

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

115TH CONGRESS  
2D SESSION

**H.R. \_\_\_\_\_**

To direct the Secretary of Agriculture to acquire and to convey certain  
lands or interests in lands in Utah, and for other purposes.

\_\_\_\_\_  
**IN THE HOUSE OF REPRESENTATIVES**

XXX, 2018

Mrs. LOVE introduced the following bill; which was referred to the  
Committee on Natural Resources

\_\_\_\_\_  
**A BILL**

To direct the Secretary of Agriculture to acquire and to convey  
certain lands or interests in lands in Utah, and for other  
purposes.

1     *Be it enacted by the Senate and House of Representatives*  
2     *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 “Central  
5     Wasatch National Conservation and Recreation Area  
6     Act”.

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

9     Sec. 1. Short Title; Table of Contents.  
10    Sec. 2. Definitions.

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

- 1 Sec. 3. Central Wasatch National Conservation and Recreation Area.
- 2 Sec. 4. Wilderness.
- 3 Sec. 5. White Pine Special Management Area.
- 4 Sec. 6. General Provisions.
- 5 Sec. 7. Land Ownership.
- 6 Sec. 8. Maps and Legal Descriptions.

7 **SECTION 2. DEFINITIONS.**

8 (a) DEFINITIONS.—In this Act:

9 (1) CONSERVATION AND RECREATION AREA.—  
10 The term “Conservation and Recreation Area” means  
11 the Central Wasatch National Conservation and Recre-  
12 ation Area established by section 3(a).

13 (2) FOREST PLAN.—The term “forest plan”  
14 means the Revised Forest Plan: Wasatch-Cache Na-  
15 tional Forest, dated February 2003, as amended.

16 (3) MANAGEMENT PLAN.—The term “manage-  
17 ment plan” means the management plan for the Central  
18 Wasatch National Conservation and Recreation Area  
19 developed under section 3(c).

20 (4) CONSERVATION AND RECREATION AREA  
21 MAP.—The term “Conservation and Recreation Area  
22 map” means the map entitled “Proposed Central Wa-  
23 satch National Conservation and Recreation Area  
24 Map” and dated [REDACTED].

25 (5) MOUNTAIN ACCORD.—The term “Mountain  
26 Accord” means the Mountain Accord agreement dated  
27 July 13, 2015.

28 (6) SECRETARY.—The term “Secretary” means

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 the Secretary of Agriculture.

2 (7) SKI AREA.—The term “ski area” means each  
3 of the following individually:

4 (A) Alta Ski Lifts Company.

5 (i) [add reference to the legal business  
6 name of the company that owns the resort]

7 (B) Brighton Mountain Resort.

8 (i) [add reference to the legal business  
9 name of the company that owns the resort]

10 (C) Snowbird Ski and Summer Resort.

11 (i) [add reference to the legal business  
12 name of the company that owns the resort]

13 (D) Solitude Mountain Resort.

14 (i) [add reference to the legal business  
15 name of the company that owns the resort]

16 (7) SKI LIFT. —Systems, such as tramways, fu-  
17 niculars, ski lifts, conveyors, or tows, used for the pur-  
18 pose of skiing.

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

21 (9) NATIONAL FOREST SYSTEM.—The term  
22 “National Forest System” has the meaning given that

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 term in section 11(a) of the Forest and Rangeland Re-  
2 newable Resources Planning Act of 1974 (16 U.S.C.  
3 1609(a)).

4 **SEC. 3. CENTRAL WASATCH NATIONAL**  
5 **CONSERVATION AND RECREATION**  
6 **AREA.**

7 (a) ESTABLISHMENT.—

8 (1) IN GENERAL.—Subject to valid existing  
9 rights, there is established the Central Wasatch Na-  
10 tional Conservation and Recreation Area in the State.

11 (2) AREA INCLUDED.—The Conservation and  
12 Recreation Area shall be comprised of approximately  
13 79,109 acres of National Forest System land in the Wa-  
14 satch-Cache National Forest as generally depicted on  
15 the Conservation and Recreation Area map as “Central  
16 Wasatch National Conservation and Recreation Area”.

17 (3) **AREAS EXCLUDED.—The Conservation and**  
18 **Recreation Area established under section 3 shall not**  
19 **include non-Federal lands.**

20 (b) PURPOSES.—The purposes of the Conservation and  
21 Recreation Area are to—

22 (1) conserve and protect the ecological, natural,  
23 scenic, wilderness (within wilderness areas), cultural,  
24 historical, geological, and wildlife values within the  
25 Conservation and Recreation Area;

Deleted: Federal

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1           (2) protect, enhance, and restore the water qual-  
2           ity and watershed resources in the Conservation and  
3           Recreation Area;

4           (3) facilitate a balanced, year-round recreation  
5           system with a wide variety of opportunities for resi-  
6           dents and visitors; and

7           (4) facilitate and accommodate improved ac-  
8           cess to the Conservation and Recreation Area for a  
9           growing number of users.

10          (c) MANAGEMENT PLAN.—

11           (1) IN GENERAL.—Not later than 3 years after  
12           the date of enactment of this Act and in accordance  
13           with this subsection, the Secretary shall develop a com-  
14           prehensive plan for the long-term management of the  
15           Conservation and Recreation Area.

16           (2) CONSULTATION.—In developing the man-  
17           agement plan required under paragraph (1), the Secre-  
18           tary shall consult with—

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

21           (B) the public.

22           (3) INCORPORATION OF PLANS.—In developing  
23           the management plan required under paragraph (1), to  
24           the extent consistent with this Act, the Secretary may  
25           incorporate any provision of—

26           (A) the forest plan;

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

- 1 (B) Mountain Accord; and
- 2 (C) local plans.

