

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.

(i) **MOTORIZED VEHICLES.**—Except in cases in which motorized vehicles are needed for administrative purposes or to respond to an emergency, the use of motorized vehicles on public land in the Recreation Area shall be permitted only on roads, trails, and areas designated by the management plan for the use by motorized vehicles.

(j) **GRAZING.**—In the Recreation Area, the grazing of livestock in areas in which grazing is allowed as of the date of the enactment of this Act shall be allowed to continue, consistent with—

(1) this Act;

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

(3) any regulations promulgated by the Secretary, acting through the Director of the Bureau of Land Management.

(k) **WITHDRAWAL.**—Subject to valid existing rights, all Federal land within the Recreation Area is withdrawn from—

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

(2) location, entry, and patenting under the mining laws; and

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

(l) **FEES.**—Amounts received by the Secretary under the fee structure required by subsection (d)(4) shall be—

(1) deposited in a special account in the Treasury of the United States; and

(2) made available until expended to the Secretary for use in the Recreation Area.

(m) **RISK STANDARD.**—The National Oil and Hazardous Substances Pollution Contingency Plan (section 300 of title 40, Code of Federal Regulations), published pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605), shall not apply to the Secretary's management of asbestos exposure risks faced by the public when recreating within the Clear Creek Recreation Area described in section 3(b).

#### SEC. 5. JOAQUIN ROCKS WILDERNESS.

In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 21,000 acres of Federal lands located in Fresno County and San Benito County, California, and generally depicted on a map entitled "Proposed Joaquin Rocks Wilderness" and dated January 14, 2015, is designated as wilderness and as a component of the National Wilderness Preservation System and shall be known as the "Joaquin Rocks Wilderness".

#### SEC. 6. RELEASE OF SAN BENITO MOUNTAIN WILDERNESS STUDY AREA.

(a) **FINDING.**—Congress finds that, for the purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the San Benito Mountain wilderness study area has been adequately studied for wilderness designation.

(b) **RELEASE.**—The San Benito Mountain wilderness study area is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)).

#### SEC. 7. CLARIFICATION REGARDING FUNDING.

No additional funds are authorized to carry out the requirements of this Act. Such requirements shall be carried out using amounts otherwise authorized.

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 myself such time as I may consume.

H.R. 1838, the Clear Creek National Recreation Area and Conservation Act, would reopen an area administratively closed by the Bureau of Land Management to off-highway vehicle and other recreational activities, designate new wilderness, and release a wilderness study area back into multiple use.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, H.R. 1838 establishes the Clear Creek National Recreation Area, as stated before, and the Joaquin Rocks Wilderness Area on land administered by the Bureau of Land Management in the Central Coast region of California in Fresno County. I am very familiar with this. It used to be in a previous district I represented.

This area has mutual beneficial uses, from hiking and hunting to off-highway vehicle use. Adjacent to this area are areas that have been used for cattle grazing for families for generations. They have worked together to ensure that we can protect those areas for appropriate uses for cattle grazing but also, at the same time, separately provide areas where this hiking and hunting and off-highway vehicle use can take place.

This legislation will improve and enhance the success for a variety of recreational activities, which is what it is intended to, and, at the same time, try to preserve ecological sensitive and unique areas in a way that supports the overall use.

In addition to the many ecological benefits they are providing, including clean air and clean water, wilderness areas throughout the country play a large role in supporting the approximately \$646-billion-per-year outdoor recreational economy. I am pleased that we are advancing a bill that adds 21,000 acres to the National Wilderness Preservation System.

Our colleagues in the House have introduced several bills to designate wilderness areas. These bills are developed from the ground up with input and support from our constituents.

This bill, in particular, has been a priority for Congressman FARR for many years. I want to congratulate him for his hard work and tenacity.

Mr. Speaker, I reserve the balance of my time.

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Mrs. LUMMIS. Mr. Speaker, I yield such time as he may consume to the fine gentleman from California (Mr. DENHAM), one of the Republican cosponsors of this bill. These fine gentleman include all here present. They

worked together on a bipartisan basis for one of the most economically and ecologically versatile places on Earth.

Mr. DENHAM. I thank the gentlewoman.

Mr. Speaker, I thank my good friend, SAM FARR. Together, we have coauthored a bill that brings two valleys together. We have the Salinas Valley and the Central Valley that come together in this beautiful spot and bring a national forest to what its intended use is—for hikers, for off-roaders, and for people who just want to use the beauty of this park.

