

113TH CONGRESS
2D SESSION

H. R. 5357

To authorize a national memorial to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2014

Mr. McKEON introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To authorize a national memorial to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, 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 “Saint Francis Dam
5 Disaster National Memorial Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

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

8 (1) On March 12, 1928, the Saint Francis Dam
9 located in the northern portion of Los Angeles Coun-

1 ty, California, breached, resulting in a flood result-
2 ing in the death of approximately 600 individuals.

3 (2) The residents of the Santa Clarita Valley,
4 San Francisquito Canyon, Castaic Junction, Santa
5 Clara River Valley, Piru, Fillmore, Bardsdale,
6 Saticoy, and Santa Paula were devastated by the
7 worst flood that the State of California has ever ex-
8 perienceed.

9 (3) This disaster resulted in a tremendous loss
10 of human life, property, and livelihood, and was sur-
11 passed in the 20th century only by the great San
12 Francisco Earthquake of 1906.

13 (4) The dam's collapse may represent America's
14 worst civil engineering failure in the 20th century.

15 (5) It is right to pay homage to the citizens
16 who perished, were injured, or were dislocated in the
17 flood, and to bring to light and educate the general
18 public about this important historical event.

19 (6) The site is subject to the theft of historic
20 artifacts, graffiti, and other vandalism.

21 (7) The site has important historic and environ-
22 mental significance.

23 (8) It is appropriate that the site of the Saint
24 Francis Dam and surrounding areas be designated

1 a unit of the National Park System to commemorate
2 this tragic event.

3 (b) PURPOSES.—The purposes of this Act are as fol-
4 lows:

5 (1) To establish a national memorial to honor
6 the victims of the Saint Francis Dam disaster of
7 March 12, 1928.

8 (2) To establish the Saint Francis Dam Advi-
9 sory Commission to assist with consideration and
10 formulation of plans for a permanent memorial to
11 the victims of that disaster, including its nature, de-
12 sign, and construction.

13 (3) To permanently protect the historical scene
14 of the Saint Francis Dam and educate the general
15 public about this historic event.

16 (4) To authorize the Secretary of the Interior
17 to coordinate and facilitate the activities of the Saint
18 Francis Dam Advisory Commission, provide tech-
19 nical and financial assistance to the Saint Francis
20 Dam Task Force, and to administer a Saint Francis
21 Dam memorial.

22 **SEC. 3. MEMORIAL TO HONOR THE VICTIMS OF THE SAINT**
23 **FRANCIS DAM DISASTER.**

24 There is established a memorial at the Saint Francis
25 Dam site in the County of Los Angeles, California, to

1 honor the victims of the Saint Francis Dam disaster of
2 March 12, 1928, which shall be—

3 (1) known as the Saint Francis Dam Disaster
4 National Memorial; and

5 (2) located within the Saint Francis Dam Dis-
6 aster National Monument.

7 **SEC. 4. SAINT FRANCIS DAM ADVISORY COMMISSION.**

8 (a) **ESTABLISHMENT.**—There is established a com-
9 mission to be known as the “Saint Francis Dam Advisory
10 Commission”.

11 (b) **MEMBERSHIP.**—The Commission shall consist of
12 15 members, including the Director of the National Park
13 Service, or the Director’s designee, and 14 members ap-
14 pointed by the Secretary of the Interior.

15 (c) **TERM.**—The term of the members of the Commis-
16 sion shall be for the life of the Commission.

17 (d) **CHAIR.**—The members of the Commission shall
18 select the Chair of the Commission.

19 (e) **VACANCIES.**—Any vacancy in the Commission
20 shall not affect its powers if a quorum is present, but shall
21 be filled in the same manner as the original appointment.

22 (f) **MEETINGS.**—The Commission shall meet at the
23 call of the Chairperson or a majority of the members, but
24 not less often than quarterly. The Commission shall pub-
25 lish notice of the Commission meetings and agendas for

1 the meetings in local newspapers in the vicinity of Los An-
2 geles County and in the Federal Register. Meetings of the
3 Commission shall be subject to section 552b of title 5,
4 United States Code (relating to open meetings).

5 (g) QUORUM.—A majority of the members serving on
6 the Commission shall constitute a quorum for the trans-
7 action of any business.

8 (h) NO COMPENSATION.—Members of the Commis-
9 sion shall serve without compensation, but may be reim-
10 bursed for expenses incurred in carrying out the duties
11 of the Commission.

