

SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA
BOUNDARY ADJUSTMENT ACT

JUNE 6, 2001.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. HANSEN, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 640]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 640) to adjust the boundaries of Santa Monica Mountains National Recreation Area, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Santa Monica Mountains National Recreation Area Boundary Adjustment Act”.

SEC. 2. BOUNDARY ADJUSTMENT.

Section 507(c) of the National Parks and Recreation Act of 1978 (92 Stat. 3501; 16 U.S.C. 460kk) establishing Santa Monica Mountains National Recreation Area is amended—

(1) in paragraph (1), by striking “‘Boundary Map, Santa Monica Mountains National Recreation Area, California, and Santa Monica Mountains Zone’, numbered SMM-NRA 80,000, and dated May 1978” and inserting “‘Santa Monica Mountains National Recreation Area and Santa Monica Mountains Zone, California, Boundary Map’, numbered 80,047, and dated February 2001”; and

(2) by adding the following sentence after the third sentence of paragraph (2)(A): “Lands within the ‘Wildlife Corridor Expansion Zone’ identified on the boundary map referred to in paragraph (1) may be acquired only by donation or with donated funds.”.

SEC. 3. TECHNICAL CORRECTIONS.

Section 507 of the National Parks and Recreation Act of 1978 (92 Stat. 3501; 16 U.S.C. 460kk) establishing Santa Monica Mountains National Recreation Area is amended—

(1) in subsection (c)(1), by striking “Committee on Natural Resources” and inserting “Committee on Resources”;

- (2) in subsection (c)(2)(B), by striking “of certain” in the first sentence and inserting “certain”; and
- (3) in subsection (n)(5), by striking “laws” in the second sentence and inserting “laws,”.

PURPOSE OF THE BILL

The purpose of H.R. 640 is to adjust the boundaries of the Santa Monica Mountains National Recreation Area, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The Santa Monica Mountains National Recreation Area (SMMNRA), established in 1978, is located in southern California west of downtown Los Angeles. This recreation area covers approximately 154,000 acres. Unlike many national park units where lands within the authorized boundary are almost entirely in federal ownership, there exists a complex mosaic of publicly and privately owned lands within the SMMNRA boundary.

H.R. 640 would amend the National Parks and Recreation Act of 1978 to adjust the northern boundary of the SMMNRA to enhance a critical wildlife habitat corridor and a key watershed between the Santa Monica Mountains that lie within the Recreation Area and the Simi Hills of Los Angeles and Ventura Counties to the north and west of the SMMNRA. The lands within the proposed boundary adjustment represent the last remaining open space connecting the Santa Monica Mountains and Simi Hills across the 101 Freeway. The protection of habitat within this corridor would promote greater ecosystem health and diversity in the Santa Monica Mountains, particularly for larger mammals like bobcats, badgers, and mountain lions.

As a result of the proposed expansion, the size of the SMMNRA would increase by a total of 3,697 acres. The largest portion of the increase, 2,797 acres, would be transferred from the Santa Monica Mountains Conservancy, a state agency, to the National Park Service. The Conservancy land may only be acquired by donation. The balance of the expansion would include 330 acres of developed residential communities from within the cities of Agoura Hills and Calabasas, which is supported by the Saratoga Hills, Saratoga Ranch and Liberty Canyon Homeowners Associations, and 570 acres of open space privately and publicly owned from the County of Los Angeles. Finally, the bill would not authorize the National Park Service to purchase any incidental private or developed property within the expansion area.

COMMITTEE ACTION

H.R. 640 was introduced on February 14, 2001, by Congressman Elton Gallegly (R-CA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Recreation, and Public Lands. On April 26, 2001, the Subcommittee held a hearing on the bill. On May 16, 2001, the Full Resources Committee met to consider the bill. The Subcommittee on National Parks, Recreation, and Public Lands was discharged from further consideration of the bill by unanimous consent. Congressman Joel Hefley (R-CO) offered an amendment in the nature of a substitute that added the official map title, number,

and date to the bill. The amendment was adopted by voice vote. The bill as amended was then ordered favorably reported to the House of Representatives by voice vote.

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 Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. *Cost of Legislation.*—Clause 3(d)(2) of Rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. *Congressional Budget Act.*—As required by 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, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. *General Performance Goals and Objectives.*—This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. *Congressional Budget Office Cost Estimate.*—Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 21, 2001.

Hon. JAMES V. HANSEN,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 640, the Santa Monica Mountains National Recreation Area Boundary Adjustment Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

STEVEN M. LIEBERMAN
(For Dan L. Crippen, Director).

Enclosure.

