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104TH CONGRESS

2D SESSION H. R. 3929 To direct the Secretary of the Interior to utilize certain Federal lands in Arizona to acquire by eminent domain State trust lands located in

or adjacent to other Federal lands in Arizona.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 1996 Mr. STUMP (for himself, Mr. SHADEGG, and Mr. HAYWORTH) introduced the

following bill; which was referred to the Committee on Resources, and in

addition to the Committee on Veterans’ Affairs, for a period to be subse- quently determined by the Speaker, in each case for consideration of such
provisions as fall within the jurisdiction of the committee concerned

A BILL To direct the Secretary of the Interior to utilize certain Federal lands in Arizona to acquire by eminent domain State trust lands located in or adjacent to other Federal

lands in Arizona.

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 ‘‘Arizona Land Preser-
5 vation and Management Act of 1996’’.

6 SEC. 2. FINDINGS AND PURPOSES.

7 (a) FINDINGS.—The Congress finds the following:

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1 (1) As Arizona growth patterns have emerged
2 and various public uses of unique land resource val-

3 ues have been established, the existing Federal and
4 State land ownership patterns present the Federal
5 Government and the government of Arizona with dif-

6 ficult land management situations.
7 (2) Federal land management programs in Ari-

8 zona require the use of State trust lands in many
9 areas, and there are Federal lands in other areas in

10 Arizona that are suitable for the revenue generation
11 mission of the State trust lands.
12 (b) PURPOSE.—The purpose of this Act is to assist

13 implementation of the Arizona Preserve Initiative plan 14 and improve manageability of Federal public lands and 15 State trust lands in Arizona, by—

16 (1) directing the Secretary of the Interior to ac-
17 quire certain State trust lands in Arizona by emi-

18 nent domain, with the consent of the State, and to
19 compensate the State for the State trust lands so ac-

20 quired with certain Federal public lands of equal
21 value which are acceptable to the State; and
22 (2) providing for management of the acquired

23 lands as part of other existing areas of Federal

24 lands.

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1 SEC. 3. DEFINITIONS.
2 In this Act:

3 (1) ARIZONA PRESERVE INITIATIVE PLAN.—
4 The term ‘‘Arizona Preserve Initiative plan’’ means

5 the project undertaken by the State of Arizona in
6 1995 to find ways to preserve and protect environ-

7 mentally sensitive State trust lands through con-
8 servation leases and sales to State and local govern-

9 ments and conservation organizations and through
10 eminent domain transfers to the Federal Govern-
11 ment.

12 (2) SECRETARY.—The term ‘‘Secretary’’ means
13 the Secretary of the Interior.
14 (3) STATE.—The term ‘‘State’’ means the State

15 of Arizona.
16 (4) STATE TRUST LANDS.—The term ‘‘State

17 trust lands’’ means lands granted to the State of Ar-

18 izona under sections 24 and 25 of the Act of June

19 20, 1910 (chapter 310; 36 Stat. 572 et seq.).

20 SEC. 4. ACQUISITION OF STATE TRUST LANDS IN ARIZONA
21 BY EMINENT DOMAIN.

22 (a) IN GENERAL.—The Secretary shall—
23 (1) by eminent domain, with the consent of the
24 State, acquire the State trust lands described in sub-

25 section (b); and

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1 (2) manage the lands acquired from the State
2 of Arizona in accordance with this Act.
3 (b) STATE TRUST LANDS DESCRIBED.—The State

4 trust lands referred to in subsection (a) are the following,

5 as generally depicted on the map described in subsection
6 (c):
7 (1) All State trust lands in the Lake Mead Na-

8 tional Recreation Area, Saguaro National Park, and
9 Organ Pipe Cactus National Monument, which shall
10 be managed by the National Park Service.

