

108TH CONGRESS
2D SESSION

S. 2440

To direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study of certain land adjacent to the Walnut Canyon National Monument in the State of Arizona.

IN THE SENATE OF THE UNITED STATES

MAY 19, 2004

Mr. McCAIN introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study of certain land adjacent to the Walnut Canyon National Monument in the State of Arizona.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Walnut Canyon Study
5 Act of 2004”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

1 (1) the Coconino National Forest was estab-
2 lished in the State of Arizona on July 2, 1908;

3 (2) the Walnut Canyon National Monument in
4 the State of Arizona was originally designated as a
5 national monument by Presidential proclamation on
6 November 30, 1915, to protect Sinaguan cliff dwell-
7 ings;

8 (3) since the original designation, the Monu-
9 ment boundaries have been expanded to include
10 3,580 acres;

11 (4) National Forest System land and State
12 trust land in the study area contain significant cul-
13 tural and natural resources;

14 (5) the Coconino National Forest Land and Re-
15 sources Management Plan of 1987 identified Na-
16 tional Forest System land in the study area as land
17 for nondevelopment or disposal under the National
18 Forest Management Act of 1976 (16 U.S.C. 472a et
19 seq.);

20 (6) State trust land in the study area has been
21 temporarily removed from consideration for develop-
22 ment by State agencies with jurisdiction over the
23 State trust land;

24 (7) the communities in the vicinity of the land
25 in the study area support maintaining public uses of

1 the land surrounding the Monument while protecting
2 the resources of the land;

3 (8) several interest groups have proposed ex-
4 panding the Monument and designating the ex-
5 panded area as a national park or national preserve;

6 (9) the city of Flagstaff and Coconino County,
7 Arizona, have passed resolutions supporting further
8 review and study of, and the development of man-
9 agement options for, the study area; and

10 (10) to determine the appropriate management
11 of the adjacent land, interested parties have re-
12 quested a study to help identify management op-
13 tions.

14 (b) PURPOSES.—The purposes of this Act are—

15 (1) to authorize a study of the study area to
16 evaluate public uses and resource values; and

17 (2) to obtain recommendations for management
18 options for maintenance of the public uses and pro-
19 tection of resources of the study area.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) MAP.—The term “map” means the map en-
23 titled “Walnut Canyon Proposed Study Area” and
24 dated July 17, 2003.

1 (2) MONUMENT.—The term “Monument”
2 means the Walnut Canyon National Monument in
3 the State of Arizona.

4 (3) SECRETARIES.—The term “Secretaries”
5 means the Secretary of the Interior and the Sec-
6 retary of Agriculture, acting jointly.

7 (4) STUDY AREA.—The term “study area”
8 means the area identified on the map as “Walnut
9 Canyon Proposed Study Area”, consisting of 30,818
10 acres, of which—

11 (A) 24,987 acres is Federal land in
12 Coconino National Forest; and

13 (B) 2,037 acres is State land;

14 (C) 214 acres is private land; and

15 (D) 3,580 acres is the Monument.

16 **SEC. 4. STUDY.**

17 (a) IN GENERAL.—The Secretaries shall conduct a
18 study of the study area.

19 (b) REQUIREMENTS.—The study shall evaluate—

20 (1) the significance of the resources of the
21 study area as the resources pertain to—

22 (A) the management objectives of the For-
23 est Service; and

24 (B) the management objectives of the Na-
25 tional Park Service;

1 (2) the opportunities for maintaining existing
2 public uses; and

3 (3) a range of options for managing and con-
4 serving resources by the National Park Service or
5 the Forest Service, or by both agencies acting joint-
6 ly, including the suitability and feasibility of—

7 (A) a boundary adjustment to the Monu-
8 ment;

9 (B) designation of the study area as a na-
10 tional park or preserve;

11 (C) maintaining the study area as man-
12 aged by the Forest Service; and

13 (D) any other designation or management
14 option that will accomplish both the protection
15 of resources and the maintenance of public use
16 and access for the study area.

17 (c) CONSULTATION.—In conducting the study, the
18 Secretaries may—

19 (1) contract with a third-party consultant with
20 experience in park and land use planning to prepare
21 a draft study; and

22 (2) collaborate with the persons identified in
23 subsection (d) in developing a scope of work for the
24 draft study under the guidance of the third-party
25 consultant.

1 (d) REVIEW; RECOMMENDATIONS.—The Secretaries,
 2 the Forest Supervisor of the Coconino National Forest,
 3 the Superintendent of the Flagstaff Area National Monu-
 4 ments, the Flagstaff City Council, and the Coconino Coun-
 5 ty Board of Supervisors shall—

6 (1) review the draft study prepared by the
 7 third-party consultant; and

8 (2) provide to the third-party consultant com-
 9 ments on and recommendations for the draft study.

10 (e) REPORT.—Not later than 18 months after the
 11 date of enactment of this Act, the Secretaries shall submit
 12 to Congress a report that—

13 (1) describes the findings and conclusions of the
 14 study conducted under this section, including the
 15 recommendations of the persons identified in sub-
 16 section (d); and

17 (2) makes a recommendation for the future
 18 management of the study area.

19 (f) EFFECT.—Nothing in this Act affects the man-
 20 agement of the land depicted on the map.

21 (g) AUTHORIZATION OF APPROPRIATIONS.—There
 22 are authorized to be appropriated such sums as are nec-
 23 essary to carry out this Act.

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