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(Original Signature of Member)

114TH CONGRESS
1ST SESSION

H. R.

To designate the Greater Grand Canyon Heritage National Monument in the State of Arizona, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To designate the Greater Grand Canyon Heritage 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 AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Greater Grand Canyon Heritage National Monument
6 Act”.

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

- Sec. 1. Short title and table of contents.
- Sec. 2. Definitions.

- Sec. 3. Establishment of Greater Grand Canyon Heritage National Monument, Arizona.
- Sec. 4. Management of Federal lands within the National Monument.
- Sec. 5. Development of management plan.
- Sec. 6. Existing and historical uses of Federal lands included in monument.
- Sec. 7. Acquisition of land.
- Sec. 8. Greater Grand Canyon Heritage National Monument Advisory Council.
- Sec. 9. Water.
- Sec. 10. Withdrawal of Federal land from mining laws.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **ADVISORY COUNCIL.**—The term “advisory
4 council” means the Greater Grand Canyon Heritage
5 National Monument Advisory Council.

6 (2) **GRAND CANYON-ASSOCIATED TRIBES.**—The
7 term “Grand Canyon-associated tribes” means the
8 Havasupai Tribe, the Hopi Tribe, Hualapai Indian
9 Tribe, the Navajo Nation, Kaibab Band of Paiute
10 Indians, Paiute Indian Tribe of Utah, Las Vegas
11 Tribe of Paiute, Moapa Band of Paiute Indians, San
12 Juan Southern Paiute Tribe, Yavapai-Apache Na-
13 tion, and the Zuni Tribe.

14 (3) **MANAGEMENT PLAN.**—The term “manage-
15 ment plan” means the plan developed consistent
16 with section 5.

17 (4) **NATIONAL MONUMENT.**—The term “na-
18 tional monument” means the Greater Grand Canyon
19 Heritage National Monument.

20 (5) **SECRETARY.**—The term “Secretary”
21 means—

1 (A) the Secretary of Agriculture, with re-
2 spect to those national monument lands under
3 the jurisdiction of the Secretary of Agriculture;
4 and

5 (B) the Secretary of the Interior, with re-
6 spect to those national monument lands under
7 the jurisdiction of the Secretary of the Interior.

8 (6) SECRETARIES.—The term “Secretaries”
9 means the Secretary of Agriculture and the Sec-
10 retary of the Interior acting jointly.

11 **SEC. 3. ESTABLISHMENT OF GREATER GRAND CANYON**
12 **HERITAGE NATIONAL MONUMENT, ARIZONA.**

13 (a) FINDINGS.—Congress finds the following:

14 (1) The Greater Grand Canyon ecosystem and
15 watershed contains various tribal sacred sites and
16 resources, including religious places and burial sites,
17 with significant ancestral and contemporary values
18 to the Grand Canyon-associated tribes.

19 (2) The Grand Canyon-associated tribes have a
20 longstanding historical, cultural and religious con-
21 nection the Greater Grand Canyon ecosystem and
22 watershed and should play an integral role, through
23 collaboration and consultation, in the planning and
24 ongoing management of the monument.

1 (3) The Grand Canyon-associated tribes have
2 historically been stewards of the region, with obliga-
3 tions to care for the land that has provided for them
4 since time immemorial, including natural and cul-
5 tural resources such as ancestral sites, sacred places,
6 plants, wildlife, water sources, and minerals, result-
7 ing in an accumulated body of traditional ecological
8 knowledge that holds great potential for contributing
9 to the sustainable and holistic management of the
10 unique and fragile landscape.

11 (4) The surface tributaries and interconnected
12 ground water of the Greater Grand Canyon eco-
13 system and watershed are the source for Native
14 American sacred springs and falls, such as
15 Havasupai Falls.

16 (5) The Greater Grand Canyon ecosystem and
17 watershed in northern Arizona contains nationally
18 significant biological, cultural, recreational, geologi-
19 cal, educational, and scientific values.