11 (2) All State trust lands and reserved mineral
12 estate in designated Wilderness Areas, which shall

13 be managed by the Bureau of Land Management.
14 (3) All State trust lands in the Buenos Aires

15 National Wildlife Refuge, which shall be managed by
16 the United States Fish and Wildlife Service.
17 (4) State trust lands in the McDowell Moun-

18 tains in Maricopa County, Arizona, which shall be
19 managed under programs of the Bureau of Land

20 Management.
21 (5) State trust lands in the vicinity of the Pet-
22 rified Forest National Park, if the Congress author-

23 izes the expansion of the Petrified Forest National

24 Park to include these State trust lands.

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1 (6) State trust lands in the Coconino National
2 Forest and in the vicinity of the Walnut Canyon Na-

3 tional Monument that are suitable for management
4 by the Forest Service.
5 (7) State trust lands in the Baboquivari Moun-

6 tain-Coyote Mountains area in Pima County, Ari-
7 zona, which shall be managed by the Bureau of

8 Land Management.
9 (8) State trust lands in the Lake Pleasant-
10 Black Canyon City-Wickenburg area in Maricopa

11 County and Yavapai County, Arizona, which shall be
12 managed by the Bureau of Land Management.

13 (9) State trust lands in the Empire Cienega Re-
14 source Conservation Area and Mustang Mountains
15 in Pima County and Santa Cruz County, Arizona,

16 which shall be managed by the Bureau of Land
17 Management.
18 (10) State trust lands in the Newman Peak

19 area in Pinal County, Arizona, which shall be man-

20 aged by the Bureau of Land Management.
21 (11) State trust lands in the Burro Creek area
22 in Yavapai County, Arizona, which shall be managed

23 by the Bureau of Land Management.
24 (12) State trust lands in the Larned Landing
25 and Parker Strip areas in Mohave County and La

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1 Paz County, Arizona, which shall be managed by the
2 Bureau of Land Management.
3 (13) State trust lands in the Gila Box and San

4 Pedro Riparian National Conservation Areas, which

5 shall be managed by the Bureau of Land Manage-
6 ment.
7 (14) State trust lands in the Mohave Mountains

8 area in Mohave County, Arizona, which shall be
9 managed by the Bureau of Land Management.
10 (15) State trust lands in the Arizona Strip in

11 Mohave County and Coconino County, Arizona,
12 which shall be managed by the Bureau of Land

13 Management.
14 (16) State trust lands in the Aguila area of
15 Maricopa County and La Paz County, Arizona,

16 which shall be managed by the Bureau of Land
17 Management.

18 (17) State trust lands in the Rogers Lake area
19 in the Coconino National Forest, which shall be
20 managed by the Forest Service in accordance with

21 section 9(a).
22 (18) State trust lands in the Superstition

23 Mountain area of Pinal County, Arizona, if the Con-
24 gress authorizes the expansion of the Tonto National

25 Forest to include these State trust lands.

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1 (19) State trust lands needed for the existing
2 facilities at the Arizona National Memorial Ceme-

3 tery, which shall be managed by the Veterans Ad-

4 ministration in accordance with section 10.

5 (20) State trust lands needed for the Kingman

6 Burro Corral in Mohave County, Arizona, which
7 shall be managed by the Bureau of Land Manage-
8 ment.

9 (21) Any other State trust lands the acquisition
10 of which by the Secretary will—

11 (A) improve government land management
12 by both the Federal Government and the State

13 of Arizona; and
14 (B) be consistent with Federal land man-
15 agement planning and the mission of the State

16 trust lands.
17 (c) MAP DESCRIBED.—The map referred to in sub-

18 section (b) is the map entitled ‘‘Arizona Land Manage-19 ment Improvement’’, dated February 1996. The Secretary

20 shall keep such map on file and available for public inspec-
21 tion in the offices of the Arizona State Bureau of Land
22 Management in Phoenix, Arizona, and of the Bureau of

23 Land Management in the District of Columbia.

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1 SEC. 5. COMPENSATION.

