

Calendar No. 371

110TH CONGRESS
1ST SESSION

S. 722

[Report No. 110-173]

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

MARCH 1, 2007

Mr. MCCAIN (for himself and Mr. KYL) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

SEPTEMBER 17, 2007

Reported by Mr. BINGAMAN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Walnut Canyon Study
3 Act of 2007”.

4 **SEC. 2. PURPOSES.**

5 The purposes of this Act are—

6 (1) to authorize a study of the study area to
7 evaluate public uses and public values; and

8 (2) to obtain recommendations for options for
9 the management of the public uses and protection of
10 resources of the study area.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

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

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

19 (3) PUBLIC USE.—The term “public use”, with
20 respect to the study area, includes—

21 (A) livestock grazing;

22 (B) hunting;

23 (C) access to forested areas;

24 (D) bird watching;

25 (E) camping;

- 1 (~~F~~) driving for pleasure on roads and
- 2 trails;
- 3 (~~G~~) firewood gathering;
- 4 (~~H~~) general exercise;
- 5 (~~I~~) group uses;
- 6 (~~J~~) hiking;
- 7 (~~K~~) horseback riding;
- 8 (~~L~~) hunting;
- 9 (~~M~~) mountain biking;
- 10 (~~N~~) painting;
- 11 (~~O~~) rock climbing;
- 12 (~~P~~) sightseeing;
- 13 (~~Q~~) skiing;
- 14 (~~R~~) snowmobiling;
- 15 (~~S~~) target practice, as permitted;
- 16 (~~T~~) walking with pets; and
- 17 (~~U~~) wildlife viewing.
- 18 (~~4~~) PUBLIC VALUE.—The term “public value”,
- 19 with respect to the study area, includes—
- 20 (~~A~~) geologic features;
- 21 (~~B~~) historic sites;
- 22 (~~C~~) potential urban development;
- 23 (~~D~~) prehistoric sites;
- 24 (~~E~~) riparian communities;
- 25 (~~F~~) scenery;

- 1 (G) scientific education;
- 2 (H) solitude and serenity;
- 3 (I) vegetation diversity;
- 4 (J) watershed health;
- 5 (K) wildfire hazard reduction for healthy
- 6 forests;
- 7 (L) wildlife and wildlife habitat;
- 8 (M) fee-free access; and
- 9 (N) recreational uses.

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

13 (6) STUDY AREA.—The term “study area”
 14 means the area identified on the map as “Walnut
 15 Canyon Proposed Study Area”, consisting of 30,818
 16 acres, of which—

- 17 (A) 24,987 acres is Federal land in
- 18 Coconino National Forest;
- 19 (B) 2,037 acres is State land;
- 20 (C) 214 acres is private land; and
- 21 (D) 3,580 acres is the Monument.

22 **SEC. 4. STUDY.**

23 (a) IN GENERAL.—The Secretaries shall conduct a
 24 study of the study area.

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

1 (1) the significance of the resources and public
2 values of the study area as the resources and public
3 values pertain to—

4 (A) the management objectives of the For-
5 est Service; and

6 (B) the management objectives of the Na-
7 tional Park Service;

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

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

14 (A) a boundary adjustment to the Monu-
15 ment;

16 (B) designation of the study area as a Na-
17 tional Recreation Area;

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

20 (D) any other designation or management
21 option that will accomplish both the protection
22 of resources and the maintenance of public use
23 and access for the study area.

24 (c) CONSULTATION.—In conducting the study, the
25 Secretaries shall—

1 (1) designate a lead agency;

2 (2) consult with appropriate Federal, State,
3 county, and local government entities;

4 (3) contract with a third-party consultant with
5 experience in park and land use planning to prepare
6 a draft study; and

7 (4) collaborate with the persons identified in
8 subsection (d) in developing a scope of work for the
9 draft study under the guidance of the third-party
10 consultant.

11 (d) REVIEW.—The Secretaries, the Forest Supervisor
12 of the Coconino National Forest, the Superintendent of
13 the Flagstaff Area National Monuments, the Flagstaff
14 City Council, and the Coconino County Board of Super-
15 visors shall—

16 (1) review the draft study prepared by the
17 third-party consultant; and

18 (2) provide to the third-party consultant com-
19 ments on the draft study.

20 (e) REPORT.—Not later than 18 months after the
21 date on which funds are first made available to carry out
22 this Act, the Secretaries shall submit to Congress a report
23 that—

24 (1) describes the findings and conclusions of the
25 study conducted under this section; and

1 ~~(2)~~ makes a recommendation for the future
2 management of the study area.

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

5 ~~(g) AUTHORIZATION OF APPROPRIATIONS.—There is~~
6 authorized to be appropriated to carry out this Act
7 \$350,000.

8 **SECTION 1. SHORT TITLE.**

9 *This Act may be cited as the “Walnut Canyon Study*
10 *Act of 2007”.*

11 **SEC. 2. DEFINITIONS.**

12 *In this Act:*

13 (1) *MAP.—The term “map” means the map enti-*
14 *tled “Walnut Canyon Proposed Study Area” and*
15 *dated July 17, 2007.*

16 (2) *SECRETARIES.—The term “Secretaries”*
17 *means the Secretary of the Interior and the Secretary*
18 *of Agriculture, acting jointly.*

19 (3) *STUDY AREA.—The term “study area” means*
20 *the area identified on the map as the “Walnut Can-*
21 *yon Proposed Study Area”.*

22 **SEC. 3. STUDY.**

23 (a) *IN GENERAL.—The Secretaries shall conduct a*
24 *study of the study area to assess—*

1 (1) *the suitability and feasibility of designating*
2 *all or part of the study area as an addition to Wal-*
3 *nut Canyon National Monument, in accordance with*
4 *section 8(c) of Public Law 91–383 (16 U.S.C. 1a–*
5 *5(c));*

6 (2) *continued management of the study area by*
7 *the Forest Service; or*

8 (3) *any other designation or management option*
9 *that would provide for—*

10 (A) *protection of resources within the study*
11 *area; and*

12 (B) *continued access to, and use of, the*
13 *study area by the public.*

14 (b) *CONSULTATION.—The Secretaries shall provide for*
15 *public comment in the preparation of the study, including*
16 *consultation with appropriate Federal, State, and local gov-*
17 *ernmental entities.*

18 (c) *REPORT.—Not later than 18 months after the date*
19 *on which funds are made available to carry out this Act,*
20 *the Secretaries shall submit to the Committee on Energy*
21 *and Natural Resources of the Senate and the Committee on*
22 *Natural Resources of the House of Representatives a report*
23 *that describes—*

24 (1) *the results of the study; and*

25 (2) *any recommendations of the Secretaries.*

1 (d) *AUTHORIZATION OF APPROPRIATIONS.—There are*
2 *authorized to be appropriated such sums as are necessary*
3 *to carry out this Act.*

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