the ability of the member to represent*  
17                   *the group or entity that the member rep-*  
18                   *resents has been significantly affected.*

19           (d) *MEETINGS.*—

20                   (1) *IN GENERAL.*—*The Community Group shall*  
21                   *meet not less than once per year, and at such other*  
22                   *frequencies as determined by 5 or more of the mem-*  
23                   *bers of the Community Group.*

24                   (2) *RESPONSIBILITIES OF COMMUNITY GROUP.*—

25                   *The Community Group shall be responsible for deter-*

1        *mining appropriate schedules for, details of, and ac-*  
 2        *tions for meetings of the Community Group.*

3            (3) *NOTICE.*—*The Chairperson shall provide no-*  
 4        *tice to each member of the Community Group not less*  
 5        *than 10 business days before the date of a scheduled*  
 6        *meeting.*

7            (4) *EXEMPT FROM FEDERAL ADVISORY COM-*  
 8        *MITTEE ACT.*—*The Federal Advisory Committee Act*  
 9        *(5 U.S.C. App.) shall not apply to meetings of the*  
 10       *Community Group.*

11          (e) *RECOMMENDATIONS OF COMMUNITY GROUP.*—*The*  
 12       *Secretary and Secretary of the Air Force, consistent with*  
 13       *existing laws (including regulations), shall take under con-*  
 14       *sideration recommendations from the Community Group.*

15          (f) *TERMINATION OF AUTHORITY.*—*The Community*  
 16       *Group shall terminate on the date that is 10 years after*  
 17       *the date of enactment of this Act.*

18        **SEC. 106. SAVINGS CLAUSES.**

19          (a) *EFFECT ON WEAPON IMPACT AREA.*—*Nothing in*  
 20       *this title expands the boundaries of the weapon impact area*  
 21       *of the Utah Test and Training Range.*

22          (b) *EFFECT ON SPECIAL USE AIRSPACE AND TRAINING*  
 23       *ROUTES.*—*Nothing in this title precludes—*

24            (1) *the designation of new units of special use*  
 25        *airspace; or*

1           (2) *the expansion of existing units of special use*  
2           *airspace.*

3           (c) *EFFECT ON EXISTING MILITARY SPECIAL USE*  
4 *AIRSPACE AGREEMENT.—Nothing in this title limits or al-*  
5 *ters the Military Operating Areas of Airspace Use Agree-*  
6 *ment between the Federal Aviation Administration and the*  
7 *Air Force in effect on the date of enactment of this Act.*

8           (d) *EFFECT ON EXISTING RIGHTS AND AGREE-*  
9 *MENTS.—*

10           (1) *KNOLLS SPECIAL RECREATION MANAGEMENT*  
11 *AREA; BLM COMMUNITY PITS.—Except as otherwise*  
12 *provided in section 103, nothing in this title limits*  
13 *or alters any existing right or right of access to—*

14                   (A) *the Knolls Special Recreation Manage-*  
15 *ment Area; or*

16                   (B)(i) *the Bureau of Land Management*  
17 *Community Pits Central Grayback and South*  
18 *Grayback; and*

19                           (ii) *any other county or community*  
20 *pit located within close proximity to the*  
21 *BLM land.*

22           (e) *INTERSTATE 80.—Nothing in this title authorizes*  
23 *any additional authority or right to the Secretary or the*  
24 *Secretary of the Air Force to temporarily close Interstate*  
25 *80.*

1           (f) *EFFECT ON LIMITATION ON AMENDMENTS TO CER-*  
2 *TAIN INDIVIDUAL RESOURCE MANAGEMENT PLANS.*—*Noth-*  
3 *ing in this title affects the limitation established under sec-*  
4 *tion 2815(d) of the National Defense Authorization Act for*  
5 *Fiscal Year 2000 (Public Law 106–65; 113 Stat. 852).*