2 (a) IN GENERAL.—As compensation for State trust
3 lands acquired under this Act, the Secretary shall transfer

4 to the State such areas of Federal lands described in sub-
5 section (b) as may be agreed to by the State and which
6 are of equal value to the State trust lands acquired.
7 (b) FEDERAL LANDS DESCRIBED.—The Federal

8 lands referred to in subsection (a) are the following, as 9 generally depicted in the map described in subsection (d):

10 (1) Federal lands under the administrative ju-
11 risdiction of the Secretary in the Bullhead City, Mo-

12 have Valley, Larned Landing, Havasu Springs,
13 Kingman, Golden Valley, and Colorado City areas

14 and the Interstate 40 and Interstate 5 corridors, in
15 Mohave County, Arizona.
16 (2) Federal lands under the administrative ju-

17 risdiction of the Secretary in the Butler Valley and
18 Parker Strip areas and the Interstate 10 corridor, in
19 La Paz County, Arizona.

20 (3) Federal lands under the administrative ju-
21 risdiction of the Secretary in the Interstate 8 cor-

22 ridor in Yuma County, Arizona.
23 (4) Federal lands under the administrative ju-
24 risdiction of the Secretary in the Phoenix, Buckeye,

25 Rainbow Valley, Lake Pleasant, New River, and

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1 Wickenburg areas and the Interstate 8, 10, and 17
2 corridors, in Maricopa County, Arizona.

3 (5) Federal lands under the administrative ju-
4 risdiction of the Secretary in the Lake Pleasant,
5 Black Canyon City, and Prescott areas and Inter-

6 state 17 corridor, in Yavapai County, Arizona.
7 (6) Federal lands in the Coconino National

8 Forest under the administrative jurisdiction of the
9 Secretary of Agriculture, in Coconino County, Ari-

10 zona.

11 (7) Federal lands under the administrative ju-
12 risdiction of the Secretary in the checkerboard land

13 area of Navajo County, Arizona.
14 (8) Federal lands under the administrative ju-
15 risdiction of the Secretary in checkerboard land area

16 of Apache County, Arizona.
17 (9) Federal lands under the administrative ju-

18 risdiction of the Secretary in the Tucson and Sasabe
19 areas of Pima County, Arizona.
20 (10) Federal lands under the administrative ju-

21 risdiction of the Secretary in the Sonoita area of
22 Santa Cruz County, Arizona.

23 (11) Federal lands under the administrative ju-
24 risdiction of the Secretary in the Interstate 8 cor-
25 ridor and other lands in Pinal County, Arizona.

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1 (12) Federal lands under the administrative ju-
2 risdiction of the Secretary in the Safford area of

3 Graham County, Arizona.
4 (13) Federal lands under the administrative ju-
5 risdiction of the Secretary in the Clifton, Morenci,

6 and Duncan areas of Greenlee County, Arizona.
7 (14) Federal lands under the administrative ju-

8 risdiction of the Secretary south of Interstate 10 in
9 Cochise County, Arizona.
10 (15) Any other Federal lands under the juris-

11 diction of the Secretary, the transfer of which to the
12 State will—

13 (A) improve government land management
14 by both the Federal Government and the State

15 of Arizona; and
16 (B) be consistent with Federal land man-
17 agement planning and the mission of the State
18 trust lands.

19 (c) MAP DESCRIBED.—The map referred to in sub-
20 section (b) is the map entitled ‘‘Arizona Land Manage-

21 ment Improvement—Possible Areas for Consideration’’,
22 dated February 1996. The Secretary shall keep such map

23 on file and available for public inspection in the offices 24 of the Arizona State Bureau of Land Management and

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1 of the Bureau of Land Management in the District of Co-
2 lumbia.
3 (d) VALUE OF COMPENSATION.—

4 (1) IN GENERAL.—The total value of Federal
5 lands transferred to the State by the Secretary in

6 acquiring lands from the State under this Act may
7 not exceed the fair market value of the lands ac-

8 quired.
9 (2) APPRAISALS.—Notwithstanding any other

10 law, the value of lands shall be determined for pur-
11 poses of this Act in accordance with the Uniform
12 Appraisal Standards for Federal Land Acquisitions,

13 as published by the Department of Justice in 1992.
14 SEC. 6. MANAGEMENT OF ACQUIRED LANDS BY BUREAU OF

15 LAND MANAGEMENT.

16 Lands acquired by the Secretary under this Act that
17 are required by this Act to be managed by the Bureau

18 of Land Management shall be managed in accordance with 19 the Federal Land Policy and Management Act of 1976 20 (43 U.S.C. 1701 et seq.).