3 (4) MANAGEMENT PLAN GUIDELINES.—The  
4 Management Plan shall—

5 (A) protect of water quality and water-  
6 shed resources;

7 (B) ~~protect~~ environmentally sensitive ar-  
8 eas, including evaluating these areas for special  
9 designations such as Albion Basin Special Botani-  
10 cal Area;

**Deleted:** ensure  
**Deleted:** ion  
**Deleted:** of

11 (C) ~~preclude~~ ski area permit boundary  
12 expansion on ~~National Forest System land~~ be-  
13 yond what is described in section 6(a)(10) and as  
14 depicted on the Conservation and Recreation  
15 Area map;

**Deleted:** not allow  
**Deleted:** Federal land

16 (D) provide for adaptive management of  
17 resources and restoration of damaged resources;

18 (E) promote public safety, including ava-  
19 lanche control;

20 (F) facilitate year-round, outdoor recrea-  
21 tion;

22 (G) ~~not allow ski lifts on National Forest~~  
23 ~~System land within the Conservation and Recrea-~~  
24 ~~tion Area —~~

**Deleted:** or people movers for the purpose of skiing

25 (i) outside of ski area permit boundaries  
26 as depicted on the map ~~and as described in~~

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1                    section 6(a)(10); or  
2                    (ii) outside the transportation corridors  
3                    established in section 6(a)(8)(B); and  
4                    (H) provide access to the Conservation  
5                    and Recreation Area for residents, visitors, and  
6                    businesses.  
7                    (5) AMENDMENT OF FOREST PLAN.—Approval  
8                    by the Secretary of the management plan required un-  
9                    der paragraph (1) shall amend the forest plan to incor-  
10                    porate the management plan.  
11                    (6) FOREST ORDERS.—Within 30 days of enact-  
12                    ment of this Act, the Secretary shall issue the closure  
13                    orders necessary to enforce this Act for administration  
14                    of the White Pine Special Management Area in accord-  
15                    ance with 16 U.S.C. 551 and 36 CFR 261 Subpart B.  
16                    (d) MANAGEMENT.—  
17                    (1) IN GENERAL.—The Secretary shall manage  
18                    the Conservation and Recreation Area—  
19                    (A) to conserve, protect, and enhance the  
20                    resources of the Conservation and Recreation  
21                    Area;  
22                    (B) consistent with the management plan;  
23                    and  
24                    (C) in accordance with—  
25                    (i) the laws (including regula-  
26                    tions) and rules applicable to

**Deleted:** or for transportation options in section

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 the National Forest System;  
2 and  
3 (ii) this Act.

4 (2) USES.—The Secretary shall only allow uses  
5 of the Conservation and Recreation Area that—

**Deleted:** The Secretary shall only allow uses of the Conservation and Recreation Area that the Secretary determines would further the purposes described in subsection (b)

6 (A) consistent with the management plan;  
7 and

**Deleted:** .

8 (B) in accordance with—

9 (i) the laws (including regulations) and  
10 rules applicable to the National Forest Sys-  
11 tem; and

12 (ii) this Act.

13 (3) AUTHORIZATIONS.—Nothing in this Act af-  
14 fects—

**Deleted:** PERMITTED AND LICENSED ACTIVITIES.—

15 (A) a permit, contract, easement, leases,  
16 or other written authorization that is in existence  
17 on the date of enactment of this Act that author-  
18 izes use and occupancy of National Forest System  
19 lands;

**Deleted:** IN GENERAL.—Nothing in this Act affects existing permits or licensed activities authorized as of the date of enactment of this Act.

20 (B) the process by which a permit, con-  
21 tract, easement, leases, or other written authoriza-  
22 tion in subparagraph (A) is reissued or modified;  
23 or

**Deleted:** PROCESS.—Nothing in this Act affects the process by which activities authorized by permit or license as of the date of enactment of this Act may be authorized or reauthorized.

24 (C) the process by which a permit, con-  
25 tract, easement, leases, or other written authoriza-  
26 tion lands that was not in existence on the date of



**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 enactment of this Act is issued for use and occu-  
2 pancy of National Forest System.

3 (e) MANAGEMENT OF CERTAIN AREAS WITHIN THE  
4 CONSERVATION AND RECREATION AREA.—

**Deleted:** EFFECT.

5 (1) DESIGNATED AREAS.—Areas within the  
6 Conservation and Recreation Area that are designated  
7 as part of the National Wilderness Preservation System  
8 under section 4 or under another Act or as the White  
9 Pine Special Management Area under section 5 shall  
10 be managed exclusively as provided those designa-  
11 tions.

**Deleted:** IN GENERAL.—The establishment of the Conser-  
vation and Recreation Area shall not change the manage-  
ment status of any area within the boundary of the Conser-  
vation and Recreation Area that is—

12 (2) SKI AREAS.—The establishment of the Con-  
13 servation and Recreation Area shall not affect the man-  
14 agement of National Forest System lands within the  
15 boundary of a ski area permit.

**Deleted:** <#>A WILDERNESS AREA; ¶  
<#>THE WHITE PINE SPECIAL MANAGEMENT AREA; OR ¶  
<#>SKI AREA SPECIAL USE PERMIT FOR ALTA, BRIGHTON,  
SNOWBIRD, AND SOLITUDE. ¶

**Deleted:** <#>CONFLICT OF LAWS.—If there is a conflict  
between the laws applicable to the areas described in par-  
agraph (1) and this subtitle, the more restrictive provi-  
sions shall control.

16 **SEC. 4. WILDERNESS.**

17 (a) MOUNT OLYMPUS WILDERNESS BOUNDARY  
18 ADJUSTMENT.—Section 102(a) of the Utah Wilderness  
19 Act of 1984 (Public Law 98-428; 98 Stat. 1658; 16 U.S.C.  
20 1132 note) is amended in paragraph (3), as generally de-  
21 picted on the Conservation and Recreation Area map,  
22 by—

23 (1) striking “sixteen thousand acres” and insert-  
24 ing “fifteen thousand eight hundred and eighty-three  
25 acres acres”; and

26 (2) striking “, dated August 1984” and inserting

**Commented [A1]:** Acreages will be updated once the BST  
alignment has been finalized.

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 “and dated [REDACTED]”.

2 (b) TWIN PEAKS WILDERNESS BOUNDARY AD-  
3 JUSTMENT.—Section 102(a) of the Utah Wilderness Act of  
4 1984 (Public Law 98-428; 98 Stat. 1658; 16 U.S.C. 1132  
5 note) is amended in paragraph (4), as generally depicted  
6 on the Conservation and Recreation Area map, by—

7 (1) striking “thirteen thousand one hundred  
8 acres” and inserting “thirteen thousand and ninety-  
9 eight acres”; and

10 (2) striking “, dated June 1984” and inserting  
11 “and dated [REDACTED]”.