6           (g) *EFFECT ON PREVIOUS MEMORANDUM OF UNDER-*  
7 *STANDING.*—*Nothing in this title affects the memorandum*  
8 *of understanding entered into by the Air Force, the Bureau*  
9 *of Land Management, the Utah Department of Natural Re-*  
10 *sources, and the Utah Division of Wildlife Resources relat-*  
11 *ing to the reestablishment of bighorn sheep in the Newfound-*  
12 *land Mountains and signed by the parties to the memo-*  
13 *randum of understanding during the period beginning on*  
14 *January 24, 2000, and ending on February 4, 2000.*

15           (h) *EFFECT ON FEDERALLY RECOGNIZED INDIAN*  
16 *TRIBES.*—*Nothing in this title alters any right reserved by*  
17 *treaty or Federal law for a Federally recognized Indian*  
18 *tribe for tribal use.*

19           (i) *PAYMENTS IN LIEU OF TAXES.*—*Nothing in this*  
20 *title diminishes, enhances, or otherwise affects any other*  
21 *right or entitlement of the counties in which the BLM land*  
22 *is situated to payments in lieu of taxes based on the BLM*  
23 *land, under section 6901 of title 31, United States Code.*

24           (j) *WILDLIFE IMPROVEMENTS.*—*The Secretary and the*  
25 *Utah Division of Wildlife Resources shall continue the man-*

1 *agement of wildlife improvements, including guzzlers, in ex-*  
 2 *istence as of the date of enactment of this Act on the BLM*  
 3 *land.*

4 **TITLE II—BUREAU OF LAND**  
 5 **MANAGEMENT LAND EX-**  
 6 **CHANGE WITH STATE OF**  
 7 **UTAH**

8 **SEC. 201. DEFINITIONS.**

9 *In this title:*

10 (1) *EXCHANGE MAP.*—*The term “Exchange*  
 11 *Map” means the map prepared by the Bureau of*  
 12 *Land Management entitled “Utah Test and Training*  
 13 *Range Enhancement/West Desert Land Exchange”*  
 14 *and dated May 7, 2016.*

15 (2) *FEDERAL LAND.*—*The term “Federal land”*  
 16 *means the Bureau of Land Management land located*  
 17 *in Box Elder, Millard, Juab, Tooele, and Beaver*  
 18 *Counties, Utah, that is identified on the Exchange*  
 19 *Map as “BLM Lands Proposed for Transfer to State*  
 20 *Trust Lands”.*

21 (3) *NON-FEDERAL LAND.*—*The term “non-Fed-*  
 22 *eral land” means the land owned by the State in Box*  
 23 *Elder, Tooele, and Juab Counties, Utah, that is iden-*  
 24 *tified on the Exchange Map as—*

1 (A) “*State Trust Land Proposed for Trans-*  
2 *fer to BLM*”; and

3 (B) “*State Trust Minerals Proposed for*  
4 *Transfer to BLM*”.

5 (4) *SECRETARY*.—*The term “Secretary” means*  
6 *the Secretary of the Interior.*

7 (5) *STATE*.—*The term “State” means the State*  
8 *of Utah, acting through the School and Institutional*  
9 *Trust Lands Administration.*

10 **SEC. 202. EXCHANGE OF FEDERAL LAND AND NON-FEDERAL**  
11 **LAND.**

12 (a) *IN GENERAL*.—*If the State offers to convey to the*  
13 *United States title to the non-Federal land, the Secretary*  
14 *shall—*

15 (1) *accept the offer; and*

16 (2) *on receipt of all right, title, and interest in*  
17 *and to the non-Federal land, convey to the State (or*  
18 *a designee) all right, title, and interest of the United*  
19 *States in and to the Federal land.*

20 (b) *APPLICABLE LAW*.—

21 (1) *IN GENERAL*.—*The land exchange shall be*  
22 *subject to section 206 of the Federal Land Policy and*  
23 *Management Act of 1976 (43 U.S.C. 1716) and other*  
24 *applicable law.*

1           (2) *EFFECT OF STUDY.*—*The Secretary shall*  
2           *carry out the land exchange under this title notwith-*  
3           *standing section 2815(d) of the National Defense Au-*  
4           *thorization Act for Fiscal Year 2000 (Public Law*  
5           *106–65; 113 Stat. 852).*