20 (6) The Greater Grand Canyon ecosystem and
21 watershed is integral to Grand Canyon National
22 Park. The surface tributaries and groundwater
23 sources within the watershed are interconnected and
24 contribute significantly to the flow of the Colorado

1 River, and provide a source of drinking water for
2 millions of American citizens.

3 (7) The Greater Grand Canyon ecosystem and
4 watershed contains a diverse array of canyons, cliffs,
5 grasslands, springs, and escarpments that create a
6 landscape unlike any other within America.

7 (8) Wildlife corridors within the Greater Grand
8 Canyon ecosystem and watershed facilitate the mi-
9 gration and survival of many native game species
10 while the rivers, forests, and grasslands provide
11 habitat for many rare, threatened, and endangered
12 species.

13 (9) The Greater Grand Canyon ecosystem and
14 watershed provides a wild and rugged landscape en-
15 joyed by hunters, campers, hikers, mountain bikers,
16 equestrians, and other recreationists.

17 (10) Recreational activity within the watershed
18 is the primary driver of sustainable economic devel-
19 opment in local communities.

20 (b) ESTABLISHMENT.—Subject to valid existing
21 rights, there is hereby established the Greater Grand Can-
22 yon Heritage National Monument in the State of Arizona.

23 (c) PURPOSES.—The purposes of the national monu-
24 ment are to preserve and, if necessary, restore the native,
25 cultural, sacred lands and key tribal resources, nationally

1 significant biological, ecological, including wildlife
2 connectivity, cultural, historical, recreational, geological,
3 hydrological, education, scenic and scientific values found
4 in the Greater Grand Canyon ecosystem and watershed,
5 including above-ground tributaries, springs and inter-
6 connected groundwater that contributes significantly to
7 the Colorado River, and to secure now and for future gen-
8 erations the opportunity to experience and enjoy the di-
9 verse tribal resources, landscape, wildlife , water flows and
10 recreational use of the lands included in the national
11 monument.

12 (d) DESCRIPTION OF LAND.—The national monu-
13 ment consists of Federal land and interests in Federal
14 land within Arizona, as depicted on the map entitled
15 “Greater Grand Canyon Heritage National Monument”
16 and dated September 11, 2015.

17 (e) LEGAL DESCRIPTIONS; CORRECTIONS OF ER-
18 RORS.—

19 (1) PREPARATION.—As soon as practical after
20 the date of the enactment of this Act, but not later
21 than two years after such date, the Secretaries shall
22 prepare final maps and legal descriptions of the na-
23 tional monument.

24 (2) SUBMISSION.—As soon as practicable after
25 the preparation of the maps and legal descriptions

1 under paragraph (1), the Secretaries shall submit
2 the maps and legal descriptions to the Committee on
3 Natural Resources of the House of Representatives
4 and to the Committee on Energy and Natural Re-
5 sources of the Senate.

6 (3) CONFLICT BETWEEN MAP AND LEGAL DE-
7 SCRIPTION.—In the case of a conflict between the
8 map and the legal description, the map shall control.

9 (4) PUBLIC AVAILABILITY.—The maps and
10 legal descriptions prepared pursuant to paragraph
11 (1) shall be available for public inspection at appro-
12 priate offices of the Bureau of Land Management
13 and Forest Service.

14 (5) LEGAL EFFECT.—The maps and legal de-
15 scriptions of the national monument shall have the
16 same force and effect as if included in this Act, ex-
17 cept that the Secretaries may correct clerical and ty-
18 pographical errors in the maps and legal descrip-
19 tions.

