

106TH CONGRESS  
2D SESSION

# H. R. 3676

To establish the Santa Rosa and San Jacinto Mountains National Monument  
in the State of California.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2000

Mrs. BONO introduced the following bill; which was referred to the Committee  
on Resources

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## A BILL

To establish the Santa Rosa and San Jacinto Mountains  
National Monument in the State of California.

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; TABLE OF CONTENTS.**

4       (a) **SHORT TITLE.**—This Act may be cited as the  
5       “Santa Rosa and San Jacinto Mountains National Monu-  
6       ment Act of 2000”.

7       (b) **TABLE OF CONTENTS.**—The table of contents of  
8       this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Establishment of Santa Rosa and San Jacinto Mountains National  
Monument, California.

Sec. 3. Management of Federal lands in the National Monument.

Sec. 4. Development of management plan.

- Sec. 5. Existing and historical uses of Federal lands included in Monument.  
Sec. 6. Acquisition of land.  
Sec. 7. Local advisory committee.  
Sec. 8. Authorization of appropriations.

1 **SEC. 2. ESTABLISHMENT OF SANTA ROSA AND SAN**  
2 **JACINTO MOUNTAINS NATIONAL MONUMENT,**  
3 **CALIFORNIA.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) The Santa Rosa and San Jacinto Moun-  
6 tains in southern California contain nationally sig-  
7 nificant biological, cultural, recreational, geological,  
8 educational, and scientific values.

9 (2) The magnificent vistas, wildlife, landforms,  
10 and natural and cultural resources of these moun-  
11 tains occupy a unique and challenging position given  
12 their proximity to highly urbanized areas of the  
13 Coachella Valley.

14 (3) These mountains, which rise abruptly from  
15 the desert floor to an elevation of 10,802 feet, pro-  
16 vide a picturesque backdrop for Coachella Valley  
17 communities and support an abundance of rec-  
18 reational opportunities that are an important re-  
19 gional economic resource.

20 (4) These mountains have special cultural value  
21 to the Agua Caliente Band of Cahuilla Indians, con-  
22 taining significant cultural sites, including village

1 sites, trails, petroglyphs, and other evidence of their  
2 habitation.

3 (5) This Act is not intended to impact upon ex-  
4 isting or future growth in the Coachella Valley.

5 (b) ESTABLISHMENT AND PURPOSES.—In order to  
6 preserve the nationally significant biological, cultural, rec-  
7 reational, geological, educational, and scientific values  
8 found in the Santa Rosa and San Jacinto Mountains and  
9 to secure for future generations the opportunity to experi-  
10 ence the magnificent vistas, wildlife, landforms, and nat-  
11 ural and cultural resources in these mountains, there is  
12 hereby designated the Santa Rosa and San Jacinto Moun-  
13 tains National Monument (in this Act referred to as the  
14 “National Monument”).

15 (c) BOUNDARIES.—The National Monument shall  
16 consist of Federal lands and Federal interests in lands lo-  
17 cated within the boundaries depicted on the map entitled  
18 “Boundary Map, Santa Rosa and San Jacinto National  
19 Monument”, dated \_\_\_\_\_, 2000.

20 (d) LEGAL DESCRIPTIONS; CORRECTION OF ER-  
21 RORS.—

22 (1) PREPARATION AND SUBMISSION.—As soon  
23 as practicable after the date of the enactment of this  
24 Act, the Secretary of the Interior shall use the map  
25 referred to in subsection (c) to prepare legal descrip-

1 tions of the boundaries of the National Monument.  
2 The Secretary shall submit the resulting legal de-  
3 scriptions to the Committee on Resources and the  
4 Committee on Agriculture of the House of Rep-  
5 resentatives and to the Committee on Energy and  
6 Natural Resources and the Committee on Agri-  
7 culture, Nutrition, and Forestry of the Senate.

8 (2) LEGAL EFFECT.—The map and legal de-  
9 scriptions of the National Monument shall have the  
10 same force and effect as if included in this Act, ex-  
11 cept that the Secretary of the Interior may correct  
12 clerical and typographical errors in the map and  
13 legal descriptions. The map shall be on file and  
14 available for public inspection in appropriate offices  
15 of the Bureau of Land Management and the Forest  
16 Service.