12 (c) LONE PEAK WILDERNESS ADDITION AND  
13 BOUNDARY ADJUSTMENT.— Section 2(i) of the Endan-  
14 gered American Wilderness Act of 1978 (P.L. 95-237; 92  
15 Stat. 42; 16 U.S.C. 1132 note) is amended, as generally  
16 depicted on the Conservation and Recreation Area map,  
17 by—

18 (1) striking “twenty-nine thousand five hundred  
19 and sixty-seven acres and inserting “thirty-two thou-  
20 sand one hundred and thirty acres”; and

21 (2) inserting “and dated \_\_” after “on a map en-  
22 titled ‘Lone Peak Wilderness—Proposed’”.

23 (d) GRANDEUR PEAK - MOUNT AIRE WILDER-  
24 NESS.— Section 102(a) of the Utah Wilderness Act of  
25 1984 (Public Law 98-428; 98 Stat. 1657; 16 U.S.C. 1132  
26 note) is amended by—

**Commented [A2]:** Acreages will be updated once the BST alignment has been finalized.

**Commented [A3]:** Acreages will be updated once the BST alignment has been finalized.

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

- 1 (1) striking “and” from the end of paragraph 11;  
2 (2) striking the period at the end of paragraph 12  
3 and inserting “; and”; and

4 (3) adding at the end the following: “(13) cer-  
5 tain land in the Uinta-Wasatch-Cache National For-  
6 est comprising approximately 6,158 acres, as gener-  
7 ally depicted on the map entitled ‘Proposed Central  
8 Wasatch National Conservation and Recreation Area  
9 Map’ and dated [REDACTED], which shall be known as the  
10 Grandeur Peak – Mount Aire Wilderness.”

11 (e) ADMINISTRATION OF LAND.—Land removed from  
12 wilderness designation by this section shall be adminis-  
13 tered in accordance with the provisions of the forest plan  
14 and management plan applicable to the adjacent non-wil-  
15 derness land.

16 **SEC. 5. WHITE PINE SPECIAL MANAGEMENT**  
17 **AREA.**

18 (a) DESIGNATION.—Subject to valid existing rights,  
19 certain National Forest System land in the Wasatch-Cache  
20 National Forest comprising approximately 1,800 acres, as  
21 generally depicted on the Conservation and Recreation  
22 Area map, is designated the White Pine Special Manage-  
23 ment Area (referred to in this section as the “special man-  
24 agement area”).

25 (b) MANAGEMENT.—

26 (1) IN GENERAL.—The Secretary shall manage

**Commented [A4]:** Acreages will be updated once the BST alignment has been finalized.

**Deleted:** Federal

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 the special management area established by subsection  
2 (a) to maintain the natural state of the special manage-  
3 ment area.

4 (2) MECHANIZED OR MOTORIZED VEHICLES.—

5 (A) IN GENERAL.—Except as provided in  
6 subparagraph (B) and the landing of helicopters,  
7 the use of motor ~~vehicle~~ and mechanical transport  
8 ~~is prohibited in the special management area.~~

Deleted: ized

Deleted: zed vehicles

9 (B) EXCEPTION.—Nothing in subpara-  
10 graph (A) prevents the Secretary from—

11 (i) authorizing the use of ~~motor~~ vehicle  
12 and ~~mechanical transport~~ for administrative  
13 purposes; or

Deleted: motorized

Deleted: s

Deleted: equipment

14 (ii) responding to an emergency.

15 (3) STRUCTURES AND FACILITIES.—New, per-  
16 manent structures and facilities are prohibited within  
17 the special management area except that permanent  
18 structures and facilities that are in existence on the date  
19 of enactment of this Act may continue to be authorized,  
20 including their modification or reconstruction.

21 (4) TIMBER HARVESTING.—Timber harvesting  
22 is prohibited within the special management area.

23 (5) FOREST PLAN. —The Secretary shall man-  
24 age the White Pine Special Management Area in ac-  
25 cordance with the forest plan to the extent consistent  
26 with this section. Notwithstanding section 6(i) of the

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 Forest and Rangeland Renewable Resources Planning  
2 Act of 1974 (16 U.S.C. 1604(i)), in the event of conflict  
3 between the forest plan and this section, this section  
4 shall supersede the forest plan. The Secretary shall not  
5 be required to amend the forest plan to incorporate the  
6 White Pine Special Management Area before revision  
7 of the forest plan.

8 **SEC. 6. GENERAL PROVISIONS.**

9 (a) GENERAL PROVISIONS.— In addition to section 3  
10 and except as provided in section 3(e), the Secretary shall  
11 manage the Conservation and Recreation Area in accord-  
12 ance with this section.

13 (1) ADJACENT MANAGEMENT.—

14 (A) IN GENERAL.—The designation of  
15 the Conservation and Recreation Area shall not  
16 create a protective perimeter or buffer zone  
17 around the Conservation and Recreation Area.

18 (B) ACTIVITIES OUTSIDE CONSERVATION  
19 AND RECREATION AREA.—The fact that an activ-  
20 ity or use on land outside the Conservation and  
21 Recreation Area can be seen or heard from areas  
22 within the Conservation and Recreation Area  
23 shall not preclude the activity or use outside the  
24 boundary of the Conservation and Recreation  
25 Area.

26 (2) NON-FEDERAL LAND.—

**Deleted:** For Federal lands within the Conservation and Recreation Area the following general provisions shall apply, consistent with section 3(e):

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 (A) NO EFFECT ON NON-FEDERAL LAND  
2 OR INTERESTS IN NON-FEDERAL LAND.—Nothing  
3 in this Act affects ownership, management, use,  
4 improvement, water rights, use of water rights, or  
5 other rights relating to non-federal land or inter-  
6 ests in non-federal land.

7 (B) ACCESS.—Nothing in this Act modi-  
8 fies any laws or regulations that require or allow  
9 the Secretary to provide the owners of private  
10 property within the boundary of the Conservation  
11 and Recreation Area access to their property.

12 (3) MOTORIZED AND MECHANIZED VEHICLES.—

13 (A) IN GENERAL.—Except as provided in  
14 subparagraph (C), the use of motor vechile and  
15 mechanical transport in the Conservation and  
16 Recreation Area shall be permitted only on roads,  
17 trails, and areas designated for use by such vehi-  
18 cles by the management plan.

19 (B) NEW OR TEMPORARY ROADS.—Ex-  
20 cept as provided in subparagraph (C), paragraph  
21 (2)(B), and paragraph (8), no new or temporary  
22 roads shall be constructed within the Conserva-  
23 tion and Recreation Area.