6           (3) *LAND USE PLANNING.*—*The Secretary shall*  
7           *not be required to undertake any additional land use*  
8           *planning under section 202 of the Federal Land Pol-*  
9           *icy and Management Act of 1976 (43 U.S.C. 1712)*  
10          *before the conveyance of the Federal land under this*  
11          *title.*

12          (c) *VALID EXISTING RIGHTS.*—*The exchange author-*  
13          *ized under subsection (a) shall be subject to valid existing*  
14          *rights.*

15          (d) *TITLE APPROVAL.*—*Title to the Federal land and*  
16          *non-Federal land to be exchanged under this title shall be*  
17          *in a format acceptable to the Secretary and the State.*

18          (e) *APPRAISALS.*—

19                 (1) *IN GENERAL.*—*The value of the Federal land*  
20                 *and the non-Federal land to be exchanged under this*  
21                 *title shall be determined by appraisals conducted by*  
22                 *1 or more independent and qualified appraisers.*

23                 (2) *STATE APPRAISER.*—*The Secretary and the*  
24                 *State may agree to use an independent and qualified*



1        *appraiser retained by the State, with the consent of*  
2        *the Secretary.*

3            (3) *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 and the Uniform Stand-*  
8        *ards of Professional Appraisal Practice.*

9            (4) *MINERALS.*—

10            (A) *MINERAL REPORTS.*—*The appraisals*  
11        *under paragraph (1) may take into account*  
12        *mineral and technical reports provided by the*  
13        *Secretary and the State in the evaluation of*  
14        *minerals in the Federal land and non-Federal*  
15        *land.*

16            (B) *MINING CLAIMS.*—*Federal land that is*  
17        *encumbered by a mining or millsite claim lo-*  
18        *cated under sections 2318 through 2352 of the*  
19        *Revised Statutes (commonly known as the “Min-*  
20        *ing Law of 1872”)* (30 U.S.C. 21 *et seq.*) *shall*  
21        *be appraised in accordance with standard ap-*  
22        *praisal practices, including, as appropriate, the*  
23        *Uniform Appraisal Standards for Federal Land*  
24        *Acquisition.*

1           (C) *VALIDITY EXAMINATION.*—*Nothing in*  
2           *this title requires the Secretary to conduct a*  
3           *mineral examination for any mining claim on*  
4           *the Federal land.*

5           (5) *APPROVAL.*—*An appraisal conducted under*  
6           *paragraph (1) shall be submitted to the Secretary and*  
7           *the State for approval.*

8           (6) *DURATION.*—*An appraisal conducted under*  
9           *paragraph (1) shall remain valid for 3 years after the*  
10          *date on which the appraisal is approved by the Sec-*  
11          *retary and the State.*

12          (7) *COST OF APPRAISAL.*—

13               (A) *IN GENERAL.*—*The cost of an appraisal*  
14               *conducted under paragraph (1) shall be paid*  
15               *equally by the Secretary and the State.*

16               (B) *REIMBURSEMENT BY SECRETARY.*—*If*  
17               *the State retains an appraiser in accordance*  
18               *with paragraph (2), the Secretary shall reim-*  
19               *burse the State in an amount equal to 50 percent*  
20               *of the costs incurred by the State.*

21          (f) *CONVEYANCE OF TITLE.*—*It is the intent of Con-*  
22          *gress that the land exchange authorized under this title shall*  
23          *be completed not later than 1 year after the date of final*  
24          *approval by the Secretary and the State of the appraisals*  
25          *conducted under subsection (e).*

1       (g) *PUBLIC INSPECTION AND NOTICE.*—

2               (1) *PUBLIC INSPECTION.*—*At least 30 days before*  
3 *the date of conveyance of the Federal land and non-*  
4 *Federal land, all final appraisals and appraisal re-*  
5 *views for the Federal land and non-Federal land to*  
6 *be exchanged under this title shall be available for*  
7 *public review at the office of the State Director of the*  
8 *Bureau of Land Management in the State.*

