

116TH CONGRESS
2D SESSION

H. R. 8446

To provide greater conservation, recreation, economic development and local management of Federal lands in Garfield and Kane Counties, Utah.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2020

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

A BILL

To provide greater conservation, recreation, economic development and local management of Federal lands in Garfield and Kane Counties, Utah.

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 “Grand Staircase
5 Escalante Enhancement Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.
- Sec. 4. Establishment of Escalante Canyons National Park and Preserve.
- Sec. 5. Withdrawals.

- Sec. 6. Map and legal description.
- Sec. 7. Grand Staircase National Monument.
- Sec. 8. Kaiparowits National Monument.
- Sec. 9. Escalante Canyons National Monument.
- Sec. 10. Escalante Canyons National Park and Preserve, Grand Staircase National Monument, Kaiparowits National Monument, and Escalante Canyons National Monument Management Council.
- Sec. 11. Federal land manager adherence.
- Sec. 12. Clarification.
- Sec. 13. Restoration of land status.
- Sec. 14. Hole in the Rock Road.
- Sec. 15. Effect on proclamations.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) MANAGEMENT COUNCIL.—The term “Man-
4 agement Council” means the council established
5 under section 10.

6 (2) SECRETARY.—The term “Secretary” means
7 the Secretary of the Interior.

8 **SEC. 4. ESTABLISHMENT OF ESCALANTE CANYONS NA-
9 TIONAL PARK AND PRESERVE.**

10 (a) ESTABLISHMENT.—There is hereby established
11 within the Escalante Canyons National Monument the
12 “Escalante Canyons National Park and Preserve” in the
13 State of Utah.

14 (b) BOUNDARIES.—The boundaries of Escalante
15 Canyons National Park and Preserve are as generally de-
16 picted on the map entitled “_____”, numbered
17 _____, and dated _____. The map shall be on file
18 and available for public inspection in the appropriate of-
19 fices of the National Park Service.

1 (c) PURPOSE.—The purpose of the Escalante Can-
2 yons National Park and Preserve shall be to protect, con-
3 serve, and enhance in the Escalante Canyons National
4 Park and Preserve—

5 (1) the unique and nationally important his-
6 toric, natural, scenic, and natural resources;

7 (2) recreation, including hunting; and

8 (3) grazing.

9 **SEC. 5. WITHDRAWALS.**

10 Subject to valid existing rights, any Federal land
11 within the Escalante Canyons National Park and Pre-
12 serve, including any land or interest in land that is ac-
13 quired by the United States after the date of enactment
14 of this Act, is withdrawn from—

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

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

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

21 **SEC. 6. MAP AND LEGAL DESCRIPTION.**

22 (a) IN GENERAL.—As soon as practicable after the
23 date of the enactment of this Act, the Secretary shall sub-
24 mit to the Committee on Natural Resources of the House
25 of Representatives and the Committee on Energy and

1 Natural Resources of the Senate a map and legal descrip-
2 tion of the Escalante Canyons National Park and Pre-
3 serve.

4 (b) FORCE AND EFFECT.—The map and legal de-
5 scription submitted under this section shall have the same
6 force and effect as if included in this Act, except that the
7 Secretary may make minor modifications of any clerical
8 or typographical errors in the map or legal description
9 provided these changes are first reported to the State of
10 Utah, Garfield and Kane Counties in Utah, and the Man-
11 agement Council.

12 **SEC. 7. GRAND STAIRCASE NATIONAL MONUMENT.**

13 (a) ESTABLISHMENT.—Subject to valid existing
14 rights, the Federal land comprising approximately
15 211,983 acres, identified as “Grand Staircase Unit” and
16 generally depicted on the map entitled “Grand Staircase-
17 Escalante National Monument Modification” is hereby es-
18 tablished as the “Grand Staircase National Monument”.

19 (b) PURPOSE.—The purpose of the Grand Staircase
20 National Monument shall be to protect, conserve, and en-
21 hance the monument’s—

- 22 (1) unique and nationally important historic,
23 scenic, and natural resources;
24 (2) recreation, including hunting; and
25 (3) grazing.

1 (c) MAP.—

2 (1) As soon as practicable after the date of the
3 enactment of this Act, the Secretary shall submit to
4 the Committee on Natural Resources of the House
5 of Representatives and the Committee on Energy
6 and Natural Resources of the Senate a map and
7 legal description of the Grand Staircase National
8 Monument established in this section.