24 (C) EXCEPTION.—Nothing in subpara-  
25 graph (A) or (B) prevents the Secretary from—

**Deleted:** motorized

**Deleted:** mechanized

**Deleted:** vehicles

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

- 1 (i) authorizing roads or the use of motor-  
2 ized vehicles for administrative purposes; ~~or~~  
3 (ii) responding to an emergency; or  
4 (iii) maintenance, or reconstruction of  
5 road in existence on the date of enactment of  
6 this Act.

Deleted: or

7 (4) WITHDRAWAL.—Subject to valid existing  
8 rights, all National Forest System land located in the  
9 Conservation and Recreation Area is withdrawn  
10 from—

Deleted: Federal

- 11 (A) all forms of entry, appropriation, and  
12 disposal under the public land laws;  
13 (B) location, entry, and patenting under  
14 the mining laws; and  
15 (C) disposition under the mineral leasing,  
16 mineral materials, and geothermal leasing laws.

17 (5) ACQUISITION OF LAND.—

18 (A) IN GENERAL.—The Secretary may  
19 acquire land or interests in land within the bound-  
20 ary of the Conservation and Recreation Area only  
21 through exchange, donation, or purchase from a  
22 willing seller. The Secretary may not acquire any  
23 land by condemnation.

24 (B) INCORPORATION OF ACQUIRED LAND  
25 AND INTERESTS.—Any land or interest in land  
26 that is located in the Conservation and Recreation

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

- 1 Area that is acquired by the United States shall—
- 2 (i) become part of the Conservation and  
3 Recreation Area;
- 4 (ii) be managed in accordance with—
- 5 (I) the management plan;
- 6 (II) the laws and rules applicable  
7 to the National Forest System; and  
8 (III) this Act; and
- 9 (iii) be withdrawn according to  
10 paragraph (4) on the date of acquisition of  
11 the land.
- 12 (6) VEGETATION MANAGEMENT.—Nothing in  
13 this Act prohibits the Secretary from conducting vege-  
14 tation management projects within the Conservation  
15 and Recreation Area —
- 16 (A) subject to—
- 17 (i) such reasonable regulations,  
18 policies, and practices as the Secretary de-  
19 termines appropriate; and
- 20 (ii) all applicable laws (including  
21 regulations); and
- 22 (B) in a manner consistent with the pur-  
23 poses described in section 3(b).
- 24 (7) WILDLAND FIRE.—Nothing in this section  
25 prohibits the Secretary, in cooperation with other Fed-  
26 eral, State, and local agencies, as appropriate, from



**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 conducting wildland fire operations in the Conserva-  
2 tion and Recreation Area, including but not limited to  
3 operations using aircraft or mechanized equipment.

4 (8) TRANSPORTATION.—

5 (A) GENERAL.—This paragraph provides  
6 for future transportation infrastructure, including  
7 but not limited to roadway improvements, public  
8 transportation, bus stops, stations, and public  
9 amenities, such as restrooms, trails, trailheads,  
10 bike lanes, and pedestrian infrastructure, within  
11 the Conservation and Recreation Area on Na-  
12 tional Forest System land that are in accordance  
13 with—

- 14 (i) the management plan;  
15 (ii) all applicable laws; and  
16 (iii) the purposes described in sec-  
17 tion 3(b) of this Act.

18 (B) CORRIDORS.—Transportation corri-  
19 dors shall be reserved consistent with 23 C.F.R. §  
20 774(11)(i) and 49 U.S.C. § 5323(q) within the  
21 easements, rights-of-way, and areas of estab-  
22 lished use (including cut and fill slopes) on Little  
23 Cottonwood Canyon Road (State Road 210) and  
24 Big Cottonwood Canyon Road (State Road 190).

25 (i) ADJUSTMENTS.—Adjust-  
26 ments to the corridors may be made through

Deleted: are reserved

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1           a public engagement process in accordance  
2           with the National Environmental Policy  
3           Act of 1969 (42 U.S.C. §4321 et seq.) if ap-  
4           plicable and consistent with the purposes  
5           described in section 3(b).

6           (ii)   EXISTING SECTION 4(F) PROP-  
7           ERTIES.— Section 4(f) (23 U.S.C. § 138 and  
8           49 U.S.C. § 303) shall only apply to exist-  
9           ing properties within the corridors that  
10          would have been determined to be Section  
11          4(f) properties before the enactment of this  
12          Act.

13          (C)   FEDERAL ACTION.—To the extent fu-  
14          ture transportation infrastructure requires federal  
15          action, the Secretary of Agriculture and the Sec-  
16          retary of Transportation shall coordinate and give  
17          priority to actions in the Conservation and Recre-  
18          ation Area when fulfilling their obligations under  
19          the National Environmental Policy Act of 1969  
20          (42 U.S.C. § 4321 et seq.).

21          (D)   UTAH DEPARTMENT OF TRANSPOR-  
22          TATION.—Nothing in this Act is intended to—

23               (i)   limit the Utah Department of  
24               Transportation from providing avalanche  
25               control, maintenance, and safety improve-

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1                   ment activities on current and future trans-  
2                   portation facilities;

3                   (ii) diminish or otherwise affect  
4                   any easement, right-of-way (including  
5                   those established by historic use or con-  
6                   struction), or other property rights held by  
7                   or for the benefit of the Utah Department of  
8                   Transportation;

9                   (iii) add to the Utah Department of  
10                  Transportation’s permitting process for  
11                  maintenance or improvement of any exist-  
12                  ing transportation facilities; or

13                  (iv) affect existing or future appro-  
14                  priations authorized by 23 U.S.C. § 107(d),  
15                  204(f), and 317.

16                  (9) AVALANCHE CONTROL.—The Secretary  
17                  shall allow installation of, access to, and maintenance  
18                  of avalanche control devices, excluding ski lifts, to be  
19                  installed and maintained within or adjacent to the Con-  
20                  servation and Recreation Area to protect public health  
21                  and property and in accordance with the management  
22                  plan.

**Deleted:** access and avalanche control devices,

23                  (10) SKI AREA PERMIT BOUNDARIES.— Ski area  
24                  permit boundary expansion is precluded on National  
25                  Forest System land within the Conservation and Rec-  
26                  reation Area beyond what is described below and as

**Deleted:** Federal

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 depicted on the Conservation and Recreation Area  
2 map.

3 (A) BRIGHTON.—If a realignment of the  
4 Brighton Resort Area Permit Boundary is pro-  
5 posed within the “Resort Boundary Adjustment  
6 Area” as depicted on the Conservation and Rec-  
7 reation Area map, the proposed realignment is  
8 subject to the permitting process as of the date of  
9 enactment of this Act. After completion of the full  
10 permitting process and permit approval by the  
11 U.S. Forest Service, the Brighton Resort Area  
12 Boundary shall be permanent.

