

Union Calendar No. 309

116TH CONGRESS
2D SESSION

H. R. 1708

[Report No. 116–386]

To adjust the boundary of the Santa Monica Mountains National Recreation Area to include the Rim of the Valley Corridor, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2019

Mr. SCHIFF (for himself, Ms. BROWNLEY of California, Mr. CÁRDENAS, Ms. JUDY CHU of California, Mr. GOMEZ, Mr. TED LIEU of California, Mrs. NAPOLITANO, Mr. SHERMAN, Ms. BARRAGÁN, Ms. HILL of California, and Mr. LOWENTHAL) introduced the following bill; which was referred to the Committee on Natural Resources

FEBRUARY 4, 2020

Additional sponsors: Mr. DESAULNIER, Ms. BASS, Ms. ESHOO, Mr. ROUDA, Mr. CISNEROS, Ms. ROYBAL-ALLARD, and Ms. SÁNCHEZ

FEBRUARY 4, 2020

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on March 13, 2019]

A BILL

To adjust the boundary of the Santa Monica Mountains National Recreation Area to include the Rim of the Valley Corridor, 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 “Rim of the Valley Cor-*
5 *ridor Preservation Act”.*

6 **SEC. 2. BOUNDARY ADJUSTMENT; LAND ACQUISITION; AD-**
7 **MINISTRATION.**

8 *(a) BOUNDARY ADJUSTMENT.—Section 507(c)(1) of*
9 *the National Parks and Recreation Act of 1978 (16 U.S.C.*
10 *460kk(c)(1)) is amended in the first sentence by striking*
11 *“, which shall” and inserting “and generally depicted as*
12 *‘Rim of the Valley Unit Proposed Addition’ on the map*
13 *entitled ‘Rim of the Valley Unit—Santa Monica Mountains*
14 *National Recreation Area’, numbered 638/147,723, and*
15 *dated September 2018. Both maps shall”.*

16 *(b) RIM OF THE VALLEY UNIT.—Section 507 of the*
17 *National Parks and Recreation Act of 1978 (16 U.S.C.*
18 *460kk) is amended by adding at the end the following:*

19 *“(u) RIM OF THE VALLEY UNIT.—(1) Not later than*
20 *3 years after the date of the enactment of this subsection,*
21 *the Secretary shall update the general management plan for*
22 *the recreation area to reflect the boundaries designated on*
23 *the map referred to in subsection (c)(1) as the ‘Rim of the*
24 *Valley Unit’ (hereafter in the subsection referred to as the*
25 *‘Rim of the Valley Unit’). Subject to valid existing rights,*

1 *the Secretary shall administer the Rim of the Valley Unit*
2 *and any land or interest in land acquired by the United*
3 *States and located within the boundaries of the Rim of the*
4 *Valley Unit, as part of the recreation area in accordance*
5 *with the provisions of this section and applicable laws and*
6 *regulations.*

7 “(2) *The Secretary may acquire non-Federal land*
8 *within the boundaries of the Rim of the Valley Unit only*
9 *through exchange, donation, or purchase from a willing sell-*
10 *er. Nothing in this subsection authorizes the use of eminent*
11 *domain to acquire land or interests in land.*

12 “(3) *Nothing in this subsection or the application of*
13 *the management plan for the Rim of the Valley Unit shall*
14 *be construed to—*

15 “(A) *modify any provision of Federal, State, or*
16 *local law with respect to public access to or use of*
17 *non-Federal land;*

18 “(B) *create any liability, or affect any liability*
19 *under any other law, of any private property owner*
20 *or other owner of non-Federal land with respect to*
21 *any person injured on private property or other non-*
22 *Federal land;*

23 “(C) *affect the ownership, management, or other*
24 *rights relating to any non-Federal land (including*
25 *any interest in any non-Federal land);*

1 “(D) require any local government to participate
2 in any program administered by the Secretary;

3 “(E) alter, modify, or diminish any right, re-
4 sponsibility, power, authority, jurisdiction, or entitle-
5 ment of the State, any political subdivision of the
6 State, or any State or local agency under existing
7 Federal, State, and local law (including regulations);

8 “(F) require the creation of protective perimeters
9 or buffer zones and the fact that certain activities or
10 land can be seen or heard from within the Rim of the
11 Valley Unit shall not, of itself, preclude the activities
12 or land uses up to the boundary of the Rim of the
13 Valley Unit;

14 “(G) require or promote use of, or encourage
15 trespass on, lands, facilities, and rights-of-way owned
16 by non-Federal entities, including water resource fa-
17 cilities and public utilities, without the written con-
18 sent of the owner;

19 “(H) affect the operation, maintenance, modi-
20 fication, construction, or expansion of any water re-
21 source facility or utility facility located within or ad-
22 jacent to the Rim of the Valley Unit;

23 “(I) terminate the fee title to lands or customary
24 operation, maintenance, repair, and replacement ac-
25 tivities on or under such lands granted to public

1 *agencies that are authorized pursuant to Federal or*
2 *State statute;*

3 *“(J) interfere with, obstruct, hinder, or delay the*
4 *exercise of any right to, or access to any water re-*
5 *source facility or other facility or property necessary*
6 *or useful to access any water right to operate any*
7 *public water or utility system;*

8 *“(K) require initiation or reinitiation of con-*
9 *sultation with the United States Fish and Wildlife*
10 *Service under, or the application of provisions of, the*
11 *Endangered Species Act of 1973 (16 U.S.C. 1531 et*
12 *seq.), the National Environmental Policy Act of 1969*
13 *(42 U.S.C. 4321 et seq.), or division A of subtitle III*
14 *of title 54, United States Code, concerning any action*
15 *or activity affecting water, water rights or water*
16 *management or water resource facilities within the*
17 *Rim of the Valley Unit; or*

18 *“(L) limit the Secretary’s ability to update ap-*
19 *plicable fire management plan, which may consider*
20 *fuels management strategies including managed nat-*
21 *ural fire, prescribed fires, non-fire mechanical haz-*
22 *ardous fuel reduction activities, or post-fire remedi-*
23 *ation of damage to natural and cultural resources.*

24 *“(4) The activities of a utility facility or water re-*
25 *source facility shall take into consideration ways to reason-*

1 *ably avoid or reduce the impact on the resources of the Rim*
2 *of the Valley Unit.*

3 *“(5) For the purpose of paragraph (4)—*

4 *“(A) the term ‘utility facility’ means electric*
5 *substations, communication facilities, towers, poles,*
6 *and lines, ground wires, communications circuits,*
7 *and other structures, and related infrastructure; and*

8 *“(B) the term ‘water resource facility’ means ir-*
9 *rigation and pumping facilities; dams and reservoirs;*
10 *flood control facilities; water conservation works, in-*
11 *cluding debris protection facilities, sediment place-*
12 *ment sites, rain gages, and stream gauges; water*
13 *quality, recycled water, and pumping facilities; con-*
14 *veyance distribution systems; water treatment facili-*
15 *ties; aqueducts; canals; ditches; pipelines; wells; hy-*
16 *dropower projects; transmission facilities; and other*
17 *ancillary facilities, groundwater recharge facilities,*
18 *water conservation, water filtration plants, and other*
19 *water diversion, conservation, groundwater recharge,*
20 *storage, and carriage structures.”.*

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