9               (2) *NOTICE.*—*The Secretary or the State, as ap-*  
10 *licable, shall publish in a newspaper of general cir-*  
11 *culation in Salt Lake County, Utah, a notice that the*  
12 *appraisals conducted under subsection (e) are avail-*  
13 *able for public inspection.*

14       (h) *CONSULTATION WITH INDIAN TRIBES.*—*The Sec-*  
15 *retary shall consult with any federally recognized Indian*  
16 *tribe in the vicinity of the Federal land and non-Federal*  
17 *land to be exchanged under this title before the completion*  
18 *of the land exchange.*

19       (i) *EQUAL VALUE EXCHANGE.*—

20               (1) *IN GENERAL.*—*The value of the Federal land*  
21 *and non-Federal land to be exchanged under this*  
22 *title—*

23                       (A) *shall be equal; or*

24                       (B) *shall be made equal in accordance with*  
25 *paragraph (2).*

1           (2) *EQUALIZATION.*—

2                   (A) *SURPLUS OF FEDERAL LAND.*—

3                           (i) *IN GENERAL.*—*If the value of the*  
4                           *Federal land exceeds the value of the non-*  
5                           *Federal land, the value of the Federal land*  
6                           *and non-Federal land shall be equalized by*  
7                           *the State conveying to the Secretary, as nec-*  
8                           *essary to equalize the value of the Federal*  
9                           *land and non-Federal land—*

10                                   (I) *State trust land parcel 1, as*  
11                                   *described in the assessment entitled*  
12                                   *“Bureau of Land Management Envi-*  
13                                   *ronmental Assessment UT-100-06-EA”,*  
14                                   *numbered UTU-82090, and dated*  
15                                   *March 2008; or*

16                                   (II) *State trust land located with-*  
17                                   *in any of the wilderness areas or na-*  
18                                   *tional conservation areas in Wash-*  
19                                   *ington County, Utah, established under*  
20                                   *subtitle O of title I of the Omnibus*  
21                                   *Public Land Management Act of 2009*  
22                                   *(Public Law 111–11; 123 Stat. 1075).*

23                                   (ii) *ORDER OF CONVEYANCES.*—*Any*  
24                                   *non-Federal land required to be conveyed to*  
25                                   *the Secretary under clause (i) shall be con-*

1                   veyed until the value of the Federal land  
2                   and non-Federal land is equalized.

3                   (B) *SURPLUS OF NON-FEDERAL LAND.*—If  
4                   the value of the non-Federal land exceeds the  
5                   value of the Federal land, the value of the Fed-  
6                   eral land and the non-Federal land shall be  
7                   equalized—

8                   (i) by the Secretary making a cash  
9                   equalization payment to the State, in ac-  
10                  cordance with section 206(b) of the Federal  
11                  Land Policy and Management Act of 1976  
12                  (43 U.S.C. 1716(b)); or

13                  (ii) by removing non-Federal land  
14                  from the exchange.

15                  (j) *GRAZING PERMITS.*—

16                  (1) *IN GENERAL.*—If the Federal land or non-  
17                  Federal land exchanged under this title is subject to  
18                  a lease, permit, or contract for the grazing of domestic  
19                  livestock in effect on the date of acquisition, the Sec-  
20                  retary and the State shall allow the grazing to con-  
21                  tinue for the remainder of the term of the lease, per-  
22                  mit, or contract, subject to the related terms and con-  
23                  ditions of user agreements, including permitted stock-  
24                  ing rates, grazing fee levels, access rights, and owner-  
25                  ship and use of range improvements.

