

114TH CONGRESS
1ST SESSION

H. R. 3565

To expand the boundary of the California Coastal National Monument, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2015

Mrs. CAPPS (for herself, Ms. ESHOO, and Mr. HUFFMAN) introduced the
following bill; which was referred to the Committee on Natural Resources

A BILL

To expand the boundary of the California Coastal National
Monument, and for other purposes.

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 “California Coastal Na-
5 tional Monument Expansion Act”.

6 **SEC. 2. PURPOSES.**

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

8 (1) Presidential Proclamation Number 7264,
9 dated January 11, 2000 (65 Fed. Reg. 2821), des-
10 ignated over 20,000 islands, rocks, and pinnacles

1 along the approximately 1,100-mile California coast-
2 line as the California Coastal National Monument to
3 protect the biological treasures situated offshore on
4 thousands of unappropriated or unreserved areas of
5 land owned or controlled by the Federal Government
6 within 12 nautical miles of the shoreline.

7 (2) Presidential Proclamation Number 9089,
8 dated March 11, 2014 (79 Fed. Reg. 14603), ex-
9 panded the boundary of the Monument to include
10 1,665 acres of Federal land administered by the Bu-
11 reau of Land Management along the Northern Cali-
12 fornia coastline in Mendocino County, commonly
13 known as the “Point Arena-Stornetta Unit”.

14 (3) The Point Arena-Stornetta Unit is the first
15 onshore expansion of the Monument.

16 (4) Numerous governmental entities, commu-
17 nity organizations, businesses, and individuals have
18 made significant contributions to maintain the
19 unique character, management, and preservation of
20 the individual parcels of Federal land along the Cali-
21 fornia coast.

22 (b) PURPOSES.—The purposes of this Act are—

23 (1) to protect, conserve, and enhance for the
24 benefit and enjoyment of present and future genera-
25 tions the nationally significant historical, natural,

1 cultural, scientific, educational, and scenic values of
2 the Federal land along and adjacent to the shoreline
3 of the State of California, and for the purposes for
4 which the Monument was designated; and

5 (2) to support the land management partner-
6 ships of the Bureau of Land Management with the
7 State of California, local governments, communities,
8 and stakeholders, and to enhance the relationships
9 those entities have with the Bureau of Land Man-
10 agement and Federal land, as appropriate.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) FEDERAL LAND.—The term “Federal land”
14 means—

15 (A) the Federal land comprising approxi-
16 mately 13 acres in Humboldt County, Cali-
17 fornia, identified as “Trinidad Head” on the
18 map;

19 (B) the Federal land comprising approxi-
20 mately 5,780 acres in Santa Cruz County, Cali-
21 fornia, identified as “Cotoni-Coast Dairies Pub-
22 lic Land” on the map;

23 (C) the Federal land comprising approxi-
24 mately 20 acres in San Luis Obispo County,
25 California, identified as “Piedras Blancas Light

1 Station Outstanding Natural Area” on the
2 map; and

3 (D) the Federal land comprising approxi-
4 mately 8 acres in Humboldt County, California,
5 identified as “Lighthouse Ranch” on the map.

6 (2) MAP.—The term “map” means the Bureau
7 of Land Management map entitled “California
8 Coastal National Monument Addition” and dated
9 July 24, 2015.

10 (3) MONUMENT.—The term “Monument”
11 means the California Coastal National Monument
12 established by Presidential Proclamation 7264.

13 (4) PRESIDENTIAL PROCLAMATION 7264.—The
14 term “Presidential Proclamation 7264” means Pres-
15 idential Proclamation Number 7264, dated January
16 11, 2000 (65 Fed. Reg. 2821), creating the Monu-
17 ment.

18 (5) PRESIDENTIAL PROCLAMATION 9089.—The
19 term “Presidential Proclamation 9089” means Pres-
20 idential Proclamation Number 9089, dated March
21 11, 2014 (79 Fed. Reg. 14603), expanding the
22 Monument.

23 (6) SECRETARY.—The term “Secretary” means
24 the Secretary of the Interior.

1 **SEC. 4. EXPANSION OF CALIFORNIA COASTAL NATIONAL**
2 **MONUMENT.**

3 (a) IN GENERAL.—The boundary of the Monument
4 is expanded to include the Federal land.

5 (b) MAP AND LEGAL DESCRIPTION.—

6 (1) IN GENERAL.—As soon as practicable after
7 the date of enactment of this Act, the Secretary
8 shall develop a map and boundary description of the
9 Federal land added to the Monument by this Act.

10 (2) FORCE AND EFFECT.—The map and bound-
11 ary description developed under paragraph (1) shall
12 have the same force and effect as if included in this
13 Act, except that the Secretary may correct any
14 minor errors in the map and boundary descriptions.

15 (3) AVAILABILITY OF MAP AND BOUNDARY DE-
16 SCRPTION.—The map and boundary description de-
17 veloped under paragraph (1) shall be on file and
18 available for public inspection in appropriate offices
19 of the Bureau of Land Management.