13 (B) SOLITUDE.—If a realignment of the  
14 Solitude Resort Area Permit Boundary is pro-  
15 posed within the Solitude “Resort Boundary Ad-  
16 justment Area” as depicted on the Conservation  
17 and Recreation Area map, the proposed realign-  
18 ment is subject to the permitting process as of the  
19 date of enactment of this Act. After completion of  
20 the full permitting process and permit approval by  
21 the U.S. Forest Service, the Resort Area Bound-  
22 ary shall be permanent.

23 (C) ALTA.—

24 (i) If a realignment of the Alta  
25 Resort Area Permit Boundary is proposed  
26 on the “Resort Area Boundary, Subject to

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1           Permitting Process” as depicted on the  
2           Conservation and Recreation Area map, the  
3           proposed realignment is subject to the per-  
4           mitting process as of the date of enactment  
5           of this Act. After completion of the full per-  
6           mitting process and permit approval by the  
7           U.S. Forest Service, the Alta Resort Area  
8           Boundary shall be permanent. The Secre-  
9           tary may restrict resort skier access beyond  
10          the realigned Alta Resort Area Boundary.

11           (ii) If the Alta Ski Lifts Company  
12          conveys the non-Federal land to the United  
13          States in exchange for the National Forest  
14          System land as described in Section 7 of  
15          this Act and as identified on the map enti-  
16          tled “Preliminary Conceptual Map for Pro-  
17          posed Land Exchange between The U.S.  
18          Forest Service and certain Utah Ski Areas”,  
19          the Alta Resort Area Boundary as of the  
20          date the land exchange is completed shall  
21          be permanent and any future Alta Resort  
22          Area Boundary realignment shall be pre-  
23          cluded. The land exchange may be com-  
24          pleted in multiple phases.

25          (11) FACILITIES.—

26           (A) DEFINITION.—In this subsection, the

Deleted: Federal

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 term “facility” means authorized facilities, such  
2 as water resource, water treatment, flood control,  
3 utility, pipeline, or telecommunications facilities.

4 (B) EXISTING FACILITIES.—Nothing in  
5 this section affects the operation or maintenance  
6 of an existing facility located within the Conser-  
7 vation and Recreation Area.

8 (C) EXPANSION AND NEW FACILITIES.—  
9 Nothing in this section prohibits the Secretary  
10 from authorizing the expansion of an existing fa-  
11 cility or the construction of a new facility within  
12 the Conservation and Recreation Area subject  
13 to—

- 14 (i) the management plan;
- 15 (ii) all applicable laws; and
- 16 (iii) in a manner consistent with  
17 the purposes described in sec-  
18 tion 3(b).

19 (12) WATER RIGHTS.—

20 (A) DEFINITION.—In this subsection, the  
21 term “water resource facility” means irrigation  
22 and pumping facilities, reservoirs, water conser-  
23 vation works, aqueducts, canals, ditches, pipe-  
24 lines, wells, hydropower projects, transmission,  
25 and other facilities ancillary thereto, and other  
26 water diversion, storage, and carriage structures.

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 (B) EFFECT OF ACT.—Nothing in this  
2 Act—

3 (i) shall constitute either an express or  
4 implied reservation by the United States of  
5 any water or water rights with respect to the  
6 Conservation and Recreation Area;

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

11 (iii) establish a precedent with re-  
12 gard to any future Conservation and Recre-  
13 ation Area designations.

14 (C) UTAH WATER LAW.—The Secretary  
15 shall follow the procedural and substantive re-  
16 quirements of State law to obtain and hold any  
17 water rights not in existence on the date of the en-  
18 actment of this Act with respect to the Conserva-  
19 tion and Recreation Area.

20 (D) EXISTING WATER INFRASTRUC-  
21 TURE.—Nothing in this Act shall be construed to  
22 limit motorized access and road maintenance by  
23 local municipalities, water districts, water sys-  
24 tems, or utilities for those maintenance activities  
25 necessary to guarantee the continued viability of  
26 water resource facilities that currently exist or

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1           which may be necessary in the future to prevent  
2           the degradation of the water supply in the Conser-  
3           vation and Recreation Area designated by this  
4           Act.

5           (13) FISH AND WILDLIFE.—Nothing in this Act  
6           affects the jurisdiction of the State with respect to fish  
7           and wildlife.

8           (14) FEES. —Notwithstanding any other provi-  
9           sion of law, the Forest Service is authorized to assess  
10           reasonable fees for admission to and the use and occu-  
11           pancy of the National Forest lands within the Conser-  
12           vation and Recreation Area. Any admission fees and  
13           fees assessed for recreational activities shall be applied  
14           to operations, maintenance and improvements of rec-  
15           reation and transportation infrastructure within the  
16           Conservation and Recreation Area and implemented  
17           only after public notice and a period of not less than 60  
18           days for public comment.

19           **SEC. 7. LAND OWNERSHIP.**

20           (a) DEFINITIONS.—In this subsection—

21           (1) FEDERAL LAND.—The term “Federal land”  
22           means the National Forest System land identified as  
23           “Federal Land To Be Evaluated for Private Owner-  
24           ship” as generally depicted on the map entitled “Pre-  
25           liminary Conceptual Map for Proposed Land Ex-  
26           change between The U.S. Forest Service and certain

**Deleted:** <#>GENERAL.—This Section provides for the po-  
tential exchange of specific National Forest System land for  
specific non-Federal land. ¶  
<#>LAND EXCHANGE.—¶



**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 Utah Ski Areas” dated [redacted]  
2 (2) NON-FEDERAL LAND.—The term “non-Fed-  
3 eral land” means—  
4 (A) land owned by Snowbird Ski and  
5 Summer Resort identified as “Private Land To  
6 be Evaluated for Public Ownership - From  
7 Snowbird” as generally depicted on the map en-  
8 titled “Preliminary Conceptual Map for Pro-  
9 posed Land Exchange between The U.S. Forest  
10 Service and certain Utah Ski Areas” dated [redacted];  
11 (B) land owned by Alta Ski Lifts Com-  
12 pany identified as “Private Land To be Evaluated  
13 for Public Ownership - From Alta” as generally  
14 depicted on the map entitled “Preliminary Con-  
15 ceptual Map for Proposed Land Exchange be-  
16 tween The U.S. Forest Service and certain Utah  
17 Ski Areas; dated [redacted];  
18 (C) land owned by Brighton Mountain  
19 Resort identified as “Private Land To be Evalu-  
20 ated for Public Ownership - From Brighton” as  
21 generally depicted on the map entitled “Prelimi-  
22 nary Conceptual Map for Proposed Land Ex-  
23 change between The U.S. Forest Service and cer-  
24 tain Utah Ski Areas” dated [redacted]; and  
25 (D) land owned by Solitude Mountain

**Deleted:** on the map entitled “Preliminary Conceptual Map for Proposed Land Exchange between The U.S. Forest Service and certain Utah Ski Areas.”