17 **SEC. 3. MANAGEMENT OF FEDERAL LANDS IN THE NA-**  
18 **TIONAL MONUMENT.**

19 (a) BASIS OF MANAGEMENT.—The Secretary of the  
20 Interior and the Secretary of Agriculture shall manage the  
21 National Monument to protect the resources of the Na-  
22 tional Monument, and shall allow only those uses of the  
23 National Monument that further the purposes for the es-  
24 tablishment of the National Monument, in accordance  
25 with—

1 (1) this Act;

2 (2) the Federal Land Policy and Management  
3 Act of 1976 (43 U.S.C. 1701 et seq.);

4 (3) the Forest and Rangeland Renewable Re-  
5 sources Planning Act of 1974; and

6 (4) other applicable provisions of law.

7 (b) DIVISION OF MANAGEMENT RESPONSIBIL-  
8 ITIES.—

9 (1) ROLE OF SECRETARY OF THE INTERIOR.—

10 Federal lands and Federal interests in lands within  
11 the National Monument that, as of the date of the  
12 enactment of this Act, are administered by the Bu-  
13 reau of Land Management shall continue to be man-  
14 aged by the Secretary of the Interior, acting through  
15 the Bureau of Land Management. Lands or inter-  
16 ests in lands within the National Monument bound-  
17 aries that are acquired after the date of the enact-  
18 ment of this Act, and abut lands administered by  
19 the Bureau of Land Management, shall also be man-  
20 aged by the Secretary of the Interior.

21 (2) ROLE OF SECRETARY OF AGRICULTURE.—

22 Federal lands and Federal interests in lands within  
23 the National Monument that, as of the date of the  
24 enactment of this Act, are included in the National  
25 Forest System shall continue to be managed by the

1 Secretary of Agriculture, acting through the Forest  
2 Service. Lands or interests in lands within the Na-  
3 tional Monument boundaries that are acquired after  
4 the date of the enactment of this Act, and abut  
5 lands administered by the Forest Service, shall also  
6 be managed by the Secretary of Agriculture.

7 (3) ADMINISTRATION OF CERTAIN ACQUIRED  
8 LANDS.—If it is unclear whether paragraph (1) or  
9 (2) applies to lands or an interest in lands acquired  
10 after the date of the enactment of this Act, the Sec-  
11 retary of Agriculture and the Secretary of the Inte-  
12 rior shall determine which Secretary shall be respon-  
13 sible for the administration of the lands or interest.

14 (c) PROTECTION OF RESERVATION, STATE, AND PRI-  
15 VATE LANDS AND INTERESTS.—Nothing in the establish-  
16 ment of the National Monument shall be construed as af-  
17 fecting any Indian Reservation, any individually held trust  
18 lands, any other Indian allotments, any lands or interests  
19 in lands held by the State of California, a political subdivi-  
20 sion of the State of California, a special district, or the  
21 Mount San Jacinto Winter Park Authority, or any private  
22 property rights within the boundaries of the National  
23 Monument. Establishment of the National Monument  
24 shall not be construed to grant the Secretary of the Inte-  
25 rior or the Secretary of Agriculture any authority on or

1 over non-Federal lands not already provided by law. The  
2 authority of the Secretary of the Interior and the Sec-  
3 retary of Agriculture under this Act extends only to Fed-  
4 eral lands and Federal interests in lands included in the  
5 National Monument.

6 (d) EXISTING RIGHTS.—The management of the Na-  
7 tional Monument shall be subject to valid existing rights.

8 (e) NO BUFFER ZONES AROUND NATIONAL MONU-  
9 MENT.—The Congress does not intend for the designation  
10 of the National Monument to lead to the creation of ex-  
11 press or implied protective perimeters or buffer zones,  
12 whether located within or outside of the boundaries of the  
13 National Monument. The fact that activities or uses of  
14 land outside of the National Monument, which are con-  
15 sistent with other applicable laws, can be seen, heard, or  
16 smelled from land within the National Monument shall not  
17 preclude such activities or uses up to the boundaries of  
18 the National Monument. The Secretary of the Interior and  
19 the Secretary of Agriculture may not use the existence of  
20 the National Monument to require a person or entity to  
21 undertake or implement any exactions or mitigation meas-  
22 ures to reduce the effect of such activities or uses so long  
23 as such activities or uses are consistent with other applica-  
24 ble law. Nothing in this Act shall be construed to change

1 standards governing air or water quality outside of the  
2 designated area of the National Monument.