20 **SEC. 5. ADMINISTRATION.**

21 (a) IN GENERAL.—Subject to valid existing rights
22 and deed restrictions in place as of the date of enactment
23 of this Act, the Secretary shall manage the Federal land
24 added to the Monument by this Act—

25 (1) as part of the Monument; and

1 (2) in accordance with Presidential Proclama-
2 tions 7264 and 9089.

3 (b) MANAGEMENT PLAN.—

4 (1) IN GENERAL.—As soon as practicable after
5 the date of enactment of this Act, the Secretary
6 shall finalize an amendment, or multiple amend-
7 ments as applicable for the individual Federal land
8 areas, to the Monument management plan for the
9 long-term protection and management of the Federal
10 land added to the Monument by this Act.

11 (2) REQUIREMENTS.—Any amendment under
12 paragraph (1) shall—

13 (A) be developed in consultation with, at a
14 minimum—

15 (i) affected State, tribal, and local
16 governments;

17 (ii) the public; and

18 (iii) interested Federal agencies;

19 (B) describe the appropriate uses and
20 management of the Federal land, consistent
21 with this Act;

22 (C) contain individual plans and consider-
23 ations specific to each individual Federal land
24 area;

1 (D) take into consideration existing uses of
2 the Federal land;

3 (E) include components regarding steward-
4 ship, visitor services, facilities management and
5 maintenance, public access, traffic, public safe-
6 ty, emergency services, and law enforcement;

7 (F) include a component regarding poten-
8 tial education and interpretation activities, with
9 recognition of the specific character and history
10 of each Federal land area; and

11 (G) include a component regarding Native
12 American cultural resources management, with
13 emphasis on the preservation of resources with-
14 in the individual Federal land areas.

15 (3) INTERIM MANAGEMENT.—Until the comple-
16 tion of the management plan, the Secretary shall
17 manage the Federal land in accordance with the
18 purposes described in section 2(b).

19 (c) MOTORIZED AND MECHANIZED TRANSPORT.—
20 Except as needed for emergency or authorized administra-
21 tive purposes, in the Monument—

22 (1) motorized vehicle use shall be permitted
23 only on designated roads; and

1 (2) mechanized vehicle use shall be permitted
2 only on roads and trails designated for the use of
3 those vehicles.

4 (d) INCORPORATION OF LAND AND INTERESTS.—

5 (1) AUTHORITY.—Except as provided in para-
6 graph (3), the Secretary may acquire non-Federal
7 land or interests in land within or adjacent to the
8 Federal land added to the Monument by this Act
9 only through exchange, donation, or purchase from
10 a willing seller.

11 (2) MANAGEMENT.—Any land or interests in
12 land within or adjacent to the Federal land added to
13 the Monument by this Act acquired by the United
14 States after the date of the enactment of this Act
15 shall be—

16 (A) added to and administered as part of
17 the Monument; and

18 (B) with respect to inclusion in the man-
19 agement plan, taken into consideration through
20 an appropriate amendment to that plan.

21 (3) EXCEPTION.—An addition to the Coton-
22 Coast Dairies unit of Federal land referred to in sec-
23 tion 3(1)(C) shall be limited to the acreage con-
24 tained within the boundary of the Monument, as es-
25 tablished by this Act.

1 (e) EXISTING COOPERATIVE MANAGEMENT AGREE-
2 MENTS.—Any cooperative management agreement in ex-
3 istence on the date of enactment of this Act between the
4 Federal land areas and other land management entities
5 shall not be affected due to the enactment of this Act.

6 (f) COOPERATIVE AGREEMENTS WITH LOCAL GOV-
7 ERNMENTS AND ENTITIES.—To better implement the
8 management plan and to continue the successful partner-
9 ships with local communities and land administered by the
10 State of California and other partners, the Secretary may
11 enter into cooperative agreements with the appropriate
12 Federal, State, and local agencies and organizations pur-
13 suant to section 307(b) of the Federal Land Policy and
14 Management Act of 1976 (43 U.S.C. 1737(b)).

15 (g) WITHDRAWALS.—Subject to valid existing rights,
16 all Federal land within the Monument and all land and
17 interests in land acquired for the Monument by the United
18 States after the date of the enactment of this Act are with-
19 drawn from—

20 (1) all forms of entry, appropriation, or disposal
21 under the public land laws;

22 (2) location, entry, and patent under the mining
23 laws; and

24 (3) operation of the mineral leasing, mineral
25 materials, and geothermal leasing laws.

1 (h) NATIVE AMERICAN USES AND INTERESTS.—

2 (1) IN GENERAL.—The Secretary shall, to the
3 maximum extent permitted by law and in consulta-
4 tion with affected Indian tribes, ensure the protec-
5 tion of Indian sacred sites and traditional cultural
6 properties in the Monument and provide access by
7 members of Indian tribes for traditional cultural and
8 customary uses, consistent with Public Law 95–341
9 (commonly known as the “American Indian Reli-
10 gious Freedom Act”; 42 U.S.C. 1996) and Executive
11 Order 13007 (42 U.S.C. 1996 note; relating to In-
12 dian sacred sites).