**Deleted:** the private land listed below.

**Deleted:** Private land owned by Snowbird Ski and Summer Resort identified as “Private Land To be Evaluated for Public Ownership - From Snowbird” on the map entitled “Preliminary Conceptual Map for Proposed Land Exchange between The U.S. Forest Service and certain Utah Ski Areas.”

**Deleted:** Private land owned by Alta Ski Lifts Company identified as “Private Land To be Evaluated for Public Ownership - From Alta” on the map entitled “Preliminary Conceptual Map for Proposed Land Exchange between The U.S. Forest Service and certain Utah Ski Areas.”

**Deleted:** Private land owned by Brighton Mountain Resort identified as “Private Land To be Evaluated for Public Ownership - From Brighton” on the map entitled “Preliminary Conceptual Map for Proposed Land Exchange between The U.S. Forest Service and certain Utah Ski Areas.”

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 Resort identified as “Private Land To be Evalu-  
2 ated for Public Ownership - From Solitude” as  
3 generally depicted on the map entitled “Prelimi-  
4 nary Conceptual Map for Proposed Land Ex-  
5 change between The U.S. Forest Service and cer-  
6 tain Utah Ski Areas” dated [REDACTED]

7 (b) MAP; LEGAL DESCRIPTION.—

8 (1) ADJUSTMENTS.—The Secretary and the ski  
9 areas may, by mutual agreement, correct minor or ty-  
10 pographical errors in any maps, acreage estimate, or  
11 description of any land to be exchanged under this sec-  
12 tion.

13 (2) MAP AVAILABILITY.—The maps depicting  
14 the Federal and non-Federal lands to be exchanged un-  
15 der this Act shall be available for public inspection in  
16 the Office of the Supervisor, Wasatch-Cache National  
17 Forest and Office of the Regional Forester, Intermoun-  
18 tain Region.

19 (c) CONVEYANCE OF LAND.—

20 (1) SNOWBIRD SKI AND SUMMER RESORT.—  
21 Subject to valid existing rights and the provisions of  
22 this section, if Snowbird Ski and Summer Resort offers  
23 to convey to the United States all right, title, and inter-  
24 est of in and to non-Federal land in subsection  
25 (a)(2)(A), and the offer is acceptable to the Secre-  
26 tary—

**Deleted:** Private land owned by Solitude Mountain Resort identified as “Private Land To be Evaluated for Public Ownership - From Solitude” on the map entitled “Preliminary Conceptual Map for Proposed Land Exchange between The U.S. Forest Service and certain Utah Ski Areas.”

**Deleted:** <#>SKI RESORTS.—The term “ski resorts” means Snowbird Ski and Summer Resort, Alta Ski Lifts Company, Brighton Mountain Resort, and Solitude Mountain Resort, respectively.¶

**Deleted:** resorts

**Deleted:** Act

**Deleted:** Subject to the provisions of this subsection, if the ski resorts offer to convey to the United States all right, title, and interest of the ski resorts in and to the non-Federal land, the Secretary shall evaluate the non-Federal lands and Federal lands and initiate a public engagement process. Pending the public engagement process, the Secretary shall convey to the ski resorts all right, title, and interest of the United States in and to the Federal land, subject to valid existing rights and these will be reiterated in the conveyance deed.

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1           (A) the Secretary shall accept the offer;  
2           and  
3           (B) upon receipt of acceptable title to the  
4           non-Federal land in subsection (a)(2)(A), the Sec-  
5           retary shall convey to Snowbird Ski and Summer  
6           Resort all right, title, and interest of the United  
7           States in and to the Federal Land determined by  
8           (d)(3).  
9           (2) ALTA SKI LIFTS COMPANY.—Subject to  
10          valid existing rights and the provisions of this section,  
11          if Alta Ski Lifts Company offers to convey to the  
12          United States all right, title, and interest in and to non-  
13          Federal land in subsection (a)(2)(B), and the offer is  
14          acceptable to the Secretary—  
15          (A) the Secretary shall accept the offer;  
16          and  
17          (B) upon receipt of acceptable title to the  
18          non-Federal land in subsection (a)(2)(A), the Sec-  
19          retary shall convey to Snowbird Ski and Summer  
20          Resort all right, title, and interest of the United  
21          States in and to the Federal Land determined by  
22          (d)(3).  
23          (3) BRIGHTON MOUNTAIN RESORT.—Subject to  
24          valid existing rights and the provisions of this section,  
25          if Brighton Mountain Resort offers to convey to the  
26          United States all right, title, and interest in and to non-

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 Federal land in subsection (a)(2)(C), and the offer is  
2 acceptable to the Secretary—

3 (A) the Secretary shall accept the offer;

4 and

5 (B) upon receipt of acceptable title to the  
6 non-Federal land in subsection (a)(2)(A), the Sec-  
7 retary shall convey to Snowbird Ski and Summer  
8 Resort all right, title, and interest of the United  
9 States in and to the Federal Land determined by  
10 (d)(3).

11 (4) SOLITUDE MOUNTAIN RESORT.—

12 Subject to valid existing rights and the provisions of  
13 this section, if Solitude Mountain Resort offers to con-  
14 vey to the United States all right, title, and interest in  
15 and to non-Federal land in subsection (a)(2)(D), and  
16 the offer is acceptable to the Secretary—

17 (A) the Secretary shall accept the offer;

18 and

19 (B) upon receipt of acceptable title to the  
20 non-Federal land in subsection (a)(2)(A), the Sec-  
21 retary shall convey to Snowbird Ski and Summer  
22 Resort all right, title, and interest of the United  
23 States in and to the Federal Land determined by  
24 (d)(3).

