

114TH CONGRESS
1ST SESSION

S. 1971

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

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2015

Mrs. BOXER (for herself and Mrs. FEINSTEIN) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural 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 that—

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 1,100-mile California coastline as the Cali-
2 fornia Coastal National Monument to protect the bi-
3 ological treasures situated offshore on thousands of
4 unappropriated or unreserved areas of land owned or
5 controlled by the Federal Government within 12
6 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; and

16 (4) numerous governmental entities, community
17 organizations, businesses, and individuals have made
18 significant contributions to maintain the unique
19 character, management, and preservation of the in-
20 dividual parcels of Federal land along the California
21 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) further to support the land management
6 partnerships of the Bureau of Land Management
7 with the State of California, local governments, com-
8 munities, and stakeholders, and to enhance the rela-
9 tionships those entities have with the Bureau of
10 Land Management 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 13 acres
16 in Humboldt County, California, that is identi-
17 fied as “Trinidad Head” on the map;

18 (B) the Federal land comprising 440 acres
19 in Humboldt County, California, that is identi-
20 fied as “Lost Coast Headlands” on the map;

21 (C) the Federal land comprising approxi-
22 mately 5,780 acres in Santa Cruz County, Cali-
23 fornia, that is identified as “Cotoni-Coast
24 Dairies Public Land” on the map;

1 (D) the Federal land comprising approxi-
2 mately 20 acres in San Luis Obispo County,
3 California, that is identified as “Piedras Blan-
4 cas Light Station Outstanding Natural Area”
5 on the map; and

6 (E) the Federal land comprising approxi-
7 mately 8 acres in Humboldt County, California,
8 that is identified as “Lighthouse Ranch” on the
9 map.

10 (2) MAP.—The term “map” means the Bureau
11 of Land Management map entitled “California
12 Coastal National Monument Addition” and dated
13 July 24, 2015.

14 (3) MONUMENT.—The term “Monument”
15 means the California Coastal National Monument
16 established by Presidential Proclamation 7264.

17 (4) PRESIDENTIAL PROCLAMATION 7264.—The
18 term “Presidential Proclamation 7264” means Pres-
19 idential Proclamation Number 7264, dated January
20 11, 2000 (65 Fed. Reg. 2821), creating the Monu-
21 ment.

22 (5) PRESIDENTIAL PROCLAMATION 9089.—The
23 term “Presidential Proclamation 9089” means Pres-
24 idential Proclamation Number 9089, dated March

1 11, 2014 (79 Fed. Reg. 14603), expanding the
2 Monument.

3 (6) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

5 **SEC. 4. EXPANSION OF CALIFORNIA COASTAL NATIONAL**
6 **MONUMENT.**

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

9 (b) MAP AND LEGAL DESCRIPTION.—

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

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

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

1 **SEC. 5. ADMINISTRATION.**

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

6 (1) as part of the Monument; and

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

9 (b) MANAGEMENT PLAN.—

10 (1) IN GENERAL.—As soon as practicable after
11 the date of enactment of this Act, the Secretary
12 shall finalize an amendment, or multiple amend-
13 ments as applicable for the individual Federal land
14 areas, to the Monument management plan for the
15 long-term protection and management of the Federal
16 land added to the Monument by this Act.

17 (2) REQUIREMENTS.—The plan amendment
18 under paragraph (1) shall—

19 (A) be developed in consultation with, at a
20 minimum—

21 (i) affected State, tribal, and local
22 governments;

23 (ii) the public; and

24 (iii) interested Federal agencies;

1 (B) describe the appropriate uses and
2 management of the Federal land, consistent
3 with this Act;

4 (C) contain individual plans and consider-
5 ations specific to each individual Federal land
6 area;

7 (D) take into consideration existing uses of
8 the Federal land;

9 (E) include components regarding steward-
10 ship, visitor services, facilities management and
11 maintenance, public access, traffic, public safe-
12 ty, emergency services, and law enforcement;

13 (F) include a component regarding poten-
14 tial education and interpretation activities, with
15 recognition of the specific character and history
16 of each Federal land area; and

17 (G) include a component regarding Native
18 American cultural resources management, with
19 emphasis on the preservation of resources with-
20 in the individual Federal land areas.

21 (3) INTERIM MANAGEMENT.—During the period
22 beginning on the date of enactment of this Act and
23 ending on the date of completion of the management
24 plan, the Secretary shall manage the Federal land in

1 accordance with the purposes described in section
2 2(b).

3 (c) **MOTORIZED AND MECHANIZED TRANSPORT.**—

4 Except as needed for emergency or authorized administra-
5 tive purposes, in the Monument—

6 (1) motorized vehicle use shall be permitted
7 only on designated roads; and

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

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

12 (1) **AUTHORITY.**—Except as provided in para-
13 graph (3), the Secretary may acquire non-Federal
14 land or interests in land within or adjacent to the
15 Federal land added to the Monument by this Act
16 only through exchange, donation, or purchase from
17 a willing seller.

