

**NATIONAL SCENIC AREA COALITION  
360 BREWER ROAD  
SEDONA, AZ 86336**

November 14, 2009

The Honorable Ann Kirkpatrick  
United States House of Representatives  
1123 Longworth House Office Building  
Washington, DC 20515

Re: Sedona-Red Rock National Scenic Area

Dear Ms. Kirkpatrick:

The undersigned represent a coalition consisting of Keep Sedona Beautiful, The Sierra Club Sedona-Verde Valley, Democrats of the Red Rocks, Big Park Regional Coordinating Council, and Sedona Village Business Association who, combined, represent approximately 7,000 citizens in the Sedona/Verde Valley area. Each member of this coalition has requested that you introduce and help pass legislation to designate 160,000 acres of the Coconino National Forest as a National Scenic Area (NSA). The fact that you have sent stakeholders a draft of proposed legislation gives us great hope that you will fulfill your promise to your constituents to introduce and help pass this legislation.

We are responding to the request in your letter of October 28, 2009 that constituents comment on your draft legislation. In general, we find your proposal an excellent start; our comments consist of additions, deletions, or requests for clarification within the draft itself which is attached to this correspondence. In brief, they are as follows (the reference to "section" refers to our proposed draft):

**p. 2, new Section 2, lines 1-11:** We believe definitions are an important part of any legislation in order to make any future interpretation, if any, more definitive. We are particularly concerned that you define the terms ""local infrastructure", "local governing bodies", and "land use issues" as found in Section 3(j) NO EFFECT ON LOCAL GOVERNMENT. Please provide us with those definitions as you and/or your staff understand them.

**p. 2-3, lines 22 and 1:** Add a new subparagraph 3 to make it clear that one of the main purposes of this legislation is the restriction of land exchanges.

**p.3, line 4:** The language "in the Resource Plan" clarifies which map is being referred to.

**p 3, subparagraph (d) ADMINISTRATION:** Delete "of Agriculture". In Sec. 2 DEFINITIONS that designation is defined for the entire Act as well as adding the term "his/her designee". While most of us know that in this type of legislation the term "Secretary" includes those in the chain of command, some opponents have claimed this means that only the Secretary of Agriculture could handle matters under this legislation. This should make it clear that this

includes the local Forest Service management. This deletion is done throughout the rest of our proposal; we have also changed "section" to "Act" to make it clear the entire Act is the governing document.

**p. 3-4, lines 24-27 and 1-7:** This sets forth clearly what the Secretary may not do; that is, exchange land in the Scenic Area unless the provisions of subparagraphs (1), (2) and (3) are all met. This is the most important section of the legislation and should be simple and direct.

**p. 5, lines 5-9; subparagraph (i):** This section must contain the proviso "Except as provided in subsection (e)" to make clear that while the Forest Service retains its right to make planning policies, they cannot include land exchanges except as provided for under this Act.

**p. 5, lines 18-24; subparagraph (k) NO EFFECT ON WATER RIGHTS:** A simple statement that making clear that the NSA will have no effect on existing water rights, federal or private.

**Sec. 4 CHAPEL OF THE HOLY CROSS:** We have no objection to this section other than to request language that if the Diocese of Phoenix purchases less than the 11.2 (11.7?) acres, "the remaining acres remain Forest Service land subject to the provisions of this Act".

Please take these recommendations into consideration when you draft the final legislation which we urge you to introduce as soon as possible.

Sincerely,

/S/

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