20 **SEC. 4. MANAGEMENT OF FEDERAL LANDS WITHIN THE NA-**
21 **TIONAL MONUMENT.**

22 (a) BASIS OF MANAGEMENT.—

23 (1) APPLICABLE LAWS.—The Secretary shall
24 manage the national monument in a manner that
25 conserves, protects, and enhances the natural re-

1 sources and values of the national monument, in ac-
2 cordance with—

3 (A) this Act;

4 (B) the Federal Land Policy and Manage-
5 ment Act of 1976 (43 U.S.C. 1701 et seq.) for
6 lands managed by the Bureau of Land Manage-
7 ment;

8 (C) the Wilderness Act (16 U.S.C. 1131 et
9 seq.);

10 (D) the Forest and Rangeland Renewable
11 Resources Planning Act of 1974 (16 U.S.C.
12 1600 et seq.) and section 14 of the National
13 Forest Management Act of 1976 (16 U.S.C.
14 472a);

15 (E) other laws (including regulations) ap-
16 plicable to the National Forest System for land
17 managed by the Forest Service; and

18 (F) other applicable law (including regula-
19 tions).

20 (2) RESOLUTION OF CONFLICTS.—If there is a
21 conflict between a provision of this Act and a provi-
22 sion of one of the other laws specified in paragraph
23 (1), the more restrictive provision shall control.

24 (b) AUTHORIZED USES.—The Secretary shall allow
25 only such uses of the national monument as the Secretary

1 determines would further the purposes specified in section
2 3(c).

3 (c) PROTECTION OF RESERVATION, STATE, AND PRI-
4 VATE LANDS AND INTERESTS.—Nothing in the establish-
5 ment of the national monument shall affect the property
6 rights of any Indian reservation, any individually held
7 trust lands, any other Indian allotments, any lands or in-
8 terests in lands held by the State of Arizona or any of
9 its political subdivisions, or any private property rights
10 within the boundaries of the national monument. Estab-
11 lishment of the national monument shall not grant the
12 Secretary of the Interior or the Secretary of Agriculture
13 any new authority on or over non-Federal lands not al-
14 ready provided by law. The authority of the Secretary of
15 the Interior and the Secretary of Agriculture under this
16 Act extends only to Federal lands and Federal interests
17 in lands included in the national monument.

18 (d) NON-FEDERAL LANDS AND INTERESTS.—

19 (1) NO REQUIREMENT OF PUBLIC ACCESS.—
20 Nothing in this Act requires a non-Federal property
21 owner to allow public access to private property.

22 (2) AFFECT ON OTHER LAWS.—Nothing in this
23 Act modifies any provision of Federal, State, or local
24 law with respect to use of non-Federal land.

1 **SEC. 5. DEVELOPMENT OF MANAGEMENT PLAN.**

2 (a) MANAGEMENT PLAN.—

3 (1) IN GENERAL.—Not later than 3 years after
4 the date of the enactment of this Act, the Secre-
5 taries shall develop, in accordance with the National
6 Environmental Policy Act of 1969 (42 U.S.C. 4321
7 et seq.) and in collaboration with the advisory coun-
8 cil established pursuant to section 8, a comprehen-
9 sive plan for the protection and management of the
10 Federal lands included within the national monu-
11 ment that fulfills the purposes specified in this sec-
12 tion. Such collaboration shall be on a periodic and
13 regular basis. The Secretaries shall submit the man-
14 agement plan to Congress before it is made public.

15 (2) PURPOSES.—The management plan shall—

16 (A) describe the appropriate uses and
17 management of the national monument;

18 (B) identify short-term and long-term
19 management actions and prioritize management
20 actions based on projected availability of re-
21 sources;

22 (C) protect and preserve Indian sacred
23 sites, as defined in section 1(b) of Executive
24 Order 13007 of May 24, 1996, and access by
25 Indian tribal members for traditional, cultural,

1 spiritual, and tree and forest product, food, and
2 medicine-gathering purposes;

3 (D) include appropriate transportation
4 planning that addresses the actions, including
5 road closures or travel restrictions, necessary to
6 protect the objects of the monument and to fur-
7 ther the purposes of the American Indian Reli-
8 gious Freedom Act of August 11, 1978 (42
9 U.S.C. 1996);