18 (2) **MANAGEMENT.**—Any land or interests in
19 land within or adjacent to the Federal land added to
20 the Monument by this Act acquired by the United
21 States after the date of enactment of this Act shall
22 be—

23 (A) added to and administered as part of
24 the Monument; and

1 (B) with respect to inclusion in the man-
2 agement plan, taken into consideration through
3 an appropriate amendment to that plan.

4 (3) EXCEPTION.—An addition to the Cotoni-
5 Coast Dairies unit of Federal land referred to in sec-
6 tion 3(1)(C) shall be limited to the acreage con-
7 tained within the boundary of the Monument, as es-
8 tablished by this Act.

9 (e) EXISTING COOPERATIVE MANAGEMENT AGREE-
10 MENTS.—Any cooperative management agreement in ex-
11 istence on the date of enactment of this Act between the
12 Federal land areas and other land management entities
13 shall not be affected due to the enactment of this Act.

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

23 (g) WITHDRAWALS.—Subject to valid existing rights,
24 all Federal land within the Monument and all land and
25 interests in land acquired for the Monument by the United

1 States after the date of the enactment of this Act are with-
2 drawn from—

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

5 (2) location, entry, and patent under the mining
6 laws; and

7 (3) operation of the mineral leasing, mineral
8 materials, and geothermal leasing laws.

9 (h) NATIVE AMERICAN USES AND INTERESTS.—

10 (1) IN GENERAL.—The Secretary shall, to the
11 maximum extent permitted by law and in consulta-
12 tion with affected Indian tribes, ensure the protec-
13 tion of Indian sacred sites and traditional cultural
14 properties in the Monument and provide access by
15 members of Indian tribes for traditional cultural and
16 customary uses, consistent with Public Law 95–341
17 (commonly known as the “American Indian Reli-
18 gious Freedom Act”) (42 U.S.C. 1996) and Execu-
19 tive Order 13007 (42 U.S.C. 1996 note; relating to
20 Indian sacred sites).

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

25 (i) BUFFER ZONES.—

1 (1) IN GENERAL.—The expansion of the Monu-
2 ment by this Act is not intended to lead to the es-
3 tablishment of protective perimeters or buffer zones
4 around the Federal land included in the Monument
5 by this Act.

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

12 (j) GRAZING.—Nothing in this Act affects the grazing
13 of livestock within the Federal land described in section
14 3(1)(C).

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

18 **SEC. 6. ADVISORY COUNCILS.**

19 (a) ESTABLISHMENT.—Not less than 180 days after
20 the date of enactment of this Act, the Secretary shall es-
21 tablish an advisory council for each unit of Federal land
22 described in subparagraphs (A) through (E) of section
23 3(1) within the Monument.

24 (b) DUTIES.—The advisory councils shall advise the
25 Secretary with respect to the preparation and implementa-

1 tion of the management plan under section 5(b) (or
2 amendments to an existing applicable management plan)
3 for each relevant unit of Federal land.

4 (c) APPLICABLE LAW.—The advisory councils shall
5 be subject to—

6 (1) the Federal Advisory Committee Act (5
7 U.S.C. App.);

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

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

12 (d) MEMBERS.—Each advisory council shall include
13 7 members, to be appointed by the Secretary, of whom,
14 to the maximum extent practicable—

15 (1) 1 shall be appointed after taking into con-
16 sideration the recommendations of the local county
17 board of supervisors of the applicable unit of Fed-
18 eral land; and

19 (2) 6 shall—

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

22 (B) demonstrate experience that reflects—

23 (i) the purposes for which the Monu-
24 ment was established; and

1 (ii) the interest of the stakeholders
2 that are affected by the planning and man-
3 agement of the unit of Federal land, which
4 may include stakeholders representing pri-
5 vate land-ownership, Native American in-
6 terests, environmental, recreational, eco-
7 nomic, or other non-Federal land interests.

8 (e) REPRESENTATION.—The Secretary shall ensure
9 that the memberships of the advisory councils are fairly
10 balanced with respect to the points of view represented,
11 and the functions to be performed, by each advisory coun-
12 cil.

13 (f) QUORUM.—

14 (1) IN GENERAL.—4 members of an advisory
15 council shall constitute a quorum.

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

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

20 (B) a quorum has been attained.

21 (g) CHAIRPERSON AND PROCEDURES.—Each advi-
22 sory council shall—

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

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

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

6 (i) TERMINATION.—The advisory councils shall ter-
7 minate—

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

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

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

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

20 (2) that fulfills the duties described in sub-
21 section (b).

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

24 (a) CALIFORNIA COASTAL NATIONAL MONUMENT.—
25 The Act of February 18, 1931 (46 Stat. 1172, chapter

1 226), is amended by striking “be, and the same are here-
2 by, temporarily reserved” and all that follows through
3 “United States” and inserting “are part of the California
4 Coastal National Monument and shall be administered as
5 part of the Monument”.

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

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