

Subcommittee on Federal Lands
Tom McClintock, Chairman
Hearing Memorandum

May 9, 2016

To: All Subcommittee on Federal Lands Members

From: Majority Committee Staff – Aniela Butler
Subcommittee on Federal Lands (x 6-7736)

Hearing: Legislative hearing on H.R. 4233 (Rep. Dana Rohrabacher), To eliminate an unused lighthouse reservation, provide management consistency by incorporating the rocks and small islands along the coast of Orange County, California, into the California Coastal National Monument managed by the Bureau of Land Management, and meet the original Congressional intent of preserving Orange County's rocks and small islands, and for other purposes.
May 12, 2016 at 10:00 AM; 1324 Longworth HOB.

Bill Summary

H.R. 4233, introduced by Congressman Dana Rohrabacher (R-CA-48), integrates several small federally-owned islands and rocks located off the coast of Orange County, California into the California Coastal National Monument; preserves the economic and recreational uses already occurring on the affected rocks and islands; and eliminates an unused lighthouse reservation on certain rocks in the area.

Cosponsors

Rep. Darrell Issa (R-CA-49), Rep. Alan Lowenthal (D-CA-47), Rep. Edward Royce (R-CA-39), Rep. Loretta Sanchez (D-CA-46), and Rep. Mimi Walters (R-CA-45).

Invited Witnesses

Panel I

The Honorable Dana Rohrabacher (R-CA-48)

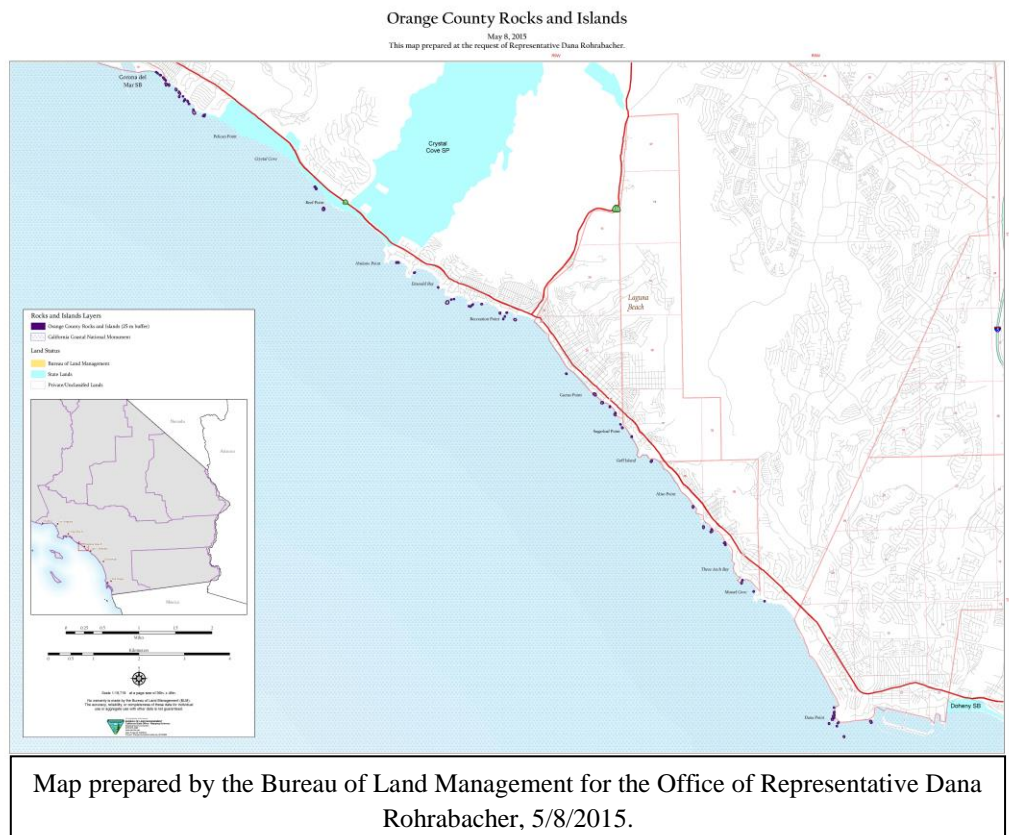
Panel II

Ms. Abbie Jossie
Acting Assistant Director
National Landscape Conservation System & Community Partnerships, Bureau of Land
Management
Washington, D.C.