10 (E) provide for the development and imple-
11 mentation of credible science-based ecological
12 restoration projects that provide for the reten-
13 tion of old growth and large diameter trees, de-
14 veloped in coordination with the advisory coun-
15 cil, with the intent of restoring natural fire re-
16 gimes, enhancing old growth forest characteris-
17 tics, and assisting in the recovery and maintain-
18 ing the viability of at-risk, threatened, and en-
19 dangered species;

20 (F) evaluate the naturally dark time condi-
21 tions and propose goals and management direc-
22 tives to retain current characteristics; and

23 (G) provide for continued recreational use
24 of the national monument, including such rec-
25 reational uses as hunting, hiking, camping,

1 mountain biking, birding and horse-back riding,
2 as long as such recreational use is consistent
3 with this Act and applicable law.

4 (3) PUBLIC PARTICIPATION AND SPECIAL CON-
5 siderations.—In developing and implementing the
6 management plan, and to the extent consistent with
7 this section, the Secretaries—

8 (A) shall solicit extensive public input;

9 (B) shall take into consideration any infor-
10 mation developed in studies of the land within
11 the national monument;

12 (C) shall assess available climate change
13 information pertinent to the national monument
14 and include standards and practices to ensure
15 the preservation of wildlife corridors and facili-
16 tate species migration;

17 (D) shall identify opportunities to promote
18 voluntary cooperative conservation projects with
19 tribal, State, local, and private interests;

20 (E) shall take into consideration existing
21 land uses (including tribal treaty and statutory
22 rights) on the Federal lands within the national
23 monument; and

24 (F) may incorporate any provision from a
25 resource management plan, land and resource

1 management plan, or any other plan applicable
2 to the national monument.

3 (4) COLLABORATION WITH NATIVE AMERICAN
4 TRIBES.—The Secretary of the Interior, in coopera-
5 tion with the Secretary of Agriculture, shall formally
6 collaborate with the Grand Canyon-associated tribes
7 in the development of the management plan and in
8 the ongoing management of the national monument.

9 (5) COOPERATIVE AGREEMENTS.—In carrying
10 out this Act, the Secretaries may make grants to, or
11 enter into cooperative agreements and shared man-
12 agement arrangements with federally recognized In-
13 dian tribes, with special emphasis on collaboration
14 with the Grand Canyon-associated tribes, to conduct
15 research, develop scientific analyses, and carry out
16 any other initiative relating to the restoration, con-
17 servation, or management of the national monument.

18 (6) APPROVAL OF FUNDING ARRANGEMENTS.—
19 The Secretary of Interior may approve funding ar-
20 rangements under the Tribal Self Governance Act
21 for management of programs and functions related
22 to the management and protection of Traditional
23 Cultural Properties and other culturally significant
24 programming.

1 **SEC. 6. EXISTING AND HISTORICAL USES OF FEDERAL**
2 **LANDS INCLUDED IN MONUMENT.**

3 (a) FISH AND WILDLIFE.—Nothing in this Act af-
4 fects the jurisdiction of the State of Arizona with respect
5 to fish and wildlife located on public land in the State,
6 except that the Secretary, after consultation with the Ari-
7 zona Department of Game and Fish, may designate zones
8 in the national monument where, and periods when, hunt-
9 ing shall not be allowed to accommodate traditional tribal
10 uses, public safety, administration, or public use and en-
11 joyment.

12 (b) MOTORIZED AND MECHANIZED VEHICLES.—Ex-
13 cept where needed for administrative purposes or to re-
14 spond to an emergency, the use of motorized and mecha-
15 nized vehicles on lands within the national monument shall
16 be permitted only on roads and trails designated for their
17 use.

18 (c) GRAZING.—Livestock grazing within the national
19 monument, where established or planned before the date
20 of the enactment of this Act, shall be allowed to continue
21 subject to all applicable laws and regulations.

