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HOUSE OF REPRESENTATIVES
REPORT
112–165

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

JULY 20, 2011.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. HASTINGS of Washington, from the Committee on Natural Resources, submitted the following

REPORT

[To accompany H.R. 944]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 944) 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, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 944 is 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.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 944 is intended to correct a situation in which two public laws from the 1930's are inadvertently preventing certain rocks, pinnacles, reefs, small islands and lighthouses off the coast of Or-

ange County from being included in the California Coastal National Monument (Monument).

President Bill Clinton, under the authority of Section 2 of the Antiquities Act of 1906, created the California Coastal National Monument on January 11, 2000. The Monument is protected as part of the National Landscape Conservation System and managed by the Bureau of Land Management. The Monument spans the entire 1,100 miles of the California coast between Mexico and Oregon, and extends 12 nautical miles from the shoreline. When created, the Monument only included "unreserved and unappropriated" rocks and islands. Since the areas covered by this bill were reserved for lighthouses that were never built, they were not designated as part of the Monument. This legislation will therefore provide consistency in the management of these geologic features under the umbrella of the National Landscape Conservation System.

COMMITTEE ACTION

H.R. 944 was introduced on March 8, 2011, by Congressman John Campbell (R–CA). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on National Parks, Forests and Public Lands. On May 4, 2011, the Subcommittee on National Parks, Forests and Public Lands held a hearing on the bill. On June 15, 2011, the Full Resources Committee met to consider the bill. The Subcommittee on National Parks, Forests and Public Lands was discharged by unanimous consent. No amendments were offered and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 944—A bill 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

H.R. 944 would add certain islands and large rocks located off the coast of California to the California Coastal National Monument. The act also would repeal statutes enacted in the 1930s that reserved two of the rocks for lighthouses that were never constructed.

Based on information provided by the Bureau of Land Management, CBO estimates that implementing H.R. 944 would have no significant impact on the federal budget. The affected properties are already administered by the federal government, and their inclusion in the national monument would not require the purchase or development of any land. Enacting H.R. 944 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 944 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures. Enacting H.R. 944 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omit-

ted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

ACT OF FEBRUARY 18, 1931

CHAP. 226.—AN ACT To 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.

SECTION 31 OF THE ACT OF MAY 28, 1935

AN ACT To 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.]

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