Background

On January 11, 2000, President Clinton designated the rocks, islands, pinnacles, and reefs covering 1,100 miles along the entire shoreline of the State of California as the California Coastal National Monument.¹ While over 20,000 rocks were included in the National Monument, roughly 40 rocks off the coast of Orange County, California, were inadvertently omitted due to Congressional withdrawals in the area dating back to the 1930's. The 1931 Act withdrew this area for "park, scenic, or other public purposes," pending enactment of future legislation.² The 1935 Act further reserved four specific rocks for the Coast Guard to use as potential sites for lighthouses.³ The Coast Guard never built lighthouses on the site and does not plan on constructing any in the future, making these reservations unnecessary and obsolete.

H.R. 4233 lifts the Congressional withdrawals on the rocks and islands located within a mile off the coast of Orange County, California and incorporates them into the California Coastal National Monument. This action will ensure management consistency and continuity of the National Monument along the California coast. The bill does not expand the federal estate; rather, it simply removes the Congressional reservations to ensure the Bureau of Land Management can manage the area as part of the National Monument.



The bill also includes a provision to preserve the current economic and recreational uses and activities of the area such as fishing to ensure that BLM cannot inhibit those activities on any lands incorporated into the National Monument.

¹ [William J. Clinton, Proclamation 7264, Establishment of the California Coastal National Monument](#). January 11, 2000.

² An Act to reserve for public use rocks, pinnacles, reefs, and small islands along the seacoast of Orange County, California. Pub. L. 71-685. 46 Stat. 1172. 18 Feb. 1931.

³ To authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes. Pub. L. 74-81. 49 Stat. 305. 28 May 1935.

This bipartisan legislation is co-sponsored by the principal members representing Orange County including Representatives Issa, Lowenthal, Royce, Sanchez, and Walters. Similar legislation passed the House in both the 111th and 112th Congress by voice vote.

Administration Position

The Administration position is unknown at this time; however, the Bureau of Land Management testified in support of a similar bill in the 112th Congress during a hearing with the House Natural Resources Subcommittee on National Parks, Forests, and Public Lands.⁴

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

Effect on Current Law (Ramseyer)

Showing Current Law as Amended by H.R. 4233

[text to be added highlighted in yellow; text to be deleted in brackets and highlighted in blue]

The Act of February 18, 1931 (Chapter 226, 46 Stat. 1172)

An Act To [sic] reserve for public use rocks, pinnacles, reefs, and small islands along the seacoast of Orange County, California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all rocks, pinnacles, reefs, and islands having an area, at ordinary high tide, of less than two acres, and located in the Pacific Ocean within one mile of the coast of Orange County, California, be, and the same are hereby [temporarily reserved, pending enactment of appropriate legislation by the Congress of the United States] part of the California Coastal National Monument and shall be administered as such, in the interest of preserving the same for park, scenic, or other public purposes, and no patent shall issue for any of said rocks, pinnacles, reefs, or islands under any law relating to the public lands after the passage of this Act.

The Act of May 28, 1935 (Chapter 155, 49 Stat. 305)

An Act To [sic] authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes

[Sec. 31. That the Act of February 18, 1931 (46 Stat. 1172), entitled 'An Act to reserve for public use rocks, pinnacles, reefs, and small islands along the sea coast of Orange County, California', is hereby amended to reserve for lighthouse purposes the San Juan and San Mateo Rocks and the two rocks in the vicinity of Laguna Beach, off the coast of Orange County, California.]

⁴ Statement of Stephen E. Whitesell, Associate Director, Park Planning, Facilities, and Lands, National Park Service. May 4, 2011.