H. R. 1348

To establish the Great Bend of the Gila National Monument in the State of Arizona, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2013

Mr. Grijalva introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish the Great Bend of the Gila National Monument in the State of Arizona, and for other purposes.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Great Bend of the Gila National Monument Establishment Act”.

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

Sec. 1. Short title; table of contents.
Sec. 3. Management of national monument.
Sec. 4. Management plan.
Sec. 5. Tribal use of national monument.
Sec. 6. Off-road use of motorized and mechanized vehicles.
Sec. 7. No military airspace restrictions.
Sec. 8. Research, education, and visitor services.
Sec. 9. Fish and wildlife.
Sec. 10. Land acquisition.
Sec. 11. Withdrawal.
Sec. 12. Water rights.
Sec. 13. Authorization of appropriations.

SEC. 2. ESTABLISHMENT OF GREAT BEND OF THE GILA NATIONAL MONUMENT, ARIZONA.

(a) ESTABLISHMENT.—There is established in the State of Arizona the Great Bend of the Gila National Monument (in this Act referred to as the “national monument”).

(b) PURPOSE.—The purpose of the national monument is—

   (1) to preserve, protect, and restore the archaeological, cultural, historic, geologic, hydrologic, natural, educational, and scenic resources of the Great Bend of the Gila (Gila River in Western Maricopa County, Arizona) and adjacent land; and

   (2) to provide for public interpretation and recreation consistent with the resources described in paragraph (1).

(c) BOUNDARIES.—

   (1) IN GENERAL.—The national monument consists of approximately 84,296 acres of public lands and interests in land administered by the Secretary of the Interior through the Bureau of Land Manage-
ment, as generally depicted on the map entitled “Great Bend of the Gila National Monument” and dated March 6, 2013.

(2) MINOR ADJUSTMENTS.—The Secretary may make minor adjustments to the boundaries of the national monument to reflect the inclusion of significant archaeological resources discovered after the date of enactment of this Act on public lands adjacent to the national monument.

(3) AVAILABILITY OF MAP.—The map described in paragraph (1) and the legal description of any adjustments made under paragraph (2) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(d) ADJACENT USES.—Nothing in this Act—

(1) creates a protective perimeter or buffer zone around the national monument; or

(2) affects private property outside of the boundaries of the national monument.

SEC. 3. MANAGEMENT OF NATIONAL MONUMENT.

(a) NATIONAL LANDSCAPE CONSERVATION SYSTEM.—The Secretary of the Interior shall manage the national monument as part of the National Landscape Conservation System—
(1) to allow only such uses of the national monument as to further the purposes for which the monument was established; and

(2) in accordance with this Act and other laws generally applicable to the national monument, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.) and the policy described in Public Law 95–341 (commonly known as the American Indian Religious Freedom Act; 42 U.S.C. 1996).

(b) MANAGEMENT OBJECTIVES.—In managing the national monument, the Secretary of the Interior shall—

(1) maintain the undeveloped character of the national monument to the maximum extent practicable; and

(2) protect and restore cultural resources, species, and ecosystems of the national monument.

(c) VEGETATION MANAGEMENT.—

(1) IN GENERAL.—The Secretary of the Interior—

(A) shall conduct an inventory of invasive plant species in the national monument; and

(B) may carry out vegetation management treatments in the national monument.
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(2) USE OF NATIVE PLANT SPECIES.—The Secretary shall utilize native plant species in planning for restoration projects to be conducted in the national monument.

(d) GRAZING.—The Secretary shall permit grazing in the national monument, where grazing was established before the date of enactment of this Act—

(1) subject to all applicable laws; and

(2) consistent with the purposes for which the national monument is established.

(e) BACKCOUNTRY ACTIVITIES.—Management of the national monument shall support backcountry hunting and other non-motorized recreation in the national monument.

SEC. 4. MANAGEMENT PLAN.

(a) MANAGEMENT PLAN REQUIRED.—Not later than three years after the date of enactment of this Act, the Secretary of the Interior shall develop a management plan for the national monument that addresses the actions necessary to protect the resources described in section 2(b)(1). The management plan shall include a transportation plan, including travel restrictions and road closures.

