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(Original Signature of Member)

**[DISCUSSION DRAFT]**

111TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To establish the Sedona-Red Rock National Scenic Area in the Coconino National Forest, Arizona, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Ms. KIRKPATRICK of Arizona introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To establish the Sedona-Red Rock National Scenic Area in the Coconino National Forest, 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.**

4 This Act may be cited as the “Sedona-Red Rock Na-  
5 tional Scenic Area Act of 2009”.

1 **SEC. 2. SEDONA-RED ROCK NATIONAL SCENIC AREA,**  
2 **COCONINO NATIONAL FOREST, ARIZONA.**

3 (a) ESTABLISHMENT.—There is established in the  
4 Coconino National Forest, Arizona, the Sedona-Red Rock  
5 National Scenic Area (in this section referred to as the  
6 “Scenic Area”) for the purposes of—

7 (1) protecting and preserving the scenic quality  
8 and natural resources of the Scenic Area; and

9 (2) restoring and enhancing the natural and  
10 historic values of the Scenic Area.

11 (b) BOUNDARIES.—The Scenic Area shall consist of  
12 approximately 160,000 acres of land in the Coconino Na-  
13 tional Forest, Arizona, as generally depicted on the map  
14 entitled “Planning Area Overview” and dated June 1998.

15 (c) MAP AND BOUNDARY DESCRIPTION.—As soon as  
16 practicable after the date of the enactment of this Act,  
17 the Secretary of Agriculture shall file a map and boundary  
18 description of the Scenic Area with the Committee on Ag-  
19 riculture, Nutrition, and Forestry of the Senate and the  
20 Committee on Agriculture of the House of Representa-  
21 tives. The map and boundary description shall have the  
22 same force and effect as if included in this Act, except  
23 that the Secretary may correct clerical and typographical  
24 errors in the map and description. The map and boundary  
25 description shall be on file and available for public inspec-  
26 tion in the Office of the Chief of the Forest Service.

1 (d) ADMINISTRATION.—The Secretary of Agriculture  
2 shall administer the Scenic Area in accordance with this  
3 section and the laws and regulations generally applicable  
4 to the National Forest System. In the event of conflict  
5 between this section and such other laws and regulations,  
6 this section shall take precedence.

7 [(e) RESTRICTION ON EXCHANGES OF LAND IN THE  
8 SCENIC AREA.—The Secretary of Agriculture may ex-  
9 change National Forest System land in the Scenic Area  
10 if—]

11 (f) WILDFIRE SUPPRESSION.—A wildfire in the Sce-  
12 nic Area shall be suppressed—

13 (1) in a manner consistent with the purposes of  
14 the Scenic Area; and

15 (2) using such means as the Secretary of Agri-  
16 culture determines to be appropriate to save lives  
17 and personal property.

18 (g) CONTROL OF INSECTS AND DISEASE.—The Sec-  
19 retary of Agriculture may control insect and plant or ani-  
20 mal disease outbreaks in the Scenic Area—

21 (1) to maintain scenic quality;

22 (2) to prevent tree mortality;

23 (3) to reduce hazards to visitors; or

24 (4) to protect private property.

1 (h) NO EFFECT ON SURROUNDING LAND.—The es-  
2 tablishment of the Scenic Area does not affect the man-  
3 agement of—

4 (1) State, municipal, or private land located in  
5 the vicinity of the National Forest System land that  
6 is included in the Scenic area; or

7 (2) National Forest System land that is not in-  
8 cluded in the Scenic Area.

9 (i) NO EFFECT ON FOREST SERVICE PLANNING  
10 POLICIES.—The establishment of the Scenic Area does not  
11 affect the Coconino National Forest Land and Resource  
12 Plan, as in effect on the day before the date of the enact-  
13 ment of this Act.

14 (j) NO EFFECT ON LOCAL GOVERNMENT DISCRE-  
15 TION.—The establishment of the Scenic Area does not af-  
16 fect the discretion of local governing bodies (including  
17 counties, municipalities, and fire and school districts) to  
18 seek assistance from the Secretary of Agriculture with re-  
19 spect to the resolution of local infrastructure and land use  
20 issues that involve National Forest System land within the  
21 Scenic Area.

22 (k) NO EFFECT ON WATER RIGHTS.—The establish-  
23 ment of the Scenic Area does not—

1           (1) create an express or implied reservation by  
2           the United States of any water or water rights for  
3           the purposes specified in subsection (a); or

4           (2) modify or otherwise affect any existing  
5           water rights.

6 **SEC. 3. CHAPEL OF THE HOLY CROSS LAND SALE,**  
7 **COCONINO NATIONAL FOREST, ARIZONA.**

8           (a) CONVEYANCE REQUIRED.—Not later than 180  
9           days after the date of enactment of this Act, the Secretary  
10          of Agriculture shall convey, by sale, to the Roman Catholic  
11          Diocese of Phoenix, Arizona (in this section referred to  
12          as the “Diocese”), all right, title, and interest of the  
13          United States in and to a parcel of land in the Coconino  
14          National Forest, Arizona, consisting of the approximately  
15          11.2 acres, as generally depicted on the map entitled  
16          “Chapel of the Holy Cross Parcel, Sedona, Arizona” and  
17          dated October 2009.

18          (b) CONSIDERATION.—As consideration for the con-  
19          veyance of the parcel under subsection (a), the Diocese  
20          shall pay to the Secretary an amount equal to the fair  
21          market value of the parcel, as determined by the Secretary  
22          through an appraisal performed in accordance with—

23                 (1) the Uniform Appraisal Standards for Fed-  
24                 eral Land Acquisitions; and

1           (2) the Uniform Standards of Professional Ap-  
2           praisal Practice (USPAP).

3           (c) USE OF SALE PROCEEDS.—Moneys received by  
4 the Secretary from the sale of land under subsection (a)  
5 shall be deposited in the fund established by Public Law  
6 90–171 (commonly known as the Sisk Act) for use by the  
7 Secretary for the acquisition of land or interests in land  
8 from willing sellers within the Sedona-Red Rock National  
9 Scenic Area, as established by section 2. To the maximum  
10 extent practicable, the Secretary shall utilize such moneys  
11 for the authorized purposes within three years of their de-  
12 posit into the Sisk Act fund.

13          (d) MINOR ERRORS.—The Secretary and the Diocese  
14 may make, by mutual agreement, minor boundary adjust-  
15 ments in the parcel directed for sale under subsection (a).  
16 If there is a conflict between any map, acreage estimate,  
17 or a description of the land under this section, the map  
18 shall control unless the Secretary and the Diocese mutu-  
19 ally agree otherwise.