*H.R. 640—Santa Monica Mountains National Recreation Area
Boundary Adjustment Act*

CBO estimates that enacting H.R. 640 would not significantly affect the federal budget. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 640 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

H.R. 640 would expand the Santa Monica Mountains National Recreation Area in California to include about 3,700 acres of non-federal lands. The bill specifies that the federal government could acquire lands within the proposed expansion area only by donation or with donated funds. The Santa Monica Mountains Conservancy, a California state agency, owns roughly three-quarters of the lands within the proposed expansion area. According to the National Park Service (NPS) and the conservancy, under H.R. 640, the conservancy would donate those lands to the federal government so that they may be managed for critical wildlife habitat. Based on information from the NPS, we estimate that the agency would incur additional costs to manage the donated lands, but that such costs would be negligible.

The CBO staff contact for this estimate is Megan Carroll. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

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 italic, existing law in which no change is proposed is shown in roman):

**SECTION 507 OF THE NATIONAL PARKS AND
RECREATION ACT OF 1978**

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SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA

SEC. 507. (a) * * *

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(c)(1) The recreation area shall consist of the lands and waters and interests generally depicted as the recreation area on the map entitled [“Boundary Map, Santa Monica Mountains National Recreation Area, California, and Santa Monica Mountains Zone”, numbered SMM–NRA 80,000, and dated May 1978] “*Santa Monica Mountains National Recreation Area and Santa Monica Mountains Zone, California, Boundary Map*”, numbered 80,047, and dated

February 2001, which shall be on file and available for inspection in the offices of the National Park Service, Department of the Interior, Washington, District of Columbia, and in the offices of the General Services Administration in the Federal Office Building in West Los Angeles, California, and in the main public library in Ventura, California. After advising the Committee on [Natural] Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, in writing, the Secretary may make minor revisions of the boundaries of the recreation area when necessary by publication of a revised drawing or other boundary description in the Federal Register.

(2)(A) Not later than ninety days after the date of enactment of this Act, the Secretary, after consultation with the Governor of the State of California, the California Coastal Commission, and the Santa Monica Mountains Comprehensive Planning Commission, shall commence acquisition of lands, improvements, waters, or interests therein within the recreation area. Such acquisition may be by donation, purchase with donated or appropriated funds, transfer from any Federal agency, exchange, or otherwise. Except as provided in subparagraph (B), any lands or interests therein owned by the State of California or any political subdivision thereof (including any park district or other public entity) may be acquired only by donation, except that such lands acquired after the date of enactment of this section by the State of California or its political subdivisions may be acquired by purchase or exchange if the Secretary determines that the lands were acquired for purposes which further the national interest in protecting the area and that the purchase price or value on exchange does not exceed fair market value on the date that the State acquired the land or interest: *Provided, however*, That the value of any lands acquired by the Secretary under the exception in this sentence shall be deducted from the amount of moneys available for grants to the State under subsection (n) of this section. *Lands within the "Wildlife Corridor Expansion Zone" identified on the boundary map referred to in paragraph (1) may be acquired only by donation or with donated funds.* Notwithstanding any other provision of law, any Federal property located within the boundaries of the recreation area shall, with the concurrence of the head of the agency having custody thereof, be transferred without cost, to the administrative jurisdiction of the Secretary for the purposes of the recreation area.

(B) The Secretary shall negotiate, and carry out, and exchange with the city of Los Angeles (acting through its department of water and power) [of] certain federally owned lands managed by the Bureau of Land Management in the vicinity of the Haiwee Reservoir in Inyo County for certain lands owned by the city of Los Angeles which are associated with the Upper Franklin Reservoir in the city of Los Angeles. Lands acquired by the Secretary pursuant to such exchange shall be transferred without cost to the administrative jurisdiction of the National Park Service for inclusion within the recreation area. The Secretary shall include in such exchange a provision for an easement to be granted to the city of Los Angeles for the existing water pipeline associated with the Upper Franklin Reservoir and for the city of Los Angeles to provide for replacement water to maintain the water elevations of the Franklin

Reservoir to the current levels. The values of lands exchanged under this provision shall be equal, or shall be equalized, in the same manner as provided in section 206 of the Federal Land Policy and Management Act of 1976.

(n)(1) * * *

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(5) Grants under this section shall be made only upon application of the recipient State and shall be in addition to any other Federal financial assistance for any other program, and shall be subject to such terms and conditions as the Secretary deems necessary to carry out the purposes of this section. Any jurisdiction that implements changes to the approved plan which are inconsistent with the purposes of this section, or adopts or acquiesces in changes to ~~laws~~ *laws*, regulations or policies necessary to implement or protect the approved plan, without approval of the Secretary, may be liable for reimbursement of all funds previously granted or available to it under the terms of this section without regard to such additional terms and conditions or other requirements of law that may be applicable to such grants. During the life of the planning commission, changes to the plan must be submitted by the planning commission to the Secretary for approval. No such application for a grant may be made after the date five years from the date of the Secretary's approval of the plan.

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APPENDIX

