

**HOLE IN THE ROCK STATE PARK**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keven J. Stratton**

Senate Sponsor: Margaret Dayton

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**LONG TITLE**

**General Description:**

This bill deals with the creation of the Hole in the Rock State Park.

**Highlighted Provisions:**

This bill:

▶ authorizes the Division of Parks and Recreation to enter into agreements with the United States Bureau of Land Management and the United States National Park Service to acquire the Hole in the Rock area as a state park; and

▶ states that the Hole in the Rock area shall be included within the state park system upon the division entering into the agreement described above.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**79-4-605**, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **79-4-605** is enacted to read:

**79-4-605. Hole in the Rock included within state park system.**



28 (1) As used in this section, "Hole in the Rock area" means the area of land in Garfield  
 29 County on the western rim of Glen Canyon National Recreation Area, which includes a trail  
 30 used by Mormon pioneers to reach the southeastern area of Utah.

31 (2) The division may:

32 (a) enter into an agreement to acquire the Hole in the Rock area, or part of the area, as a  
 33 state park with the United States Bureau of Land Management and the United States National  
 34 Park Service; and

35 (b) receive donations of land or facilities at the Hole in the Rock area for inclusion  
 36 within the state park.

37 (3) In entering the agreement described in Subsection (2)(a), the division may:

38 (a) pursue a land transfer agreement with the United States Bureau of Land  
 39 Management and the United States National Park Service;

40 (b) if a land transfer agreement is not possible, seek to purchase or lease the land from  
 41 the United States Bureau of Land Management and the United States National Park Service  
 42 through the Recreation and Public Purposes Act, 43 U.S.C. Sec. 869 et seq.; and

43 (c) finalize an agreement to receive land by transfer, purchase, or lease, as described in  
 44 Subsections (3)(a) and (b), if:

45 (i) the resulting state park, including the cost of law enforcement, would be financially  
 46 self-sustaining;

47 (ii) all current grazing allotments shall be maintained; and

48 (iii) the Legislative Management Committee and the Natural Resources, Agriculture,  
 49 and Environment Interim Committee approve the plan to expand the state park system by  
 50 including the Hole in the Rock area.

50a **Ŝ→ (4) In pursuing state park status for the Hole in the Rock area, the division shall consult**  
 50b **with affected counties, the Hole in the Rock Foundation, and other parties as appropriate. ←Ŝ**

51 **Ŝ→ [(4)] (5) ←Ŝ** If the division successfully enters into the agreement described in  
 51a Subsection (2)(a),

52 the division shall negotiate in good faith with the School and Institutional Trust Lands  
 53 Administration to attempt to:

54 (a) purchase parcels of school and institutional trust land located within the boundaries  
 55 of the Hole in the Rock area; or

56 (b) exchange parcels of school and institutional trust land located within the boundaries  
 57 of the Hole in the Rock area for other parcels of state land or other lands administered by the  
 58 United States government.

59            ~~§~~ → [(5)] (6) ← ~~§~~ The Hole in the Rock area shall be included within the state park system  
59a upon the  
60 division entering into the agreement described in Subsection (2)(a).

61            ~~§~~ → [(6)] (7) ← ~~§~~ Upon its inclusion in the state park system, the state shall be responsible for  
61a the  
62 cost of law enforcement within the Hole in the Rock area.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**