12 (i) DUTIES.—The duties of the Commission shall be
13 as follows:

14 (1) Not later than 2 years after the date of the
15 enactment of this Act, the Commission shall submit
16 to the Secretary of the Interior and Congress a re-
17 port containing recommendations for the planning,
18 design, construction, and long-term management of
19 a permanent memorial at the dam site.

20 (2) The Commission shall advise the Secretary
21 of the Interior on the boundaries of the Memorial
22 site.

23 (3) The Commission shall advise the Secretary
24 of the Interior in the development of a management
25 plan for the Memorial site.

1 (4) The Commission shall consult and coordi-
2 nate closely with the Saint Francis Dam Task
3 Force, the State of California, and other interested
4 persons, as appropriate, to support and not supplant
5 the efforts of the Saint Francis Dam Task Force on
6 and before the date of the enactment of this Act to
7 commemorate the Saint Francis Dam disaster.

8 (5) The Commission shall provide significant
9 opportunities for public participation in the planning
10 and design of the Memorial.

11 (j) POWERS.—The Commission may—

12 (1) make such expenditures for services and
13 materials for the purpose of carrying out this Act as
14 the Commission considers advisable from funds ap-
15 propriated or received as gifts for that purpose;

16 (2) subject to approval by the Secretary of the
17 Interior, solicit and accept donations of funds and
18 gifts, personal property, supplies, and services from
19 individuals, foundations, corporations, and other pri-
20 vate or public entities to be used in connection with
21 the construction or other expenses of the Memorial;

22 (3) hold hearings and enter into contracts for
23 personal services;

24 (4) do such other things as are necessary to
25 carry out this Act; and

1 (5) by a vote of the majority of the Commis-
2 sion, delegate such of its duties as it determines ap-
3 propriate to employees of the National Park Service.

4 (k) TERMINATION.—The Commission shall terminate
5 upon dedication of the completed Memorial.

6 **SEC. 5. DUTIES OF THE SECRETARY OF THE INTERIOR**
7 **WITH RESPECT TO MEMORIAL.**

8 The Secretary may—

9 (1) provide assistance to the Commission, in-
10 cluding advice on collections, storage, and archives;

11 (2) consult and assist the Commission in pro-
12 viding information, interpretation, and the conduct
13 of oral history interviews;

14 (3) provide assistance in conducting public
15 meetings and forums held by the Commission;

16 (4) provide project management assistance to
17 the Commission for planning, design, and construc-
18 tion activities;

19 (5) provide programming and design assistance
20 to the Commission for possible Memorial exhibits,
21 collections, or activities;

22 (6) provide staff assistance and support to the
23 Commission and the Saint Francis Dam Task
24 Force;

1 (7) participate in the formulation of plans for
2 the design of the Memorial, accept funds raised by
3 the Commission for construction of the Memorial,
4 and construct the Memorial;

5 (8) acquire from willing sellers the land or in-
6 terests in land for the Memorial site by donation,
7 purchase with donated or appropriated funds, or ex-
8 change; and

9 (9) administer the Memorial as a unit of the
10 National Park System in accordance with this Act
11 and with the laws generally applicable to units of the
12 National Park System.

13 **SEC. 6. ESTABLISHMENT OF NATIONAL MONUMENT.**

14 (a) ESTABLISHMENT.—There is established as a na-
15 tional monument in the State certain land administered
16 by the Secretary of Agriculture in Los Angeles County
17 comprising approximately _____ acres, as generally
18 depicted on the map entitled _____, and dated _____,
19 to be known as the “Saint Francis Dam Disaster National
20 Memorial Monument”.

21 (b) PURPOSE.—The purpose of the Monument is to
22 conserve, protect, and enhance for the benefit and enjoy-
23 ment of present and future generations the cultural, ar-
24 chaeological, historical, natural, wildlife, geological, eco-

1 logical, watershed, educational, scenic, and recreational re-
2 sources and values of the Monument.

3 (c) MANAGEMENT.—

4 (1) IN GENERAL.—The Secretary of the Inte-
5 rior shall manage the Monument—

6 (A) in a manner that conserves, protects,
7 and enhances the resources of the Monument;

8 (B) protects, preserves, and enhances the
9 Memorial; and

10 (C) in accordance with—

11 (i) the Federal Land Policy and Man-
12 agement Act of 1976 (43 U.S.C. 1701 et
13 seq.);

14 (ii) this Act; and

15 (iii) any other applicable laws.

