

The title of the bill was amended so as to read: "A bill to authorize the Secretary of the Interior to amend the Definite Plan Report for the Seedskadee Project to enable the use of the active capacity of the Fontenelle Reservoir."

A motion to reconsider was laid on the table.

SAVE OUR SALMON ACT

Mrs. LUMMIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4582) to exclude striped bass from the anadromous fish doubling requirement in section 3406(b)(1) of the Central Valley Project Improvement Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4582

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Save Our Salmon Act" or the "SOS Act".

SEC. 2. LEGISLATIVE FINDINGS.

Congress finds the following:

(1) California is home to many populations of native salmon and steelhead.

(2) Many of the native salmon and steelhead populations in California are listed under the Endangered Species Act of 1973.

(3) The Central Valley Project Improvement Act (CVPIA) required a doubling of natural production of Central Valley populations of anadromous fish within 10 years.

(4) Striped bass are anadromous fish indigenous to the East Coast of the United States and are not native to the State of California.

(5) Striped bass were included in the CVPIA's fish doubling goal even though they are not a native species.

(6) Striped bass prey on native salmon and steelhead.

(7) Predation poses a serious threat to federally protected juvenile salmon and other native fish in California.

(8) According to the National Marine Fisheries Service, reducing abundance of striped bass and other non-native predators must be achieved to prevent extinction of Central Valley salmon and steelhead or to prevent the species from declining irreversibly.

(9) Therefore, the CVPIA's fish-doubling goal for two competing species is contradictory and counterproductive for salmon and steelhead recovery.

SEC. 3. TREATMENT OF STRIPED BASS.

(a) ANADROMOUS FISH.—Section 3403(a) of the Central Valley Project Improvement Act (title XXXIV of Public Law 102-575) is amended by striking "striped bass," after "stocks of salmon (including steelhead)."

(b) FISH AND WILDLIFE RESTORATION ACTIVITIES.—Section 3406(b) of the Central Valley Project Improvement Act (title XXXIV of Public Law 102-575) is amended by—

(1) striking paragraphs (14) and (18);

(2) redesignating paragraphs (15) through (17) as paragraphs (14) through (16), respectively; and

(3) redesignating paragraphs (19) through (23) as paragraphs (17) through (21), respectively.

(c) RESTORATION FUND ESTABLISHED.—Section 3407(a) of the Central Valley Project Improvement Act (title XXXIV of Public Law 102-575) is amended by striking "(10)-(18), and (20)-(22)" and inserting "(10)-(16), and (18)-(20)".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from

Wyoming (Mrs. LUMMIS) and the gentleman from California (Mr. COSTA) each will control 20 minutes.

The Chair recognizes the gentlewoman from Wyoming.

GENERAL LEAVE

Mrs. LUMMIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wyoming?

There was no objection.

Mrs. LUMMIS. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DENHAM), the author of this bill.

Mr. DENHAM. Mr. Speaker, H.R. 4582, the Save Our Salmon Act, which I introduced earlier this year, removes a contradiction in Federal law. This Federal law mandates that not only do we double the amount of threatened and endangered species, the salmon and steelhead, that we spend so much time, effort, and money trying to save, but the contradiction is it also wants us to double the striped bass that eat 98 percent of the fish we are trying to save.

This is a simple bill that is bipartisan that will save taxpayer dollars and that will save our water in California while addressing what we feel is a simple mistake.

Under the Central Valley Project Improvement Act, the CVPIA, this doubling goal was set in place in 1992. Again, the steelhead and the salmon are being eaten by the striped bass, which is a nonnative predator fish. This mandated population doubling of the predator fish has proven contradictory to protecting native species under the Endangered Species Act.

This bill not only removes this provision, but at the request of the administration, my bill also removes other sections in the CVPIA which provide for the implementation of the strategies to double the striped bass.

NOAA, NMFS, and the California Department of Fish and Wildlife have all indicated that predation of juvenile salmon is one of the primary stressors to these endangered species. In California, predation is rampant.

Predation of endangered fish in California continues to be one of the major factors in the complex equation of California water and the drought that our State faces. By eliminating this contradictory provision in the CVPIA, native species will again thrive without wasting the massive amounts of freshwater and taxpayer dollars currently required to do so.

Again, this is a commonsense, easy solution for Republicans and Democrats to agree on. If we want to save the threatened endangered species, let's stop spending so much money on the very fish that eat 98 percent of the fish that we are trying to save.

I want to thank my colleagues from both sides of the aisle for cosponsoring

this legislation, and I urge my colleagues to support H.R. 4582.