9 (2) The map and legal description submitted
10 under this section shall have the same force and ef-
11 fect as if included in this title, except that the Sec-
12 retary may make minor modification of any clerical
13 or typographical errors in the map or legal descrip-
14 tion provided these changes are first reported to the
15 State of Utah, Kane County, Utah, and the Manage-
16 ment Council.

17 (3) A copy of the map and legal description
18 shall be on file and available for public inspection in
19 the appropriate field offices of the Bureau of Land
20 Management.

21 **SEC. 8. KAIPAROWITS NATIONAL MONUMENT.**

22 (a) ESTABLISHMENT.—Subject to valid existing
23 rights, the Federal land comprising approximately
24 551,117 acres, identified as “Kaiparowits Unit” and gen-
25 erally depicted on the map entitled “Grand Staircase-

1 Escalante National Monument Modification” is hereby es-
2 tablished as the “Kaiparowits National Monument”.

3 (b) PURPOSE.—The purpose of the Kaiparowits Na-
4 tional Monument shall be to protect, conserve, and en-
5 hance the monument’s—

6 (1) unique and nationally important historic,
7 scenic, and natural resources;

8 (2) recreation, including hunting; and

9 (3) grazing.

10 (c) MAP.—

11 (1) As soon as practicable after the date of the
12 enactment of this Act, the Secretary shall submit to
13 the Committee on Natural Resources of the House
14 of Representatives and the Committee on Energy
15 and Natural Resources of the Senate a map and
16 legal description of the Kaiparowits National Monu-
17 ment established in this section.

18 (2) The map and legal description submitted
19 under this section shall have the same force and ef-
20 fect as if included in this title, except that the Sec-
21 retary may make minor modification of any clerical
22 or typographical errors in the map or legal descrip-
23 tion provided these changes are first reported to the
24 State of Utah, Kane and Garfield Counties, Utah,
25 and the Management Council.

1 (3) A copy of the map and legal description
2 shall be on file and available for public inspection in
3 the appropriate field offices of the Bureau of Land
4 Management.

5 **SEC. 9. ESCALANTE CANYONS NATIONAL MONUMENT.**

6 (a) ESTABLISHMENT.—Subject to the valid existing
7 rights, the Federal land comprising approximately
8 243,241 acres, identified as “Escalante Canyons Unit”
9 and generally depicted on the map entitled “Grand Stair-
10 case-Escalante National Monument Modification” is here-
11 by established as the “Escalante Canyons National Monu-
12 ment”.

13 (b) PURPOSE.—The purpose of the Escalante Can-
14 yons National Monument shall be to protect, conserve, and
15 enhance the monument’s—

16 (1) unique and nationally important historic,
17 scenic, and natural resources;

18 (2) recreation, including hunting; and

19 (3) grazing.

20 (c) MAP.—

21 (1) As soon as practicable after the date of the
22 enactment of this Act, the Secretary shall submit to
23 the Committee on Natural Resources of the House
24 of Representatives and the Committee on Energy
25 and Natural Resources of the Senate a map and

1 legal description of the Escalante Canyons National
 2 Monument established in this section.

3 (2) The map and legal description submitted
 4 under this section shall have the same force and ef-
 5 fect as if included in this title, except that the Sec-
 6 retary may make minor modification of any clerical
 7 or typographical errors in the map or legal descrip-
 8 tion provided these changes are first reported to the
 9 State of Utah, Garfield County, Utah, and the Man-
 10 agement Council.

11 (3) A copy of the map and legal description
 12 shall be on file and available for public inspection in
 13 the appropriate field offices of the Bureau of Land
 14 Management.

15 **SEC. 10. ESCALANTE CANYONS NATIONAL PARK AND PRE-**
 16 **SERVE, GRAND STAIRCASE NATIONAL MONU-**
 17 **MENT, KAIPAROWITS NATIONAL MONUMENT,**
 18 **AND ESCALANTE CANYONS NATIONAL MONU-**
 19 **MENT MANAGEMENT COUNCIL.**

20 (a) ESTABLISHMENT.—The Management Council is
 21 hereby established.

22 (b) DUTIES.—The Management Council shall develop
 23 and implement the comprehensive management plans for
 24 the Escalante Canyons National Park and Preserve, the
 25 Grand Staircase National Monument, the Kaiparowits Na-

1 tional Monument, and the Escalante Canyons National
2 Monument consistently with the purposes of those areas
3 as provided in this Act.

4 (c) MEMBERSHIP.—The Management Council shall
5 be composed of 7 members appointed not later than 180
6 days after the date of the enactment of this Act as follows:

7 (1) One individual from the Department of In-
8 terior, appointed by the President.

