

SAGUARO NATIONAL PARK BOUNDARY EXPANSION AND
STUDY ACT OF 2020

DECEMBER 2, 2020.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 7098]

The Committee on Natural Resources, to whom was referred the bill (H.R. 7098) to expand the boundary of Saguaro National Park, to study additional land for future adjustments to the boundary of the park, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Saguaro National Park Boundary Expansion and Study Act of 2020”.

SEC. 2. BOUNDARY OF SAGUARO NATIONAL PARK.

Section 4 of the Saguaro National Park Establishment Act of 1994 (Public Law 103-364; 108 Stat. 3467) is amended—

(1) in subsection (a)—

(A) by inserting “(1)” before “The boundaries of the park”; and

(B) by adding at the end the following:

“(2)(A) The boundaries of the park are further modified to include approximately 1,232 acres, as generally depicted on the map titled ‘Saguaro National Park Proposed Boundary Adjustment’, numbered 151/80,045G, and dated June 2020.

“(B) The map referred to in subparagraph (A) shall be on file and available for inspection in the appropriate offices of the National Park Service.”;

(2) by striking subsection (b)(2) and inserting the following new paragraphs:

“(2) The Secretary may, with the consent of the State of Arizona and in accordance with Federal and State law, acquire land or interests therein owned by the State of Arizona within the boundary of the park.

“(3) If the Secretary is unable to acquire the State land under paragraph (2), the Secretary may enter into an agreement with the State that would allow the National Park Service to manage State land within the boundary of the park.”; and

(3) by adding at the end the following new subsection:

“(d) BOUNDARY STUDY.—

“(1) IN GENERAL.—The Secretary shall conduct a study to identify any lands outside the boundaries of the park that may be appropriate for inclusion in the park.

“(2) CRITERIA.—The study be conducted in accordance with National Park Service criteria for boundary adjustment studies.

“(3) REPORT.—Not later than 3 years after the date funds are made available for the study under this subsection, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the findings, conclusions, and recommendations of the study.”.

Amend the title so as to read:

A bill to expand the boundary of Saguaro National Park, to authorize a study of additional land for potential inclusion in the park, and for other purposes.

PURPOSE OF THE BILL

The purpose of H.R. 7098 is to expand the boundary of Saguaro National Park and to authorize a study of additional land for potential inclusion in the park.

BACKGROUND AND NEED FOR LEGISLATION

In 1933, President Herbert Hoover established the 63,500-acre Saguaro National Monument by proclamation in recognition of “outstanding scientific interest because of the exceptional growth thereon of various species of cacti, including the so-called giant cactus.”¹ In 1961, President John F. Kennedy added a separate area west of Tucson, the Tucson Mountain District, to the monument in order to protect its “remarkable display of relatively undisturbed Sonoran desert vegetation.”² Through subsequent congressional actions in 1976, 1991, and 1994, the boundaries of the national monument were adjusted, and the monument was redesignated as a national park. Currently, the park encompasses 91,456 acres and provides critical habitat for a diverse and unique assemblage of wildlife, including the Gila monster, desert tortoise, and the Mexican spotted owl.

H.R. 7098, as reported, modifies the boundaries of Saguaro National Park, located in southern Arizona, to include approximately 1,232 acres of land to the eastern and western portions of the park. Inclusion of these two parcels would preserve important wildlife habitat, protect biodiverse riparian areas, and enhance recreational opportunities. The bill also permits the Secretary of the Interior to acquire land or land interests owned by the State of Arizona connecting Saguaro National Park to the Sweetwater Preserve in Pima County, Arizona, increasing habitat connectivity and recreational trail linkages in the region. In addition, the legislation directs the Secretary of the Interior to conduct a study identifying additional lands that should be considered as part of future boundary adjustments, particularly lands with high natural, cultural, recreational, and scenic values, ensuring the continued protection of the unique Sonoran Desert habitats of the greater Tucson area.

¹Proclamation No. 2031, Establishing Saguaro National Monument (Mar. 1, 1933), available at https://www.nps.gov/parkhistory/online_books/sagu/hrs/hrsaa.htm.

²Proclamation No. 3439, Enlarging the Saguaro National Monument, Arizona (Nov. 15, 1961), available at <https://www.govinfo.gov/content/pkg/STATUTE-76/pdf/STATUTE-76-Pg1437.pdf>.

COMMITTEE ACTION

H.R. 7098 was introduced on June 4, 2020, by Chair Raúl M. Grijalva (D–AZ). The bill was referred solely to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests, and Public Lands. On July 13, 2020, the Subcommittee held a hearing on the bill. On September 30, 2020, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Chair Grijalva offered an amendment designated Grijalva #1. The amendment was agreed to by unanimous consent. No additional amendments were offered, and the bill, as amended, was adopted and ordered favorably reported to the House of Representatives by unanimous consent.

HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—the following hearing was used to develop or consider H.R. 7098: legislative hearing by the Subcommittee on National Parks, Forests, and Public Lands held on July 13, 2020.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Committee adopts as its own cost estimate the forthcoming cost estimate of the Director of the Congressional Budget Office, should such cost estimate be made available before House passage of the bill.

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

Congressional Budget Office staff has informed the Committee on a preliminary, informal, nonbinding basis that the bill will likely have no direct spending or revenue effects.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to expand the boundary of Saguaro National Park and to authorize a study of additional land for potential inclusion in the park.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the Congressional Record upon its receipt by the Committee.

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

**SECTION 4 OF THE SAGUARO NATIONAL PARK
ESTABLISHMENT ACT OF 1994**

SEC. 4. EXPANSION OF PARK BOUNDARIES.

(a) IN GENERAL.—(1) The boundaries of the park are hereby modified to reflect the addition of approximately 3,460 acres of land and interests therein as generally depicted on the map entitled “Saguaro National Monument Additions” and dated April, 1994.

(2)(A) *The boundaries of the park are further modified to include approximately 1,232 acres, as generally depicted on the map titled “Saguaro National Park Proposed Boundary Adjustment”, numbered 151/80,045G, and dated June 2020.*

(B) *The map referred to in subparagraph (A) shall be on file and available for inspection in the appropriate offices of the National Park Service.*

(b) LAND ACQUISITION.—(1) Within the lands added to the park pursuant to subsection (a), the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, transfer, or exchange: *Provided*, That no such lands or interests therein may be acquired without the consent of the owner thereof unless the Secretary determines that the land is being developed, or is proposed to be developed in a manner which is detrimental to the integrity of the park.

[(2) Lands or interests therein owned by the State of Arizona or a political subdivision thereof may only be acquired by donation or exchange.]

(2) *The Secretary may, with the consent of the State of Arizona and in accordance with Federal and State law, acquire land or interests therein owned by the State of Arizona within the boundary of the park.*

(3) *If the Secretary is unable to acquire the State land under paragraph (2), the Secretary may enter into an agreement with the State that would allow the National Park Service to manage State land within the boundary of the park.*

(c) WITHDRAWAL.—Subject to valid existing rights, all Federal lands within the park are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, from location, entry, or patent under the United States mining laws, and from disposition under all laws relating to mineral and geothermal leasing, and mineral materials, and all amendments thereto.

(d) BOUNDARY STUDY.—

(1) *IN GENERAL.*—*The Secretary shall conduct a study to identify any lands outside the boundaries of the park that may be appropriate for inclusion in the park.*

(2) *CRITERIA.*—*The study be conducted in accordance with National Park Service criteria for boundary adjustment studies.*

(3) *REPORT.*—*Not later than 3 years after the date funds are made available for the study under this subsection, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the findings, conclusions, and recommendations of the study.*

SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS

None.