21 SEC. 7. ADDITION OF LANDS TO NATIONAL PARK SYSTEM.
22 Lands acquired by the Secretary under this Act with-

23 in the Saguaro National Park, Organ Pipe Cactus Na-24 tional Monument, and Lake Mead National Recreation

25 Area that are required by this Act to be managed by the

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1 National Park Service shall be added to the National Park
2 System and managed in accordance with the Act of Au-

3 gust 25, 1916 (chapter 408; 16 U.S.C. 1 et seq.), popu-4 larly known as the National Park Service Organic Act,

5 and other laws and regulations applicable to the National
6 Park System.
7 SEC. 8. ADDITION OF LANDS TO NATIONAL WILDLIFE REF-
8 UGE SYSTEM.

9 Lands acquired by the Secretary under this Act that

10 are required by this Act to be managed by the United
11 States Fish and Wildlife Service shall be added to the Na-
12 tional Wildlife Refuge System and managed in accordance

13 with the National Wildlife Refuge System Administration

14 Act of 1966.

15 SEC. 9. ADDITION OF LANDS TO NATIONAL FOREST SYS-

16 TEM.
17 Lands acquired by the Secretary under this Act that

18 are in the Rogers Lake area shall be—
19 (1) transferred to the administrative jurisdic-
20 tion of the Secretary of Agriculture; and

21 (2) added to the Coconino National Forest and
22 managed by the Secretary of Agriculture under the

23 laws and regulations applicable to National Forest
24 System lands.

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1 SEC. 10. ADDITION OF LANDS TO ARIZONA NATIONAL ME-
2 MORIAL CEMETERY.

3 Lands acquired by the Secretary under this Act
4 under section 4(b)(19) shall be—

5 (1) transferred to the administrative jurisdic-
6 tion of the Secretary of Veterans Affairs;
7 (2) added to the Arizona National Memorial

8 Cemetery, located in Phoenix, Arizona; and
9 (3) managed by the Secretary of Veterans Af-

10 fairs in accordance with chapter 24 of title 38, Unit-
11 ed States Code, and other laws and regulations ap-

12 plicable to national cemeteries.

13 SEC. 11. AUTHORIZATION FOR EXISTING USES OF AC-
14 QUIRED LANDS TO CONTINUE.
15 Any use of lands acquired by the United States under
16 this Act that was authorized to occur immediately before

17 the enactment of this Act may continue until such time 18 as the use is determined to be incompatible with the pur-

19 poses for which the lands are required to be used under
20 this Act.
21 SEC. 12. REVOCATION OF RECLAMATION WITHDRAWALS
22 WITH RESPECT TO BULLHEAD CITY PARCEL.

23 (a) IN GENERAL.—The order of the Secretary dated
24 October 16, 1931, withdrawing lands for the Colorado

25 River Storage Project, and the order of the Secretary
26 dated May 29, 1933, withdrawing lands for Power Site

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1 Classification 272, are hereby revoked on the following
2 lands under the administration of the National Park Serv-

3 ice in Arizona in Township 21 North, Range 21 West, Gila

4 and Salt River Base and Meridian:

5 (1) In section 19, lot 4, SESW, S2SE.

6 (2) In section 20, that portion of the S2 lying
7 south of the centerline of State Highway 68.

8 (3) In section 30, lots 1–3, W2NE, E2NW,
9 NESW, NWSE.
10 (b) EFFECTIVE DATE.—The revocation under sub-

11 section (a) shall take effect for a parcel of land on the
12 date on which the parcel is transferred to the State under
13 this Act.
14 SEC. 13. TERMS AND CONDITIONS OF TRANSFER OF LANDS

15 ON LOWER COLORADO RIVER AND LAKE

16 HAVASU.
17 In transferring to the State under this Act lands that
18 front on the Lower Colorado River or Lake Havasu (or

19 both), the Secretary shall include such terms and condi-

20 tions as are necessary to protect the needs of the Bureau
21 of Reclamation to have access to those lands for flowage
22 easements and bank line protection.
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