1           (2) *RENEWAL.*—*To the extent allowed by Federal*  
2 *or State law, on expiration of any grazing lease, per-*  
3 *mit, or contract described in paragraph (1), the hold-*  
4 *er of the lease, permit, or contract shall be entitled to*  
5 *a preference right to renew the lease, permit, or con-*  
6 *tract.*

7           (3) *CANCELLATION.*—

8           (A) *IN GENERAL.*—*Nothing in this title pre-*  
9 *vents the Secretary or the State from canceling*  
10 *or modifying a grazing permit, lease, or contract*  
11 *if the Federal land or non-Federal land subject*  
12 *to the permit, lease, or contract is sold, conveyed,*  
13 *transferred, or leased for non-grazing purposes*  
14 *by the Secretary or the State.*

15           (B) *LIMITATION.*—*Except to the extent rea-*  
16 *sonably necessary to accommodate surface oper-*  
17 *ations in support of mineral development, the*  
18 *Secretary or the State shall not cancel or modify*  
19 *a grazing permit, lease, or contract because the*  
20 *land subject to the permit, lease, or contract has*  
21 *been leased for mineral development.*

22           (4) *BASE PROPERTIES.*—*If non-Federal land*  
23 *conveyed by the State under this title is used by a*  
24 *grazing permittee or lessee to meet the base property*  
25 *requirements for a Federal grazing permit or lease,*

1       *the land shall continue to qualify as a base property*  
2       *for—*

3               *(A) the remaining term of the lease or per-*  
4               *mit; and*

5               *(B) the term of any renewal or extension of*  
6               *the lease or permit.*

7       *(k) WITHDRAWAL OF FEDERAL LAND FROM MINERAL*  
8       *ENTRY PRIOR TO EXCHANGE.—Subject to valid existing*  
9       *rights, the Federal land to be conveyed to the State under*  
10       *this title is withdrawn from mineral location, entry, and*  
11       *patent under the mining laws pending conveyance of the*  
12       *Federal land to the State.*

13       **SEC. 203. STATUS AND MANAGEMENT OF NON-FEDERAL**  
14               **LAND ACQUIRED BY THE UNITED STATES.**

15               *(a) IN GENERAL.—On conveyance to the United States*  
16       *under this title, the non-Federal land shall be managed by*  
17       *the Secretary in accordance with the Federal Land Policy*  
18       *and Management Act of 1976 (43 U.S.C. 1701 et seq.) and*  
19       *applicable land use plans.*

20               *(b) NON-FEDERAL LAND WITHIN CEDAR MOUNTAINS*  
21       *WILDERNESS.—On conveyance to the Secretary under this*  
22       *title, the non-Federal land located within the Cedar Moun-*  
23       *tains Wilderness shall, in accordance with section 206(c)*  
24       *of the Federal Land Policy Act of 1976 (43 U.S.C. 1716(c)),*

1 *be added to, and administered as part of, the Cedar Moun-*  
2 *tains Wilderness.*

3       (c) *NON-FEDERAL LAND WITHIN WILDERNESS AREAS*  
4 *OR NATIONAL CONSERVATION AREAS.*—*On conveyance to*  
5 *the Secretary under this title, non-Federal land located in*  
6 *a national wilderness area or national conservation area*  
7 *shall be managed in accordance with the applicable provi-*  
8 *sions of subtitle O of title I of the Omnibus Public Land*  
9 *Management Act of 2009 (Public Law 111–11).*

10 **SEC. 204. HAZARDOUS MATERIALS.**

11       (a) *COSTS.*—*Except as provided in subsection (b), the*  
12 *costs of remedial actions relating to hazardous materials*  
13 *on land acquired under this title shall be paid by those enti-*  
14 *ties responsible for the costs under applicable law.*

15       (b) *REMEDIATION OF PRIOR TESTING AND TRAINING*  
16 *ACTIVITY.*—*The Secretary of the Air Force shall bear all*  
17 *costs of evaluation, management, and remediation caused*  
18 *by the previous testing of military weapons systems and*  
19 *the training of military forces on non-Federal land to be*  
20 *conveyed to the United States under this title.*





Calendar No. 625

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 2383**

[Report No. 114-349]

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## **A BILL**

To withdraw certain Bureau of Land Management land in the State of Utah from all forms of public appropriation, to provide for the shared management of the withdrawn land by the Secretary of the Interior and the Secretary of the Air Force to facilitate enhanced weapons testing and pilot training; enhance public safety; and provide for continued public access to the withdrawn land, to provide for the exchange of certain Federal land and State land, and for other purposes.

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SEPTEMBER 13, 2016

Reported with an amendment