3 **SEC. 4. DEVELOPMENT OF MANAGEMENT PLAN.**

4 (a) DEVELOPMENT REQUIRED.—The Secretary of  
5 the Interior and the Secretary of Agriculture shall prepare  
6 a management plan for the conservation and protection  
7 of the National Monument consistent with the require-  
8 ments of section 3(a).

9 (b) CONSULTATION AND COOPERATION.—

10 (1) IN GENERAL.—The Secretaries shall pre-  
11 pare and implement the management plan required  
12 by subsection (a) in accordance with the National  
13 Environmental Policy Act of 1969 (42 U.S.C. 4321  
14 et seq.) and in consultation with the local advisory  
15 committee established pursuant to section 7 and, to  
16 the extent practicable, interested owners of private  
17 property and holders of valid existing rights located  
18 within the boundaries of the National Monument.  
19 Such consultation shall be on a periodic and regular  
20 basis.

21 (2) AGUA CALIENTE BAND OF CAHUILLA INDI-  
22 ANS.—The Secretaries shall make a special effort to  
23 consult with representatives of the Agua Caliente  
24 Band of Cahuilla Indians regarding the management

1 plan during the preparation and implementation of  
2 the plan.

3 (3) WINTER PARK AUTHORITY.—The manage-  
4 ment plan shall consider the mission of the Mount  
5 San Jacinto Winter Park Authority to make acces-  
6 sible to current and future generations the natural  
7 and recreational treasures of the Mount San Jacinto  
8 State Park and the National Monument. Establish-  
9 ment and management of the National Monument  
10 shall not be construed to interfere with the mission  
11 or powers of the Mount San Jacinto Winter Park  
12 Authority, as provided for in the Mount San Jacinto  
13 Winter Park Authority Act of the State of Cali-  
14 fornia.

15 (c) INTERIM MANAGEMENT.— Pending completion of  
16 the management plan required by subsection (a), the Sec-  
17 retaries shall manage Federal lands and interests in lands  
18 within the National Monument in a manner substantially  
19 consistent with the current uses occurring on such lands  
20 as of the date of the enactment of this Act.

21 (d) COMPLETION; REVISION.—The Secretaries shall  
22 complete the management plan required by subsection (a)  
23 within three years after the date of the enactment of this  
24 Act. The Secretaries may revise the management plan  
25 thereafter as necessary, following consultation with rep-

1 representatives of various governmental entities and other  
2 groups listed in subsection (b).

3 (e) COOPERATIVE AGREEMENTS.—

4 (1) GENERAL AUTHORITY.—Consistent with the  
5 management plan and existing authorities, the Sec-  
6 retaries may enter into cooperative agreements and  
7 shared management arrangements, which may in-  
8 clude special use permits, with any person, including  
9 the Agua Caliente Band of Cahuilla Indians, for the  
10 purposes of management, interpretation, and re-  
11 search regarding the resources of the National  
12 Monument.

13 (2) USE OF CERTAIN LANDS BY UNIVERSITY OF  
14 CALIFORNIA.—In the case of any agreement with the  
15 University of California in existence as of the enact-  
16 ment of this Act relating to the University's use of  
17 certain Federal land within the National Monument,  
18 the Secretary of the Interior shall, consistent with  
19 the management plan and existing authorities, either  
20 revise the agreement as may be necessary to ensure  
21 its consistency with this Act or enter into a new  
22 agreement to ensure the continuation of the Univer-  
23 sity's arid lands research and educational activities  
24 within the National Monument.

1 **SEC. 5. EXISTING AND HISTORICAL USES OF FEDERAL**  
2 **LANDS INCLUDED IN MONUMENT.**

3 (a) **RECREATIONAL ACTIVITIES GENERALLY.**—The  
4 management plan required by section 4(a) shall include  
5 provisions to continue to authorize the recreational use of  
6 the National Monument, including such recreational uses  
7 as hiking, camping, mountain biking, sightseeing, and  
8 horseback riding, as long as such recreational use is con-  
9 sistent with other applicable law.

10 (b) **MOTORIZED VEHICLES.**—Except where or when  
11 needed for administrative purposes or to respond to an  
12 emergency, use of motorized vehicles in the National  
13 Monument shall be permitted only on roads and trails des-  
14 ignated for use of motorized vehicles as part of the man-  
15 agement plan.