13 (2) RELATIONSHIP TO OTHER RIGHTS.—Not-
14 withstanding paragraph (1), nothing in this Act en-
15 larges, diminishes, or modifies the rights of any In-
16 dian tribe or Indian religious community.

17 (i) BUFFER ZONES.—

18 (1) IN GENERAL.—The expansion of the Monu-
19 ment by this Act is not intended to lead to the es-
20 tablishment of protective perimeters or buffer zones
21 around the Federal land included in the Monument
22 by this Act.

23 (2) ACTIVITIES OUTSIDE MONUMENT.—The
24 fact that activities outside the Monument can be
25 seen or heard within the Federal land added to the

1 Monument by this Act shall not, of itself, preclude
2 those activities or uses up to the boundary of the
3 Monument.

4 (j) GRAZING.—Nothing in this Act affects the grazing
5 of livestock within the Federal land described in section
6 3(1)(C).

7 (k) NATIONAL LANDSCAPE CONSERVATION SYS-
8 TEM.—The Secretary shall manage the Monument as part
9 of the National Landscape Conservation System.

10 **SEC. 6. ADVISORY COUNCILS.**

11 (a) ESTABLISHMENT.—Not less than 180 days after
12 the date of the enactment of this Act, the Secretary shall
13 establish an advisory council for each unit of Federal land
14 described in subparagraphs (A) through (D) of section
15 3(1) within the Monument.

16 (b) DUTIES.—The advisory councils shall advise the
17 Secretary with respect to the preparation and implementa-
18 tion of the management plan under section 5(b) (or
19 amendments to an existing applicable management plan)
20 for each relevant unit of Federal land.

21 (c) APPLICABLE LAW.—The advisory councils shall
22 be subject to—

23 (1) the Federal Advisory Committee Act (5
24 U.S.C. App.);

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

3 (3) all other applicable laws (including regula-
4 tions).

5 (d) MEMBERS.—Each advisory council shall include
6 7 members, to be appointed by the Secretary, of whom,
7 to the maximum extent practicable—

8 (1) 1 shall be appointed after taking into con-
9 sideration the recommendations of the local county
10 board of supervisors of the applicable unit of Fed-
11 eral land; and

12 (2) 6 shall—

13 (A) reside within a reasonable proximity to
14 the applicable unit of Federal land; and

15 (B) demonstrate experience that reflects—

16 (i) the purposes for which the Monu-
17 ment was established; and

18 (ii) the interest of the stakeholders
19 that are affected by the planning and man-
20 agement of the unit of Federal land, which
21 may include stakeholders representing pri-
22 vate land-ownership, Native American in-
23 terests, environmental, recreational, eco-
24 nomic, or other non-Federal land interests.

1 (e) REPRESENTATION.—The Secretary shall ensure
2 that the memberships of the advisory councils are fairly
3 balanced with respect to the points of view represented,
4 and the functions to be performed, by each advisory coun-
5 cil.

6 (f) QUORUM.—

7 (1) IN GENERAL.—Four members of an advi-
8 sory council shall constitute a quorum.

9 (2) UNAPPOINTED MEMBERS.—The operation
10 of an advisory committee shall not be affected if—

11 (A) a member has not yet been appointed
12 to the advisory committee; but

13 (B) a quorum has been attained.

14 (g) CHAIRPERSON AND PROCEDURES.—Each advi-
15 sory council shall—

16 (1) elect a chairperson from among the mem-
17 bers of the advisory council; and

18 (2) establish such rules and procedures as the
19 advisory council determines to be necessary or ap-
20 propriate.

21 (h) SERVICE WITHOUT COMPENSATION.—The mem-
22 bers of each advisory council shall serve without pay.

23 (i) TERMINATION.—The advisory councils shall ter-
24minate—

1 (1) on the date that is 2 years after the date
2 on which the management plan (or amendment to
3 an existing management plan) is officially adopted
4 by the Secretary; or

5 (2) on such later date as the Secretary con-
6 siders to be appropriate.

7 (j) EXISTING ADVISORY BODIES.—The Secretary
8 may elect not to establish an advisory council for a unit
9 of Federal land if a regularly scheduled, organized public
10 forum or entity exists—

11 (1) of which the Bureau of Land Management
12 is an active or leading participant; and

13 (2) that fulfills the duties described in sub-
14 section (b).

15 **SEC. 7. ROCKS AND SMALL ISLANDS ALONG COAST OF OR-**
16 **ANGE COUNTY, CALIFORNIA.**

17 (a) CALIFORNIA COASTAL NATIONAL MONUMENT.—
18 The Act of February 18, 1931 (46 Stat. 1172, chapter
19 226), is amended by striking “be, and the same are here-
20 by, temporarily reserved” and all that follows through
21 “United States” and inserting “are part of the California
22 Coastal National Monument and shall be administered as
23 part of the Monument”.

1 (b) REPEAL OF RESERVATION.—Section 31 of the
2 Act of May 28, 1935 (49 Stat. 309, chapter 155), is re-
3 pealed.

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