

CALIFORNIA COASTAL NATIONAL MONUMENT  
EXPANSION ACT OF 2013

\_\_\_\_\_  
JULY 8, 2013.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed  
\_\_\_\_\_

Mr. HASTINGS of Washington, from the Committee on Natural  
Resources, submitted the following

R E P O R T

[To accompany H.R. 1411]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1411) to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System, 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; DEFINITIONS.**

(a) **SHORT TITLE.**—This Act may be cited as the “California Coastal National Monument Expansion Act of 2013”.

(b) **DEFINITIONS.**—In this Act:

(1) **MAP.**—The term “map” means the map created by the Bureau of Land Management, entitled “California Coastal National Monument Addition” and dated September 15, 2012.

(2) **MONUMENT.**—The term “Monument” means the California Coastal National Monument established by Presidential Proclamation 7264.

(3) **POINT ARENA-STORNETTA PUBLIC LANDS.**—The term “Point Arena-Stornetta Public Lands” means the Federal land comprising approximately 1,255 acres in Mendocino County, California, as generally depicted on the map.

(4) **PRESIDENTIAL PROCLAMATION 7264.**—The term “Presidential Proclamation 7264” means Presidential Proclamation Number 7264, dated January 11, 2000 (65 Fed. Reg. 2821).

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

**SEC. 2. PURPOSE.**

The purpose of this Act is to protect, conserve, and enhance for the benefit and enjoyment of present and future generations the unique and nationally important historical, natural, cultural, scientific, educational, scenic, economic and recreational values of the Point Arena-Stornetta Public Lands, while allowing certain rec-

reational, research and traditional economic activities or uses, such as grazing, to continue.

**SEC. 3. EXPANSION OF CALIFORNIA COASTAL NATIONAL MONUMENT.**

(a) **IN GENERAL.**—The boundary of the Monument established by Presidential Proclamation 7264 is expanded to include the Federal land shown on the map.

(b) **MAP AND LEGAL DESCRIPTION.**—

(1) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a map and boundary description of land added to the Monument by this Act.

(2) **FORCE AND EFFECT.**—The map and boundary description filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct any minor errors in the map and boundary descriptions.

(3) **AVAILABILITY OF MAP AND BOUNDARY DESCRIPTION.**—The map and boundary description filed under paragraph (1) shall be on file and available for public inspection in appropriate offices of the Bureau of Land Management.

**SEC. 4. ADMINISTRATION.**

(a) **IN GENERAL.**—The Secretary shall manage the land added to the Monument by this Act—

(1) as a part of the Monument; and

(2) in accordance with Presidential Proclamation 7264, except that—

(A) traditional economic activities and existing uses, such as grazing and the maintenance of existing structures that are used for grazing, shall not be restricted; and

(B) lands and interests in land within the proposed land addition not owned by the United States shall not be part of the monument and the future acquisition of those lands and interests in lands by the United States may occur only through donation or exchange with the written consent of the landowner.

(b) **MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall finalize an amendment to the Monument management plan for the long-term protection and management of the land added to the Monument by this Act.

(2) **REQUIREMENTS.**—The plan amendment shall—

(A) be developed with an opportunity for full public participation; and

(B) describe the appropriate uses and management of the land consistent with this Act.

(c) **MOTORIZED AND MECHANIZED TRANSPORT.**—Except as needed for emergency or authorized administrative purposes, the use of motorized and mechanized vehicles in the Monument shall be permitted only on roads and trails designated for that use.

(d) **INCORPORATION OF LAND AND INTERESTS.**—

(1) **AUTHORITY.**—The Secretary may acquire non-Federal land or interests in land within or adjacent to the land added to the Monument by this Act only through exchange, or donation with the written consent of the landowner, and such non-Federal land shall not be included within the boundaries of the Monument absent written consent of the landowner.

(2) **MANAGEMENT.**—Any land or interests in land within or adjacent to the land added to the Monument by this Act acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the Monument.

(3) **ACCESS TO PRIVATE PROPERTY.**—The addition of lands under this Act to the Monument may not result in a lack of or restricted access by motorized vehicle to any non-Federal lands within the Monument.

(e) **OVERFLIGHTS.**—Nothing in this Act—

(1) restricts or precludes overflights, including low-level overflights or military, commercial, and general aviation overflights that can be seen or heard within the land added to the Monument by this Act;

(2) restricts or precludes the designation or creation of new units of special use airspace or the establishment of military flight training routes over the land added to the Monument by this Act; or

(3) modifies regulations governing low-level overflights above the adjacent Gulf of the Farallones National Marine Sanctuary.