25 (d) CONDITIONS ON ACCEPTANCE.—

26 (1) TITLE.—As a condition of the land exchange

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 under this subsection, title to the non-Federal land to  
2 be acquired by the Secretary under this subsection shall  
3 be acceptable to the Secretary based on Department of  
4 Justice Title Standards.

5 (2) TERMS AND CONDITIONS.—The conveyance  
6 of the Federal land and non-Federal land shall be sub-  
7 ject to—

8 (A) all applicable laws, including the Na-  
9 tional Environmental Policy Act of 1969 (42  
10 U.S.C. §4321 et seq.) and section 206 of the Fed-  
11 eral Land Policy Act of 1976 (43 U.S.C. §1716);  
12 and

13 (B) such terms and conditions as the Sec-  
14 retary may require.

15 (3) IDENTIFICATION OF FEDERAL LANDS TO BE  
16 EXCHANGED.— Conveyance of Federal land under this  
17 section shall be contingent upon the Secretary and a ski  
18 area reaching a mutual agreement on the land to be  
19 conveyed.

20 (4) PUBLIC ENGAGEMENT PROCESS.— The Sec-  
21 retary shall initiate a public engagement process to be  
22 conducted in accordance with the National Environ-  
23 mental Policy Act (42 U.S.C. 4321 et seq.) and other  
24 applicable Federal laws for the purpose of—

25 (A) evaluating existing private and public  
26 access to and uses of the Federal land and non-

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

- 1 Federal land; and
- 2 (B) determining specific descriptions of
- 3 the non-Federal and Federal land to be exchanged
- 4 that will be acceptable to the Secretary and that
- 5 can be agreed to by the ski area.
- 6 (5) APPRAISALS.—
- 7 (A) IN GENERAL.—As soon as practica-
- 8 ble after the date of enactment of this Act, the
- 9 Secretary shall select an appraiser to conduct an
- 10 appraisal of the Federal land and non-Federal
- 11 land, as appropriate.
- 12 (B) REQUIREMENTS.—The values of the
- 13 lands to be exchanged under this section shall be
- 14 determined by the Secretary through appraisals
- 15 performed in accordance with—
- 16 (i) The Uniform Appraisal Stand-
- 17 ards for Federal Land Acquisitions; and
- 18 (ii) The Uniform Standards of
- 19 Professional Appraisal Practice.
- 20 (C) COSTS.—The costs of appraisal un-
- 21 der subparagraph (B) and any associated adminis-
- 22 trative costs shall be paid by the ski area.
- 23 (6) SURVEYS AND TITLE WORK.—
- 24 (A) IN GENERAL.— As soon as practica-
- 25 ble after the date of enactment of this Act, the Sec-

**Deleted:** As part of the public engagement process, existing private and public access to and uses of the land involved in the exchange shall be evaluated.

**Deleted:** <#>ALTA EXCHANGE.— If Alta Ski Lifts Company offers to convey non-Federal land to the United States in exchange for Federal land within the Town of Alta under this section, the exchange shall be accompanied by a commitment from Alta Ski Lifts Company to work with the Town of Alta, existing base area property owners, and the public to maintain access to public lands for ski area use, trails, business operations, parking, and other existing private uses, even if the resort and transit facilities are reconfigured. ¶

**Deleted:** and the ski resorts

**Deleted:** An appraisal under subparagraph (A) shall be conducted in accordance with nationally recognized appraisal standards, including—

**Deleted:** The responsibility for the costs of appraisal and any associated administrative costs of appraisal conducted under subparagraph (B) for purposes of carrying out the land exchange shall be covered by the ski resorts.

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1       retary and the ski area shall reach mutual agree-  
2       ment on and select surveyors to conduct surveys of  
3       the Federal land and non-Federal land.

**Deleted:** resorts

**Deleted:** select

4               (B) REQUIREMENTS. The exact acreage  
5       and legal description of the Federal land and non-  
6       Federal land shall be determined by boundary sur-  
7       veys by state-licensed surveyors of the lands to be  
8       exchanged. The boundaries will be surveyed and  
9       monumented as required by all applicable Federal  
10       regulations.

**Deleted:** of the lands to be exchanged

**Deleted:** by the Secretary

11       (7) COSTS.— The ski area shall pay the costs as-  
12       sociated with the land exchange, as appropriate, under  
13       this section for—

14               (A) the appraisal under paragraph (6);

15               (B) any title work, including any ab-  
16       stracts, title reports, escrow or closing fees, and  
17       deed preparation;

18               (C) the preparation of any documenta-  
19       tion under the National Environmental Policy  
20       Act (43 U.S.C. 4321 et seq.);

21               (D) the valuation of timber; and

22               (E) any other administrative costs associ-  
23       ated with the land exchange.

**Deleted:** The responsibility for the costs of any surveys conducted under subparagraph (A), any title work including but not limited to any abstracts, title reports, escrow or closing fees, deed preparation, preparation of NEPA documents, and any other administrative costs of carrying out the land exchange, shall be covered by the ski resorts.

24       (8) VALUATION AND EQUALIZATION.—

25               (A) IN GENERAL.—The value of the Fed-

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 eral land and non-Federal land to be exchanged un-  
2 der this section—

Deleted: sub

3 (i) shall be equal, as determined by ap-  
4 praisals conducted in accordance with para-  
5 graph (5); or

6 (ii) if not equal, may be equalized by a  
7 cash equalization payment in the manner pro-  
8 vided in section 206(b) of the Federal Land  
9 Policy and Management Act of 1976 (43  
10 U.S.C. 1716(b)); or

11 (iii) if not equal, the acreage of the Fed-  
12 eral land or the non-Federal land may be re-  
13 duced to achieve equalization, as appropriate.

14 (9) DISPOSITION OF PROCEEDS.—

15 (A) IN GENERAL.—The Secretary shall  
16 deposit in the fund established under Public Law  
17 90-171 (commonly known as the Sisk Act; 16  
18 U.S.C. 484a) any amount received by the Secre-  
19 tary as the result of any cash equalization payment  
20 made under subparagraph (8)(A)(ii).

Deleted: 6

21 (B) USE OF PROCEEDS.—Amounts de-  
22 posited under subparagraph (A) shall be available  
23 to the Secretary, without further appropriation and  
24 until expended, for the acquisition of lands and in-  
25 terests in lands in the Conservation and Recreation  
26 Area.