Mr. COSTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to commend the author, as the original cosponsor of this important legislation, for trying to provide a balancing act in maintaining the waters for all beneficial uses in California.

This legislation by Congressman DENHAM that has good bipartisan support, H.R. 4582, is known also as the Save Our Salmon Act. It would amend the Central Valley Project Improvement to exempt striped bass from the law's fish-doubling goals.

One should understand that striped bass is a nonnative fish to California that was introduced in the late 1800s. Unfortunately, for the native salmon, the delta smelt, and other native fisheries, the striped bass is a very aggressive predator fish. The fact is that they eat not only juvenile salmon, but they eat delta smelt, which is part of the food chain for the salmon. As a result of this introduction, the striped bass are thriving, but, unfortunately, the native salmon of California are not.

This measure, H.R. 4582, is the first step in a range of overall policy decisions that we have got to take under consideration. Common sense tells us that we must look at all—of the stressors that are impacting the native fisheries of California. This attempts to do that to aid salmon recovery by providing, also, an additional, more reliable water supply for Californians.

Those in the San Joaquin Valley that Congressman DENHAM, others, and I represent have been devastated by the impact of the drought over the last 4, now going on 5, years. Farms, farm communities, and farmworkers have lost their jobs as a result of a zero—zero—water allocation. We don't even have a program to deal with what the Fish and Wildlife agencies have indicated is one of the greatest impacts of native species, which are predator fish. We don't have a predator control program as we have on the Columbia River. It is about time we do something about it.

While there are many stressors that impact the California salmon populations, thereby impacting the water supply reliability for much of California, this measure attempts to begin to do something about the predator problem.

I want to commend again Congressman DENHAM for his ongoing efforts, along with all of us, on a bipartisan effort to look at an overall balanced solution.

I support H.R. 4582, and I urge its adoption.

I yield back the balance of my time.

Mrs. LUMMIS. Mr. Speaker, I yield myself such time as I may consume.

I want to commend these California Members. I have been to their districts. I have seen and been at hearings in Fresno where these issues have come to my level of understanding of now a

sympathetic outsider. These issues are almost intractable. When we see bipartisan support on something this important to the economy, to the farmers and ranchers, to the wonderful ecosystems that they are trying to balance in a way that will conserve farming and ranching, that benefits every consumer in this country of some of the finest fruits, vegetables, and other commodities that you can ever imagine. I mean, this is like the breadbasket of our country. To find ways to combat nonnative species in a way that protects native species and also protects the people who produce our food and fiber is so important.

I commend the gentlemen from California on both sides of the aisle and their colleagues.

I want to offer my complete support of H.R. 4582.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Wyoming (Mrs. LUMMIS) that the House suspend the rules and pass the bill, H.R. 4582, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CLEAR CREEK NATIONAL RECREATION AREA AND CONSERVATION ACT

Mrs. LUMMIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1838) to establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, to designate additional components of the National Wild and Scenic Rivers System, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1838

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Clear Creek National Recreation Area and Conservation Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **MANAGEMENT PLAN.**—The term “management plan” means the Plan for the Recreation Area prepared under section 4(c).

(2) **RECREATION AREA.**—The term “Recreation Area” means the Clear Creek National Recreation Area.

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

(4) **STATE.**—The term “State” means the State of California.

(5) **OFF HIGHWAY VEHICLE.**—The term “off highway vehicle” means any motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, snow, or other natural terrain and not intended for use on public roads.

SEC. 3. ESTABLISHMENT OF CLEAR CREEK NATIONAL RECREATION AREA.

(a) **IN GENERAL.**—To promote environmentally responsible off highway vehicle

recreation, the area generally depicted as “Proposed Clear Creek National Recreation Area” on the map titled “Proposed Clear Creek National Recreation Area” and dated December 15, 2015, is established as the “Clear Creek National Recreation Area”, to be managed by the Secretary.

(b) **OTHER PURPOSES.**—The Recreation Area shall also support other public recreational uses, such as hunting, hiking, and rock and gem collecting.

(c) **MAP ON FILE.**—Copies of the map referred to in subsection (a) shall be on file and available for public inspection in—

(1) the Office of the Director of the Bureau of Land Management; and

(2) the appropriate office of the Bureau of Land Management in California.

SEC. 4. MANAGEMENT.

(a) **IN GENERAL.**—The Secretary shall manage the Recreation Area to further the purposes described in section 3(a), in accordance with—

(1) this Act;

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

(3) any other applicable law.