(f) **LAW ENFORCEMENT.**—Nothing in this Act effects the law enforcement authorities of the Department of Homeland Security.

(g) **NATIVE AMERICAN USES.**—Nothing in this Act enlarges, diminishes, or modifies the rights of any Indian tribe or Indian religious community.

(h) **BUFFER ZONES.**—

(1) **IN GENERAL.**—The expansion of the Monument is not intended to lead to the establishment of protective perimeters or buffer zones around the land included in the Monument by this Act.

(2) **ACTIVITIES OUTSIDE THE MONUMENT.**—The fact that activities outside the Monument can be seen or heard within the land added to the Monument by this Act shall not, of itself, preclude those activities or uses up to the boundary of the Monument.

(i) **GRAZING.**—Nothing in this Act affects the grazing of livestock and the maintenance of existing structures that are used for grazing with the Point Arena-Stornetta Public Lands or the Monument.

(j) **NATIONAL LANDSCAPE CONSERVATION SYSTEM.**—The Secretary shall manage the Monument as part of the National Landscape Conservation System.

#### PURPOSE OF THE BILL

The purpose of H.R. 1411 is to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System.

#### BACKGROUND AND NEED FOR LEGISLATION

H.R. 1411 adds 1,255 acres of Bureau of Land Management (BLM) land in Mendocino County, California, known as the Point Arena-Stornetta Public Lands, to the California Coastal National Monument, which was created by Presidential Proclamation 7264 on January 11, 2000. In 2004, the BLM acquired about 1,100 of these acres through donation. In 2011, the BLM acquired approximately 123 acres of additional lands from the Cypress Abbey Corporation through a combination of donation and acquisition using the Land and Water Conservation Fund (LWCF).

The legislation adds and requires the Point Arena-Stornetta public lands to be managed as part of the California Coastal National Monument. An amendment to the management plan for the area would be required within two years after an undefined, non-National Environmental Policy Act public input period. The Stornetta family currently grazes cattle in this area and the bill ensures that traditional economic activities and uses, like grazing, will continue within the monument. The bill prevents restrictions on military or commercial low-level overflights and training activities and also on Department of Homeland Security law enforcement activities. Other routine provisions protecting activities outside of the monument and preventing the creation of buffer zones are included in the bill.

During Full Committee consideration of the bill, the Committee adopted an amendment offered by Congressman Rob Bishop (R-UT) to reduce taxpayer costs, protect private property and allow grazing and other traditional economic activities to continue. The amendment curtailed the broad acquisition authority that would have proven costly to taxpayers. It also provided additional private property protections through the guarantee of motorized access and written consent requirements for private property owners. Finally, the amendment ensures that the grazing of livestock and the maintenance of existing structures that are used for grazing within the Point-Arena-Stornetta public lands or the Monument will continue unfettered, including the management of grazing by the local BLM office, by confirming its compatibility with the purposes of the Monument and the proposed expansion.

## COMMITTEE ACTION

H.R. 1411 was introduced on April 9, 2013, by Congressman Jared Huffman (D-CA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Public Lands and Environmental Regulation. On May 9, 2013, the Subcommittee on Public Lands and Environmental Regulation held a hearing on the bill. On June 12, 2013, the Full Natural Resources Committee met to consider the bill. The Subcommittee on Public Lands and Environmental Regulation was discharged by unanimous consent. Congressman Rob Bishop (R-UT) offered an en bloc amendment designated #1 to the bill; the amendment was adopted by unanimous consent. The bill, as amended, was then adopted and ordered favorably reported to the House of Representatives by unanimous consent.

## 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

1. Cost of Legislation. Clause 3(d)(1) 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)(2)(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. 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:

*H.R. 1411—California Coastal National Monument Expansion Act of 2013*

H.R. 1411 would expand the boundary of the California Coastal National Monument to include 1,255 acres of federal land known as the Point Arena-Stornetta public lands; the new land is currently managed by the Bureau of Land Management (BLM). The bill would require BLM to manage that land as part of the National Landscape Conservation System.

Based on information provided by BLM, CBO estimates that implementing the legislation would have no significant impact on the federal budget. BLM currently has a management plan for the Point Arena-Stornetta public lands, and that plan would not be altered under the bill. Thus, CBO expects that implementing the legislation would not significantly affect BLM's operating costs. Enacting H.R. 1411 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 1411 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contacts for this estimate are Maggie Morrissey and Jeff LaFave. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of 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. Based on information provided by BLM, CBO estimates that implementing the legislation would have no significant impact on the federal budget.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to include the Point Arena-Stornetta Public Lands in the California Coastal National Monument as a part of the National Landscape Conservation System.

#### 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.

#### COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

#### COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

#### PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

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

#### CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.