

113TH CONGRESS  
1ST SESSION

# H. R. 1348

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

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2013

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

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## A BILL

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

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Great Bend of the Gila National Monument Establish-  
6 ment Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Establishment of Great Bend of the Gila National Monument, Arizona.
- 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.

1 **SEC. 2. ESTABLISHMENT OF GREAT BEND OF THE GILA NA-**  
 2 **TIONAL MONUMENT, ARIZONA.**

3 (a) ESTABLISHMENT.—There is established in the  
 4 State of Arizona the Great Bend of the Gila National  
 5 Monument (in this Act referred to as the “national monu-  
 6 ment”).

7 (b) PURPOSE.—The purpose of the national monu-  
 8 ment is—

9 (1) to preserve, protect, and restore the archae-  
 10 ological, cultural, historic, geologic, hydrologic, nat-  
 11 ural, educational, and scenic resources of the Great  
 12 Bend of the Gila (Gila River in Western Maricopa  
 13 County, Arizona) and adjacent land; and

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

17 (c) BOUNDARIES.—

18 (1) IN GENERAL.—The national monument con-  
 19 sists of approximately 84,296 acres of public lands  
 20 and interests in land administered by the Secretary  
 21 of the Interior through the Bureau of Land Manage-

1 ment, as generally depicted on the map entitled  
2 “Great Bend of the Gila National Monument” and  
3 dated March 6, 2013.

4 (2) MINOR ADJUSTMENTS.—The Secretary may  
5 make minor adjustments to the boundaries of the  
6 national monument to reflect the inclusion of signifi-  
7 cant archaeological resources discovered after the  
8 date of enactment of this Act on public lands adja-  
9 cent to the national monument.

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

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

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

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

20 **SEC. 3. MANAGEMENT OF NATIONAL MONUMENT.**

21 (a) NATIONAL LANDSCAPE CONSERVATION SYS-  
22 TEM.—The Secretary of the Interior shall manage the na-  
23 tional monument as part of the National Landscape Con-  
24 servation System—

1           (1) to allow only such uses of the national  
2 monument as to further the purposes for which the  
3 monument was established; and

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

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

13           (1) maintain the undeveloped character of the  
14 national monument to the maximum extent prac-  
15 ticable; and

16           (2) protect and restore cultural resources, spe-  
17 cies, and ecosystems of the national monument.

18       (c) VEGETATION MANAGEMENT.—

19           (1) IN GENERAL.—The Secretary of the Inte-  
20 rior—

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

23               (B) may carry out vegetation management  
24 treatments in the national monument.

1           (2) USE OF NATIVE PLANT SPECIES.—The Sec-  
2           retary shall utilize native plant species in planning  
3           for restoration projects to be conducted in the na-  
4           tional monument.

5           (d) GRAZING.—The Secretary shall permit grazing in  
6           the national monument, where grazing was established be-  
7           fore the date of enactment of this Act—

8                   (1) subject to all applicable laws; and

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

11          (e) BACKCOUNTRY ACTIVITIES.—Management of the  
12          national monument shall support backcountry hunting  
13          and other non-motorized recreation in the national monu-  
14          ment.

15       **SEC. 4. MANAGEMENT PLAN.**

16          (a) MANAGEMENT PLAN REQUIRED.—Not later than  
17          three years after the date of enactment of this Act, the  
18          Secretary of the Interior shall develop a management plan  
19          for the national monument that addresses the actions nec-  
20          essary to protect the resources described in section  
21          2(b)(1). The management plan shall include a transpor-  
22          tation plan, including travel restrictions and road closures.

23          (b) CONSULTATION.—In addition to the period of  
24          public comment required by subsection (b), the Secretary  
25          of the Interior shall prepare the management plan in gov-

1 ernment-to-government consultation with Indian tribes  
2 with a cultural or historic tie to the Great Bend of the  
3 Gila.

4 **SEC. 5. TRIBAL USE OF NATIONAL MONUMENT.**

5 (a) **TRADITIONAL USES.**—The Secretary of the Inte-  
6 rior shall allow for the continued use of the national monu-  
7 ment by members of Indian tribes—

8 (1) for traditional ceremonies; and

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

11 (b) **TERMS AND CONDITIONS.**—Tribal use of the na-  
12 tional monument under subsection (a) shall be—

13 (1) subject to any terms and conditions the  
14 Secretary of the Interior determines to be necessary  
15 to further the purposes for which the national monu-  
16 ment is established; and

17 (2) in accordance with applicable law.

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

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

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

23 (3) any treaty rights providing for nonexclusive  
24 access to or in the national monument by members

1 of Indian tribes for traditional and cultural pur-  
2 poses.

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

5 Except as needed for administrative purposes or to  
6 respond to an emergency, the use of motorized and mecha-  
7 nized vehicles in the national monument is limited to roads  
8 and trails designated for their use.

9 **SEC. 7. NO MILITARY AIRSPACE RESTRICTIONS.**

10 Establishment of the national monument shall not be  
11 construed to impact or impose any altitude, flight, or other  
12 airspace restrictions on current or future military oper-  
13 ations or missions. Should the Armed Forces require addi-  
14 tional or modified airspace after the date of the enactment  
15 of this Act, Congress does not intend for the establishment  
16 of the national monument to impede the Secretary of De-  
17 fense from petitioning the Federal Aviation Administra-  
18 tion to change or expand restricted military airspace.

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

20 (a) **EDUCATION AND INTERPRETATION.**—The Sec-  
21 retary of the Interior shall provide such minimal facilities  
22 within the national monument for education and interpre-  
23 tation, such as signage or other interpretive kiosks, as the  
24 Secretary considers necessary for visitor enjoyment of the

1 national monument, while ensuring the protection of  
2 monument resources.

3 (b) VISITOR CENTER.—Any visitor center for the na-  
4 tional monument shall be sited in a community in the vi-  
5 cinity of the national monument, rather than within the  
6 boundaries of the national monument.

7 (c) RESEARCH AUTHORIZED.—

8 (1) IN GENERAL.—The Secretary of the Inte-  
9 rior shall allow scientific research to be conducted in  
10 the national monument, including research to iden-  
11 tify, protect, and preserve the historic and cultural  
12 resources of the monument.

13 (2) CLIMATE CHANGE RESEARCH.—The Sec-  
14 retary may conduct, or authorize other persons to  
15 conduct, research regarding the effects of climate  
16 change on monument resources to develop manage-  
17 ment techniques to boost resiliency and facilitate ad-  
18 aptation to human-caused climate change.

19 **SEC. 9. FISH AND WILDLIFE.**

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

23 **SEC. 10. LAND ACQUISITION.**

24 (a) ACQUISITION AUTHORITY.—The Secretary of the  
25 Interior may acquire land and any interest in land, State



1 and private, within or adjacent to the boundaries of the  
2 national monument—

3 (1) by purchase from willing sellers with do-  
4 nated or appropriated funds;

5 (2) by donation; or

6 (3) by exchange.

7 (b) TREATMENT OF ACQUIRED LAND.—Land and in-  
8 terests in land acquired under the authority of subsection  
9 (a) shall automatically become part of the national monu-  
10 ment.

11 **SEC. 11. WITHDRAWAL.**

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

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

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

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

22 (b) RENEWABLE ENERGY PROJECTS.—Subject to  
23 valid and existing rights, renewable energy and trans-  
24 mission development is prohibited in the national monu-  
25 ment.

1 **SEC. 12. WATER RIGHTS.**

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

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

8 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

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

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