

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 5727
OFFERED BY MR. LOWENTHAL OF CALIFORNIA**

Page 12, after line 20, insert the following:

1 **SEC. 104. ESTABLISHMENT OF SAN RAFAEL SWELL BAD-**
2 **LANDS NATIONAL CONSERVATION AREA.**

3 (a) ESTABLISHMENT.—

4 (1) IN GENERAL.—Subject to valid existing
5 rights, there is established the San Rafael Swell
6 Badlands National Conservation in the State.

7 (2) AREA INCLUDED.—The National Conserva-
8 tion Area shall consist of approximately 200,000
9 acres of Bureau of Land Management land in the
10 State, as generally depicted on the Map identified as
11 “San Rafael Badlands National Conservation Area
12 Map” dated _____, 2018.

13 (b) PURPOSE.—The purpose of the National Con-
14 servation Area is to preserve the presently existing cul-
15 tural, wilderness, natural, wildlife, scenic, ecological, and
16 historic resources of the National Conservation Area.

17 (c) MAP AND LEGAL DESCRIPTION.—

18 (1) IN GENERAL.—As soon as practicable after
19 the date of enactment of this Act, the Secretary

1 shall file a map and legal description of the National
2 Conservation Area with the Committee on Natural
3 Resources of the House of Representatives and the
4 Committee on Energy and Natural Resources of the
5 Senate.

6 (2) EFFECT.—The map and legal description
7 filed under paragraph (1) shall have the same force
8 and effect as if included in this title, except that the
9 Secretary may correct minor errors in the map or
10 legal description.

11 (3) PUBLIC AVAILABILITY.—A copy of the map
12 and legal description filed under paragraph (1) shall
13 be on file and available for public inspection in the
14 appropriate offices of the Bureau of Land Manage-
15 ment.

16 **SEC. 105. MANAGEMENT OF NATIONAL CONSERVATION**
17 **AREA.**

18 (a) USES.—The Secretary shall allow only such uses
19 of the National Conservation Area as the Secretary deter-
20 mines would further the purpose of the National Con-
21 servation Area.

22 (b) MANAGEMENT PLAN.—

23 (1) IN GENERAL.—Not later than 3 years after
24 the date of enactment of this Act, the Secretary
25 shall develop a comprehensive management plan for

1 the long-term protection and management of the
2 National Conservation Area.

3 (2) REQUIREMENTS.—The Management Plan
4 shall—

5 (A) describe the appropriate uses and
6 management of the National Conservation
7 Area;

8 (B) be developed with extensive public
9 input;

10 (C) take into consideration any informa-
11 tion developed in studies of the land within the
12 National Conservation Area; and

13 (D) be developed in accordance with the
14 settlement agreement entered into on January
15 13, 2017, in the case in the United States Dis-
16 trict Court for the District of Utah styled
17 “Southern Utah Wilderness Alliance, et al. v.
18 U.S. Department of the Interior, et al.” and
19 numbered 2:12-cv-257 DAK.

20 (c) MOTORIZED AND MECHANIZED VEHICLES.—

21 (1) IN GENERAL.—Except as needed for emer-
22 gency response or administrative purpose, the use of
23 motorized or mechanized vehicles in the National
24 Conservation Area shall be permitted only on roads

1 and motorized routes designated in the Management
2 Plan for the use of motorized or vehicles.

3 (2) NEW ROADS.—No additional roads or mo-
4 torized or mechanized vehicle routes shall be built
5 within the National Conservation Area after the date
6 of enactment of this Act.

7 (d) GRAZING.—The grazing of livestock in the Na-
8 tional Conservation Area, if established before the date of
9 enactment of this Act, shall be allowed to continue, subject
10 to such reasonable regulations, policies, and practices as
11 the Secretary considers to be necessary in accordance
12 with—

13 (1) applicable law (including regulations);

14 (2) the guidelines set forth in Appendix A of
15 the report of the Committee on Interior and Insular
16 Affairs of the House of Representatives accom-
17 panying H.R. 2570 of the 101st Congress (House
18 Report 101–405); and

19 (3) the purpose of the National Conservation
20 Area.

21 (e) WILDFIRE MANAGEMENT.—Nothing in this sec-
22 tion prohibits the Secretary, in cooperation with other
23 Federal, State, and local agencies, as appropriate, from
24 conducting wildland fire operations in the National Con-

1 servation Area, consistent with the purpose of the Na-
2 tional Conservation Area.

3 (f) INCORPORATION OF ACQUIRED LAND AND INTER-
4 ESTS.—Any land or interest in land located within the
5 boundary of the National Conservation Area that is ac-
6 quired by the United States after the date of enactment
7 of this Act shall—

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

10 (2) be managed as provided in this section.

11 (g) WITHDRAWALS.—Subject to valid existing rights,
12 all public land within the National Conservation Area, in-
13 cluding any land or interest in land that is acquired by
14 the United States within the Special Management Area
15 after the date of enactment of this Act, is withdrawn
16 from—

17 (1) entry, appropriation, or disposal under the
18 public land laws;

19 (2) location, entry, and patent under the mining
20 laws; and

21 (3) operation of the mineral leasing, mineral
22 materials, and geothermal leasing laws.

Page 13, strike lines 14 through 18 (and redesignate
subsequent paragraphs accordingly).

Page 14, line 9, strike “HORSESHOE CANYON (NORTH)” and insert “LABYRINTH CANYON”.

Page 14, line 11, strike “26,192” and insert “129,000”.

Page 14, line 13, strike “Horseshoe Canyon (North) Wilderness” and insert “Labyrinth Canyon Wilderness”.

Page 14, line 21, strike “48,330” and insert “239,000”.