**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1 (10) REVOCATION OF ORDERS; WITHDRAWAL.—

2 (A) REVOCATION OF ORDERS.—Any  
3 public order withdrawing the Federal land from  
4 entry, appropriation, or disposal under the public  
5 land laws is revoked to the extent necessary to per-  
6 mit the conveyance of the Federal land to the ski  
7 area.

**Deleted:** resorts

8 (B) WITHDRAWAL.—On the date of en-  
9 actment of this Act, and until the date of the con-  
10 veyance of the Federal land to a ski area, the Fed-  
11 eral land is withdrawn from—

12 (i) location, entry, and patent under the  
13 mining laws; and

14 (ii) disposition under laws relating to  
15 mineral and geothermal leasing.

**Deleted:** if not already withdrawn or segregated from entry and appropriation under the public land laws (including the mining and mineral leasing laws) and the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.), the Federal land is withdrawn until the date of the conveyance of the Federal land to the ski resorts.

16 (11) HAZARDOUS MATERIALS.—

17 (A) IN GENERAL.—For any conveyance  
18 of Federal land under this section, the Secretary  
19 shall meet disclosure requirements for hazardous  
20 substances, pollutants, or contaminants under sec-  
21 tion 102(h) of the Comprehensive Environmental  
22 Response, Compensation, and Liability Act of  
23 1980 (42 U.S.C. 9620(h)(1)), but shall otherwise  
24 not be required to remediate or abate such hazard-  
25 ous substances, pollutants, or contaminants.

**Deleted:** In any conveyance of land under this Act,

26 (B) CONDITIONS.—As a condition of a

**Deleted:** or abate such substances

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1       land exchange under this section, the ski area must  
2       agree to—

3               (i) indemnify and hold harmless the  
4       United States for any costs associated with  
5       remediating or abating any hazardous sub-  
6       stances, pollutants, or contaminants located  
7       on, or being released from, the land conveyed  
8       under this Act: and

9               (ii) restore any injured or lost natural re-  
10       sources as result of hazardous substances,  
11       pollutants, or contaminants located on, or be-  
12       ing released from, the Federal land or non-  
13       Federal land conveyed under this subsection.

14       (C) ENVIRONMENTAL SITE ASSESS-  
15       MENT.—

16               (i) AVAILABILITY.—The Secretary shall  
17       make available for review and inspection any  
18       record relating to hazardous materials on the  
19       land to be exchanged under this Act. Prior to  
20       the conveyance of Federal or non-Federal  
21       land under this section, the ski area shall con-  
22       duct an Environmental Site Assessment of  
23       the Federal land and non-Federal land pro-  
24       posed for exchange.

25               (ii) REQUIREMENTS.—The Environmen-  
26       tal Site Assessment shall—

**Deleted:** Furthermore, any party described in subparagraph (1)(C), which acquires property conveyed under this Act must agree to indemnify and hold harmless the United States for any costs associated with remediating or abating any hazardous substances, pollutants, or contaminants located on, or being released from, the land conveyed under this Act, and restore any injured or lost natural resources.

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1                    (I) meet the requirements set  
2                    forth in ASTM E1527-13 and 40 CFR  
3                    312 that apply to the non-Federal land to  
4                    be conveyed to or the Federal land to be  
5                    conveyed from the United States; and  
6                    (II) shall be provided to the Secre-  
7                    tary.  
8                    (D) COSTS.—The costs of any response  
9                    action or restoration of injured or lost natural re-  
10                    source relating to hazardous materials, pollutants,  
11                    or contaminants on land exchanged under this sec-  
12                    tion shall be paid by the appropriate ski area. No  
13                    claim shall be made against the United States by  
14                    any ski area for any costs associated with the Fed-  
15                    eral land on non-Federal land exchange under this  
16                    section.  
17                    (E) FEDERAL LAND.— Notwithstanding  
18                    the Comprehensive Environmental Response,  
19                    Compensation, and Liability Act of 1980 (42  
20                    U.S.C. 9601 et seq.), the Secretary is only required  
21                    to comply with the requirements set forth in para-  
22                    graph (1) of section 102(h) of that Act (42 U.S.C.  
23                    9620(h)(1)), but not otherwise required to comply  
24                    with any other provisions of section 102(h) (42  
25                    U.S.C. 9620(h)) for Federal land conveyed to a ski  
26                    area under this section.

**Deleted:** The Secretary and, as a condition of the exchange, the State, shall make available for review and inspection any record relating to hazardous materials on the land to be exchanged under this Act. Prior to the conveyance of federal or non-federal lands, the ski resorts shall conduct an Environmental Site Assessment of the lands proposed for conveyance, that meets the requirements set forth in ASTM E1527-13, for both land to be conveyed to or from the United States, and provide such reports to the Secretary.

**Deleted:** acquired under this Act shall be paid by those entities listed in subparagraph (1)(C)

**Deleted:** party

**Deleted:** listed in subparagraph (1)(C) for any costs associated with the land conveyed under this Act.

**Deleted:** PARCELS

**Deleted:** Notwithstanding 42 U.S.C. 9601 et seq, the Secretary is only required to comply with the requirements set forth in 42 U.S.C. 9620(h)(1), but not otherwise required to comply with any other provisions of 42 U.S.C. 9620(h) for land conveyed to a party listed in subparagraph (1)(C)

**07/17/2018 DRAFT**  
**CENTRAL WASATCH NATIONAL CONSERVATION  
AND RECREATION AREA ACT**

1           (12) DEADLINE FOR COMPLETION OF LAND EX-  
2           CHANGE.—It is the intent of Congress that the land ex-  
3           change under this subsection shall be completed not  
4           later than 48 months after the date the proposal from  
5           the non-Federal party is accepted by the Secretary.

Deleted: 36

6           **SEC. 8. MAPS AND LEGAL DESCRIPTIONS.**

7           (a) IN GENERAL.—As soon as practicable after the date  
8           of enactment of this Act, the Secretary shall prepare a map  
9           and legal description of the Conservation and Recreation  
10          Area, wilderness and wilderness additions, and White Pine  
11          Special Management Area.

12          (b) LEGAL EFFECT.—The maps and legal descriptions  
13          prepared under subsection (a) shall have the same force  
14          and effect as if included in this section, except that the Sec-  
15          retary may correct minor or typographical errors in the  
16          map and legal description.

17          (c) AVAILABILITY OF MAP AND LEGAL DESCRIPTION.—  
18          The maps and legal descriptions prepared under subsec-  
19          tion (a) shall be on file and available for public inspection  
20          in the appropriate offices of the Forest Service.