16 (c) **HUNTING, TRAPPING, AND FISHING.**—

17 (1) **IN GENERAL.**—Except as provided in para-  
18 graph (2), the Secretary of the Interior and the Sec-  
19 retary of Agriculture shall permit hunting, trapping,  
20 and fishing within the National Monument in ac-  
21 cordance with applicable laws (including regulations)  
22 of the United States and the State of California.

23 (2) **REGULATIONS.**—The Secretaries, after con-  
24 sultation with the California Department of Fish  
25 and Game, may issue regulations designating zones  
26 where, and establishing periods when, no hunting,

1 trapping, or fishing will be permitted in the National  
2 Monument for reasons of public safety, administra-  
3 tion, or public use and enjoyment.

4 (d) ACCESS TO STATE AND PRIVATE LANDS.—The  
5 Secretaries shall provide such access to nonfederally  
6 owned land or interests in land within the boundaries of  
7 the National Monument as may be necessary to provide  
8 the owner of the land or holder of the interest the use  
9 and enjoyment of the land or interest, consistent with the  
10 management plan.

11 (e) UTILITIES.—Subject to valid existing rights,  
12 nothing in this Act or the management plan required by  
13 section 4(a) shall be construed to inhibit or curtail the  
14 ability of Government agencies or public and private utility  
15 companies to install, construct, and maintain public utili-  
16 ties and infrastructure within the National Monument,  
17 consistent with other applicable Federal and State laws.

18 (f) WATER RIGHTS.—Nothing in this Act, the man-  
19 agement plan required by section 4(a), or any action taken  
20 pursuant thereto, shall constitute either an express or im-  
21 plied reservation of water. Nothing in this Act shall affect  
22 any valid existing water right, including any Federal re-  
23 served water right, in effect on the date of the enactment  
24 of this Act or any water right hereinafter approved pursu-  
25 ant to the laws of the State of California.

1 (g) MAINTENANCE OF ROADS, TRAILS, AND STRUC-  
2 TURES.—In the development of the management plan re-  
3 quired by section 4(a), the Secretaries shall address the  
4 maintenance of roadways, jeep trails, and paths located  
5 in the National Monument.

6 (h) GRAZING.—The Secretaries shall issue and ad-  
7 minister any grazing leases or permits in the National  
8 Monument in accordance with the same laws (including  
9 regulations) and executive orders followed by the Secre-  
10 taries in issuing and administering grazing leases and per-  
11 mits on other land under the jurisdiction of the Secre-  
12 taries.

13 (i) OVERFLIGHTS.—Nothing in this Act or the man-  
14 agement plan required by section 4(a) shall be construed  
15 to restrict or preclude overflights, including low-level over-  
16 flights, over lands in the National Monument, including  
17 military, commercial, and general aviation overflights that  
18 can be seen or heard within the National Monument.  
19 Nothing in this Act or the management plan shall be con-  
20 strued to restrict or preclude the designation or creation  
21 of new units of special use airspace or the establishment  
22 of military flight training routes over the National Monu-  
23 ment.

24 (j) MINERAL WITHDRAWAL.—Subject to valid exist-  
25 ing rights as provided in section 3(d), the Federal lands

1 and interests in lands included within the National Monu-  
2 ment are hereby withdrawn from all forms of entry, appro-  
3 priation, or disposal under the public land laws, from loca-  
4 tion, entry, and patent under the public land mining laws,  
5 and from disposition under all laws pertaining to mineral  
6 and geothermal leasing, and mineral materials.

7 **SEC. 6. ACQUISITION OF LAND.**

8 (a) ACQUISITION AUTHORIZED; METHODS.—State,  
9 local government, Tribal, and privately held land or inter-  
10 ests in land within the boundaries of the National Monu-  
11 ment may be acquired for management as part of the Na-  
12 tional Monument only by—

- 13 (1) donation;  
14 (2) purchase from a willing seller; or  
15 (3) exchange with a willing party.

16 (b) USE OF EASEMENTS.—To the extent practicable,  
17 and if preferred by a willing seller, the Secretary of the  
18 Interior and the Secretary of Agriculture shall use con-  
19 servation easements to acquire interests in land in the Na-  
20 tional Monument in lieu of acquiring land in fee simple  
21 and thereby removing land from non-Federal ownership.