9 (2) Five individuals, appointed by the President
10 in consultation with the Congressional delegation
11 from the State of Utah and the Governor of Utah,
12 who shall represent the following:

13 (A) Two from the Garfield County, Utah,
14 Board of Commissioners.

15 (B) Two from the Kane County, Utah,
16 Board of Commissioners.

17 (C) One Utah State Legislator rep-
18 resenting Kane County, Garfield County, or
19 both.

20 (3) One at-large representative appointed by
21 the President.

22 (d) QUALIFICATIONS.—The members appointed
23 under subsections (c) (2) and (3) shall not be employees
24 of the Federal Government.

1 (e) TERMS.—The President shall appoint the mem-
2 bers under subsections (c) (2) and (3) for a term of 5
3 years, except that the President shall designate staggered
4 terms for the members initially appointed to the Manage-
5 ment Council. The President may reappoint a member to
6 not more than three consecutive terms.

7 (f) VACANCIES.—Vacancies of members appointed
8 under subsections (c) (2) and (3) shall be filled in the
9 same manner as such positions were originally filled as
10 soon as practicable after the vacancy has occurred.

11 (g) COMPENSATION.—Members appointed under sub-
12 sections (c) (2) and (3) shall serve without pay, except
13 for reasonable travel expenses, including per diem in lieu
14 of subsistence, at the rate authorized for employees of
15 agencies under subchapter I of chapter 57 of title 5,
16 United States Code, while away from their homes or reg-
17 ular places of business in the performance of duties for
18 the Council.

19 (h) CHAIR.—The members shall select the chair of
20 the Management Council from the members appointed
21 under subsection (c) (2) and (3) for a term beginning on
22 the date of selection, and ending in 5 years or until the
23 member's term of office expires, whichever occurs first.

24 (i) STAFF ASSISTANCE.—The Management Council
25 may request administrative assistance from Federal em-

1 ployees under the jurisdiction of the Secretary of the Inte-
2 rior or the Secretary of Agriculture.

3 (j) MEETINGS.—

4 (1) FREQUENCY.—The Management Council
5 shall meet at the call of the Chair or a majority of
6 the members. Meetings shall be held no less than
7 once per year. A majority must be present to con-
8 stitute a quorum to conduct official business.

9 (2) ANNOUNCEMENT; OPEN MEETINGS.—All
10 meetings of the Management Council shall be an-
11 nounced at least one week in advance in publications
12 of general circulation and shall be open to the pub-
13 lic.

14 (k) ADMINISTRATION.—

15 (1) The Management Council shall allow hunt-
16 ing, fishing and trapping on lands and water under
17 the jurisdiction of the Secretary within the
18 Escalante Canyons National Park and Preserve in
19 accordance with the applicable laws of the State of
20 Utah.

21 (2) The Management Council shall ensure that
22 the privilege of grazing domestic livestock on lands
23 with the Escalante Canyons National Park and Pre-
24 serve shall continue to be exercised and enhanced in
25 perpetuity. Grazing within the Escalante Canyons

1 National Park and Preserve shall be administered by
2 the National Park Service.

3 **SEC. 11. FEDERAL LAND MANAGER ADHERENCE.**

4 Federal land managers shall adhere to the manage-
5 ment plans created by the Management Council.

6 **SEC. 12. CLARIFICATION.**

7 Nothing in this Act affects the jurisdiction of the
8 State of Utah with respect to the management of fish,
9 wildlife and predators in the State.

10 **SEC. 13. RESTORATION OF LAND STATUS.**

11 Subject to valid existing rights, the provisions of ex-
12 isting withdrawals, and the requirements of applicable law,
13 the public lands excluded from the monument reservation
14 under Presidential Proclamation 9682, dated December 4,
15 2017, and issued under chapter 3203 of title 54, United
16 States Code, shall be open to:

17 (1) entry, location, selection, sale or other dis-
18 position under the public land laws;

19 (2) disposition under all laws relating to min-
20 eral and geothermal leasing; and

21 (3) location, entry, and patent under the mining
22 laws.

1 **SEC. 14. HOLE IN THE ROCK ROAD.**

2 The Secretary shall convey to the State of Utah all
3 right, title and interest of the United States in and to the
4 Hole in the Rock Road (BLM Road 200).

5 **SEC. 15. EFFECT ON PROCLAMATIONS.**

6 Any provision of Presidential Proclamation 6920,
7 dated September 18, 1996, and Presidential Proclamation
8 9682, dated December 4, 2017, and issued under chapter
9 3203 of title 54, United States Code, that is inconsistent
10 with this Act is hereby declared null and void.