22 (d) WILDLAND FIRE OPERATIONS.—In cooperation
23 with other Federal, State, Tribal, and local agencies, as
24 appropriate, the Secretary shall conduct wildland fire op-
25 erations in the national monument consistent with the
26 purposes specified in section 3(e).

1 (e) COMMERCIAL RECREATION ACTIVITIES.—The
2 Secretaries shall permit commercial recreation activities
3 within the national monument in accordance with—

4 (1) this Act;

5 (2) the Wilderness Act (16 U.S.C. 1133 et
6 seq.); and

7 (3) any other applicable laws and regulations.

8 (f) HUNTING, TRAPPING, FISHING, AND GATH-
9 ERING.—The Secretaries shall permit hunting, trapping,
10 fishing, and gathering within the national monument in
11 accordance with applicable laws and regulations of the
12 United States and the State of Arizona.

13 (g) COMMERCIAL HARVEST OF TIMBER.—The cut-
14 ting, sale, or removal of timber and other vegetative mate-
15 rial within the national monument may be permitted, as
16 long as it is consistent with the purposes of the Act and
17 as part of an authorized restoration project under section
18 5.

19 **SEC. 7. ACQUISITION OF LAND.**

20 (a) ACQUISITION AUTHORIZED; METHODS.—Non-
21 Federal held land or interests in land within the bound-
22 aries of the national monument may be acquired for man-
23 agement as part of the national monument only by—

24 (1) donation;

25 (2) exchange with a willing party; or

1 (3) purchase from a willing seller.

2 (b) USE OF EASEMENTS.—To the extent practicable,
3 and if preferred by a willing landowner, the Secretary of
4 the Interior and the Secretary of Agriculture shall use per-
5 manent conservation easements to acquire interests in
6 land in the national monument instead of acquiring land
7 in fee simple.

8 (c) VALUATION OF PRIVATE PROPERTY.—The
9 United States shall offer the fair market value for any
10 interests or partial interests in land acquired under this
11 section.

12 (d) INCORPORATION OF ACQUIRED LANDS AND IN-
13 TERESTS.—Any land or interest in land within the bound-
14 aries of the national monument that is acquired by the
15 United States after the date of the enactment of this Act
16 shall be added to and administered as part of the national
17 monument.

18 (e) LIMITED CONVEYANCE AUTHORITY.—The Secre-
19 taries may authorize the conveyance of Federal land with-
20 in the national monument if—

21 (1) the purpose for which the land is to be con-
22 veyed is consistent with the purposes specified in
23 section 3(c);

1 (2) the conveyance would benefit the national
2 monument and is in the public interest, as deter-
3 mined by the Secretaries; and

4 (3) the conveyance is made in accordance with
5 applicable law (including regulations).

6 **SEC. 8. GREATER GRAND CANYON HERITAGE NATIONAL**
7 **MONUMENT ADVISORY COUNCIL.**

8 (a) ESTABLISHMENT.—Not less than 180 days after
9 the date of the enactment of this Act, the Secretaries shall
10 establish an advisory council to be known as the “Greater
11 Grand Canyon Heritage National Monument Advisory
12 Council”.

13 (b) DUTIES.—The advisory council shall—

14 (1) collaborate with the Secretaries with respect
15 to the preparation and implementation of the man-
16 agement plan;

17 (2) oversee and collaborate on the management
18 of tribal sites, artifacts, ancient trails, burial sites,
19 and resources within the boundaries of the national
20 monument; and

21 (3) oversee and provide consultation on adapt-
22 ive management of natural resources within the
23 boundaries of the national monument, including but
24 not limited to forest restoration and wildlife re-
25 sources.

1 (c) APPLICABLE LAW.—The advisory council shall be
2 subject to—

3 (1) the Federal Advisory Committee Act (5
4 U.S.C. App.);

5 (2) the Federal Land Policy and Management
6 Act of 1976 (43 U.S.C. 1701 et seq.); and

7 (3) all other applicable law.