(b) CONSULTATION.—In addition to the period of public comment required by subsection (b), the Secretary of the Interior shall prepare the management plan in gov-
ernment-to-government consultation with Indian tribes with a cultural or historic tie to the Great Bend of the Gila.

SEC. 5. TRIBAL USE OF NATIONAL MONUMENT.

(a) TRADITIONAL USES.—The Secretary of the Interior shall allow for the continued use of the national monument by members of Indian tribes—

(1) for traditional ceremonies; and

(2) as a source of traditional plants and other materials.

(b) TERMS AND CONDITIONS.—Tribal use of the national monument under subsection (a) shall be—

(1) subject to any terms and conditions the Secretary of the Interior determines to be necessary to further the purposes for which the national monument is established; and

(2) in accordance with applicable law.

(c) TRIBAL RIGHTS.—Nothing in this Act affects—

(1) the rights of any Indian tribe on Indian land;

(2) any individually held trust land or Indian allotment; or

(3) any treaty rights providing for nonexclusive access to or in the national monument by members
of Indian tribes for traditional and cultural purposes.

SEC. 6. OFF-ROAD USE OF MOTORIZED AND MECHANIZED VEHICLES.

Except as needed for administrative purposes or to respond to an emergency, the use of motorized and mechanized vehicles in the national monument is limited to roads and trails designated for their use.

SEC. 7. NO MILITARY AIRSPACE RESTRICTIONS.

Establishment of the national monument shall not be construed to impact or impose any altitude, flight, or other airspace restrictions on current or future military operations or missions. Should the Armed Forces require additional or modified airspace after the date of the enactment of this Act, Congress does not intend for the establishment of the national monument to impede the Secretary of Defense from petitioning the Federal Aviation Administration to change or expand restricted military airspace.

SEC. 8. RESEARCH, EDUCATION, AND VISITOR SERVICES.

(a) Education and Interpretation.—The Secretary of the Interior shall provide such minimal facilities within the national monument for education and interpretation, such as signage or other interpretive kiosks, as the Secretary considers necessary for visitor enjoyment of the
national monument, while ensuring the protection of
monument resources.

(b) Visitor Center.—Any visitor center for the na-
tional monument shall be sited in a community in the vi-
cinity of the national monument, rather than within the
boundaries of the national monument.

(c) Research Authorized.—

(1) In general.—The Secretary of the Inte-
rior shall allow scientific research to be conducted in
the national monument, including research to iden-
tify, protect, and preserve the historic and cultural
resources of the monument.

(2) Climate change research.—The Sec-
retary may conduct, or authorize other persons to
conduct, research regarding the effects of climate
change on monument resources to develop manage-
ment techniques to boost resiliency and facilitate ad-
aptation to human-caused climate change.

SEC. 9. FISH AND WILDLIFE.

Nothing in this Act affects the jurisdiction of the
State of Arizona with respect to the management of fish
and wildlife on public lands in the State.

SEC. 10. LAND ACQUISITION.

(a) Acquisition Authority.—The Secretary of the
Interior may acquire land and any interest in land, State
and private, within or adjacent to the boundaries of the national monument—

(1) by purchase from willing sellers with donated or appropriated funds;

(2) by donation; or

(3) by exchange.

(b) TREATMENT OF ACQUIRED LAND.—Land and interests in land acquired under the authority of subsection (a) shall automatically become part of the national monument.

SEC. 11. WITHDRAWAL.

(a) IN GENERAL.—Subject to valid existing rights, all Federal land within the national monument (including any land or interest in land acquired after the date of enactment of this Act) is withdrawn from—

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

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

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

(b) RENEWABLE ENERGY PROJECTS.—Subject to valid and existing rights, renewable energy and transmission development is prohibited in the national monument.
SEC. 12. WATER RIGHTS.

(a) IN GENERAL.—Nothing in this Act affects any valid water rights, including water rights held by the United States.

(b) RESERVED WATER RIGHTS.—The designation of the national monument does not create a Federal reserved water right.

SEC. 13. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.