22 (c) VALUATION OF PRIVATE PROPERTY.—The  
23 United States shall offer the fair market value for any  
24 interests or partial interests in land acquired under this  
25 section.

1           (d) INCORPORATION OF ACQUIRED LANDS AND IN-  
2 TERESTS.—Any land or interest in lands within the  
3 boundaries of the National Monument that is acquired by  
4 the United States after the date of the enactment of this  
5 Act shall be added to and administered as part of the Na-  
6 tional Monument as provided in section 3(b).

7           (e) LAND EXCHANGE AUTHORIZATION.—In order to  
8 support the cooperative management agreement in effect  
9 with the Agua Caliente Band of Cahuilla Indians as of  
10 the date of the enactment of this Act, the Secretary of  
11 the Interior may, without further authorization by law, ex-  
12 change lands, which the Bureau of Land Management has  
13 acquired using amounts provided under the Land and  
14 Water Conservation Fund Act of 1965 (16 U.S.C. 4601–  
15 4 et seq.), with the Agua Caliente Band of Cahuilla Indi-  
16 ans. Any such land exchange may include the exchange  
17 of federally owned property within or outside of the bound-  
18 aries of the National Monument for property owned by  
19 the Agua Caliente Band of Cahuilla Indians within or out-  
20 side of the boundaries of the National Monument. The ex-  
21 changed lands acquired by the Secretary within the bound-  
22 aries of the National Monument shall be managed for the  
23 purposes described in section 2(b).

1 **SEC. 7. LOCAL ADVISORY COMMITTEE.**

2 (a) ESTABLISHMENT.—The Secretary of the Interior  
3 and the Secretary of Agriculture shall jointly establish an  
4 advisory committee for the National Monument, whose  
5 purpose shall be to advise the Secretaries with respect to  
6 the preparation and implementation of the management  
7 plan required by section 4.

8 (b) REPRESENTATION.—To the extent practicable,  
9 the advisory committee shall consist of the following mem-  
10 bers:

11 (1) An individual with a recognized background  
12 in ecological restoration, research, and application,  
13 selected from nominees submitted by the University  
14 of California or the College of the Desert.

15 (2) A representative of the California Depart-  
16 ment of Fish and Game and a representative of the  
17 California Department of Parks and Recreation.

18 (3) A representative of the County of Riverside,  
19 California.

20 (4) A representative of each of the following cit-  
21 ies: Palm Springs, Cathedral City, Rancho Mirage,  
22 La Quinta, Palm Desert, and Indian Wells.

23 (5) A representative of the Agua Caliente Band  
24 of Cahuilla Indians.

25 (6) A representative of the Coachella Valley  
26 Mountains Conservancy.

1           (7) A representative of the local Sierra Club or,  
2 if no such representative is available, another recog-  
3 nized conservation organization.

4           (8) A representative of the Building Industry  
5 Association.

6           (9) A representative of the Winter Park Au-  
7 thority.

8           (10) A representative of the Santa Rosa Moun-  
9 tains Council.

10 (c) TERMS.—

11           (1) STAGGERED TERMS.—Members of the advi-  
12 sory committee shall be appointed for terms of three  
13 years, except that, of the members first appointed,  
14 one-third of members shall be appointed for a term  
15 of 1 year and one-third of the members shall be ap-  
16 pointed for a term of 2 years.

17           (2) REAPPOINTMENT.—A member may be re-  
18 appointed to serve on the advisory committee upon  
19 the expiration of the member's current term.

20           (3) VACANCY.—A vacancy on the advisory com-  
21 mittee shall be filled in the same manner as the  
22 original appointment.

23           (d) QUORUM.—A quorum shall be eight members of  
24 the advisory committee. The operations of the advisory  
25 committee shall not be impaired by the fact that a member

1 has not yet been appointed as long as a quorum has been  
2 attained.

3 (e) CHAIRPERSON AND PROCEDURES.—The advisory  
4 committee shall elect a chairperson and establish such  
5 rules and procedures as it deems necessary or desirable.

6 (f) SERVICE WITHOUT COMPENSATION.—Members  
7 of the advisory committee shall serve without pay.

8 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

9 There are authorized to be appropriated such sums  
10 as are necessary to carry out this Act.

○