8 (d) REPRESENTATION.—The advisory council to be
9 appointed by the Secretaries, and, to the extent prac-
10 ticable, shall be comprised of—

11 (1) a representative designated by each tribal
12 community with a historical relationship to the re-
13 gion that wishes to participate in the management
14 of the national monument;

15 (2) a representative that is a natural or cultural
16 resource officer designated by each tribal community
17 with a historical relationship to the region that wish-
18 es to participate in the management of the national
19 monument;

20 (3) a representative with expertise in the field
21 of anthropology, archaeology, and/or cultural studies
22 from an accredited university or museum, as deter-
23 mined by the Secretary of the Interior and Secretary
24 of Agriculture;

1 (4) a representative of environmental non-gov-
2 ernmental organizations engaged in activities related
3 to the Greater Grand Canyon ecosystem and water-
4 shed located within Arizona;

5 (5) a representative of environmental non-gov-
6 ernmental organizations engaged in activities related
7 to the Greater Grand Canyon ecosystem and water-
8 shed located anywhere in the Nation;

9 (6) a representative of recreational non-govern-
10 mental organizations engaged in promoting opportu-
11 nities for recreational hunting and fishing within Ar-
12 izona;

13 (7) a representative of the Arizona Game and
14 Fish Department; and

15 (8) a representative with expertise in the field
16 of natural resource management, wildlife, or con-
17 servation biology selected from a regional college or
18 university.

19 (e) TERMS.—

20 (1) STAGGERED TERMS.—Members of the advi-
21 sory council shall be appointed for terms of 3 years,
22 except that, of the members first appointed, 5 of the
23 members shall be appointed for a term of 1 year and
24 5 of the members shall be appointed for a term of
25 2 years.

1 (2) REAPPOINTMENT.—A member may be re-
2 appointed to serve on the advisory council upon the
3 expiration of the member’s current term.

4 (3) VACANCY.—A vacancy on the advisory
5 council shall be filled in the same manner as the
6 original appointment.

7 (f) QUORUM.—A quorum shall be eight members of
8 the advisory council. The operations of the advisory coun-
9 cil shall not be impaired by the fact that a member has
10 not yet been appointed as long as a quorum has been at-
11 tained.

12 (g) PROCEDURES.—The advisory council shall estab-
13 lish such rules and procedures as it deems necessary or
14 desirable.

15 **SEC. 9. WATER.**

16 Nothing in this Act—

17 (1) affects the use or allocation, in existence on
18 the date of the enactment of this Act, of any water,
19 water right, or interest in water;

20 (2) affects any vested absolute or decreed condi-
21 tional water right in existence on the date of the en-
22 actment of this Act, including any water right held
23 by the United States;

24 (3) affects any claims or rights to water not yet
25 asserted or finally determined;

1 (4) affects any interstate water compact in ex-
2 istence on the date of the enactment of this Act;

3 (5) authorizes or imposes any new reserved
4 Federal water rights; or

5 (6) relinquishes or reduces any water rights re-
6 served or appropriated by the United States in the
7 State of Arizona on or before the date of the enact-
8 ment of this Act.

9 **SEC. 10. WITHDRAWAL OF FEDERAL LAND FROM MINING**
10 **LAWS.**

11 (a) WITHDRAWAL.—Subject to valid existing rights
12 as provided in section 3(b), the Federal lands and inter-
13 ests in lands included within the National Monument are
14 hereby withdrawn from—

15 (1) all forms of entry, appropriation, and dis-
16 posal under the public land laws;

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

19 (3) operation of the mineral leasing and geo-
20 thermal leasing laws and mineral materials laws.

21 (b) TREATMENT OF EXISTING RIGHTS.—The with-
22 drawal under subsection (a) is subject to valid, existing
23 rights. If such rights are relinquished or otherwise ac-
24 quired by the United States after the date of the enact-
25 ment of this Act, the land that was subject to the rights

1 shall be immediately withdrawn in accordance with sub-
2 section (a).