16 (2) USES.—

17 (A) IN GENERAL.—The Secretary of the
18 Interior shall allow only such uses of the Monu-
19 ment that the Secretary determines would fur-
20 ther the purpose described in subsection (b).

21 (B) USE OF MOTORIZED VEHICLES.—

22 (i) IN GENERAL.—Except as needed
23 for administrative purposes or to respond
24 to an emergency, the use of motorized ve-
25 hicles in the Monument shall be permitted

1 only on roads designated for use by motor-
2 ized vehicles in the management plan.

3 (ii) NEW ROADS.—No additional
4 roads shall be built within the Monument
5 after the date of enactment of this Act un-
6 less the road is necessary for public safety
7 or natural resource protection.

8 (C) GRAZING.—The Secretary shall permit
9 grazing within the Monument, where estab-
10 lished before the date of enactment of this
11 Act—

12 (i) subject to all applicable laws (in-
13 cluding regulations) and Executive orders;
14 and

15 (ii) consistent with the purpose de-
16 scribed in subsection (b).

17 (D) UTILITY RIGHT-OF-WAY UPGRADES.—
18 Nothing in this section precludes the Secretary
19 from renewing or authorizing the upgrading
20 (including widening) of a utility right-of-way in
21 existence as of the date of enactment of this
22 Act through the Monument in a manner that
23 minimizes harm to the purpose of the Monu-
24 ment described in subsection (b)—

25 (i) in accordance with—

1 (I) the National Environmental
2 Policy Act of 1969 (42 U.S.C. 4321
3 et seq.); and

4 (II) any other applicable law; and
5 (ii) subject to such terms and condi-
6 tions as the Secretary determines to be ap-
7 propriate.

8 (E) RIGHTS-OF-WAY.—Subject to applica-
9 ble law, the Secretary of the Interior may issue
10 rights-of-way for watershed restoration projects
11 and small-scale flood prevention projects within
12 the boundary of the Monument if the right-of-
13 way is consistent with the purpose of the Monu-
14 ment described in subsection (b).

15 (d) MANAGEMENT PLAN.—

16 (1) IN GENERAL.—Not later than 3 years after
17 the date of enactment of this Act, the Secretary of
18 the Interior shall develop a management plan for the
19 Monument.

20 (2) CONSULTATION.—The management plan
21 shall be developed in consultation with—

22 (A) interested Federal agencies;

23 (B) State, tribal, and local governments;

24 and

25 (C) the public.

1 (3) CONSIDERATIONS.—In preparing and imple-
2 menting the management plan, the Secretary of the
3 Interior shall—

4 (A) consider the recommendations of the
5 Santa Clarita Valley Historical Society on
6 methods for providing access to, and protection
7 for the St. Francis Dam Memorial site; and

8 (B) include a watershed health assessment
9 to identify opportunities for watershed restora-
10 tion.

11 (e) INCORPORATION OF ACQUIRED LAND AND INTER-
12 ESTS IN LAND.—Any land or interest in land that is with-
13 in the boundary of the Monument designated by sub-
14 section (a) that is acquired by the United States shall—

15 (1) become part of the Monument; and

16 (2) be managed in accordance with—

17 (A) this Act; and

18 (B) any other applicable laws.

19 (f) TRANSFER OF ADMINISTRATIVE JURISDICTION.—
20 On the date of enactment of this Act, administrative juris-
21 diction over the approximately _____ acres of land gen-
22 erally depicted as _____ on the map entitled _____, and
23 dated _____, shall—

24 (1) be transferred from the Secretary of Agri-
25 culture to the Secretary of the Interior;

- 1 (2) become part of the Monument; and
- 2 (3) be managed in accordance with—
- 3 (A) this Act; and
- 4 (B) any other applicable laws.

5 **SEC. 7. DEFINITIONS.**

6 In this Act:

- 7 (1) **MEMORIAL.**—The term “Memorial” means
- 8 the Saint Francis Dam Disaster National Memorial
- 9 established by section 3.
- 10 (2) **MONUMENT.**—The term “Monument”
- 11 means the Saint Francis Dam Disaster National
- 12 Monument established by section 6.
- 13 (3) **STATE.**—The term “State” means the State
- 14 of California.

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