(b) **USES.**—The Secretary shall—

(1) prioritize environmentally responsible off highway vehicle recreation and also facilitate hunting, hiking, gem collecting, and the use of motorized vehicles, mountain bikes, and horses in accordance with the management plan described in subsection (c);

(2) issue special recreation permits for motorized and non-motorized events; and

(3) reopen the Clear Creek Management Area to the uses described in this subsection as soon as practicable following the enactment of this Act and in accordance with the management guidelines outlined in this Act and other applicable law.

(c) **INTERIM MANAGEMENT PLAN.**—The Secretary shall use the 2006 Clear Creek Management Area Resource Management Plan Amendment and Route Designation Record of Decision as modified by this Act or the Secretary to incorporate natural resource protection information not available in 2006, as the basis of an interim management plan to govern off highway vehicle recreation within the Recreation Area pending the completion of the long-term management plan required in subsection (d).

(d) **PERMANENT MANAGEMENT PLAN.**—Not later than 2 years after the date of the enactment of this Act, the Secretary shall create a comprehensive management plan for the Clear Creek Recreation Area that—

(1) shall describe the appropriate uses and management of the Recreation Area in accordance with this Act;

(2) shall be prepared in consultation with—

(A) appropriate Federal, State, and local agencies (including San Benito, Monterey, and Fresno Counties);

(B) adjacent land owners;

(C) other stakeholders (including conservation and recreational organizations); and

(D) holders of any easements, rights-of-way, and other valid rights in the Recreation Area;

(3) shall include a hazards education program to inform people entering the Recreation Area of the asbestos related risks associated with various activities within the Recreation Area, including off-highway vehicle recreation;

(4) shall include a user fee program for motorized vehicle use within the Recreational Area and guidelines for the use of the funds collected for the management and improvement of the Recreation Area;

(5) shall designate as many previously used trails, roads, and other areas for off highway vehicle recreation as feasible in accordance

with this in order to provide a substantially similar recreational experience, except that nothing in this paragraph shall be construed as precluding the Secretary from closing any area, trail, or route from use for the purposes of public safety or resource protection;

(6) may incorporate any appropriate decisions, as determined by the Secretary, in accordance with this Act, that are contained in any management or activity plan for the area completed before the date of the enactment of this Act;

(7) may incorporate appropriate wildlife habitat management plans or other plans prepared for the land within or adjacent to the Recreation Area before the date of the enactment of this Act, in accordance with this Act;

(8) may use information developed under any studies of land within or adjacent to the Recreation Area carried out before the date of enactment of this Act; and

(9) may include cooperative agreements with State or local government agencies to manage all or a portion of the recreational activities within the Recreation Area in accordance with an approved management plan and the requirements of this Act.

(e) **ACQUISITION OF PROPERTY.**—

(1) **IN GENERAL.**—The Secretary may acquire land adjacent to the National Recreation Area by purchase from willing sellers, donation, or exchange.

(2) **MANAGEMENT.**—Any land acquired under paragraph (1) shall be managed in accordance with—

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

(B) this Act; and

(C) any other applicable law (including regulations).

(3) **IMPROVED ACCESS.**—The Secretary may acquire by purchase from willing sellers, donation, exchange, or easement, land, or interest in land to improve public safety in providing access to the Recreation Area.

(f) **PRIVATE PROPERTY.**—

(1) **ACCESS TO PRIVATE PROPERTY.**—

(A) **IN GENERAL.**—The Secretary shall provide landowners adequate access to inholdings within the Recreation Area.

(B) **INHOLDINGS.**—For access purposes, private land adjacent to the Recreation Area to which there is no other practicable access except through the Recreation Area shall be managed as an inholding.

(2) **USE OF PRIVATE PROPERTY.**—Nothing in this Act affects the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land).

(3) **BUFFER ZONES.**—Nothing in this Act creates a protective perimeter or buffer zone around the Recreation Area.

(4) **VALID RIGHTS.**—Nothing in this Act affects any easements, rights-of-way, and other valid rights in existence on the date of the enactment of this Act.

(g) **WATER RIGHT EXCLUSION.**—Nothing in this Act—

(1) shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the Recreation Area; or

(2) shall affect any water rights existing on the date of the enactment of this Act.

(h) **HUNTING AND FISHING.**—Nothing in this Act—

(1) limits hunting or fishing; or

(2) affects the authority, jurisdiction, or responsibility of the State to manage, control, or regulate fish and resident wildlife under State law (including regulations), including the regulation of hunting or fishing on public land managed by the Bureau of Land Management.