This has truly been a bipartisan effort, not only between Republicans and Democrats, but by pulling two valleys together, a number of different Members are wanting to see this area open back up and be utilized by the taxpayers. This is something that is going to provide generations to come an opportunity to spend time together—to off-road together, to hike together, and to even take photographs, which I know my good friend likes to do in areas like this.

I am proud to be a coauthor, and I am proud of the widespread bipartisan support. I am proud to have worked with such a good friend on a fine piece of legislation.

Mr. COSTA. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. FARR), my good friend from California's Central Coast area.

Mr. FARR. I thank very much Ranking Member COSTA and Chairwoman LUMMIS for their support of this bill.

Mr. Speaker, I think this bill is more than what we just talked about, because it is an incredible collaboration of groups that are not necessarily friendly to each other. We have in this sponsorship the Off-Road Vehicle Association and the Native Plant Society. Normally, they would not be on the same legislation. Why did it all happen? It is because we have 60,000 acres that have been shut down for nobody's use. It was a former asbestos surface mining area.

Clear Creek has been a destination for outdoor recreation by off-road vehicle users, hikers, bird and animal enthusiasts, and many others. The area is home to unique habitats of plants and animals that attract visitors, which has helped a low-income rural area economically; but in 2008, the Bureau of Land Management closed the area because of an EPA report that said the naturally occurring asbestos may be dangerous. Without any further thought about assuming risk in the national area, it just closed it all down; but as long as people are aware of the risks and know how to safely enjoy Clear Creek, it is not dangerous at all.

For example, people climb El Capitan, which is, probably, one of the more difficult climbs in America. You make a mistake there and you die, yet the National Park Service allows you to climb it. The risks go on and on. You also see the same with heli-skiing, skydiving, and many other high-risk

activities. Two of my constituents—and they really deserve tremendous credit because they really learned how to petition government—Ed Tobin, who is with the Salinas Ramblers Motorcycle Club, and Ron DeShazer, who is a forklift operator in Salinas and a long-time Clear Creek rider, know about risks. They also know how to recreate safely in Clear Creek. We should learn from them.

Clear Creek's closure not only upset the vast off-road vehicle community, but also the California Native Plant Society, the Sierra Club hikers, and, especially, the local community, which is suffering the economic loss.

This is commonsense legislation that does three things:

First, the bill redesignates the Clear Creek Management Area as the Clear Creek National Recreation Area. This allows it to be used for off-road vehicle recreation, and it requires the Bureau of Land Management to alert all users to the risks and to instruct people to wash off vehicles that may be used on the roads. The wash racks are already in place and have been there for years.

Second, it gives the Bureau of Land Management the authority to levy a recreational user fee and apply the proceeds to the management of the area.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. COSTA. I yield the gentleman an additional 2 minutes.

Mr. FARR. I thank the gentleman for yielding.

Third, it allows the BLM to enter into joint management agreements with the California State Parks system that manages a nearby off-road vehicle park without asbestos surfaces, known as Hollister Hills.

Fourth, this legislation designates the adjacent Joaquin Rocks landscape as wilderness and five BLM-identified streams as National Wild and Scenic Rivers.

The conservation piece of this legislation protects a diverse array of flora and fauna and several species of wildlife. In addition to falcons, hawks, and owls, the area provides a potential nesting habitat for the California condor, which was reintroduced in the nearby Gabilan Range.

I thank my colleagues JEFF DENHAM and DAVID VALADAO for being tremendous partners and for their leadership in bringing this bill to the House floor today. In working with Representatives DENHAM and VALADAO, their staffs, and many of our constituents in central California, we crafted a bill to support recreation, conservation, and economic growth.

I also thank Chairman BISHOP of the committee and Ranking Member GRIJALVA, subcommittee Chairman MCCLINTOCK and subcommittee Ranking Member TSONGAS for their support.

Mr. Speaker, I urge support for the legislation, and I also urge the members of the committee to think about this when trying to solve difficult, conflicting problems in that we can bring

all parties of interest together and end up with a win-win.

Mr. COSTA. Mr. Speaker, I think the bipartisan support is here.

I yield back the balance of my time. Mrs. LUMMIS. Mr. Speaker, I yield myself the balance of my time.

I express my support for this bill and my thanks to my colleagues from California for their hard work on this bill—on my side of the aisle, Mr. DENHAM and Mr. VALADAO; on the Democratic side, Mr. FARR, with whom I served on the Appropriations Committee and who did a wonderful job, by the way, and Mr. COSTA, with whom I now serve on the Natural Resources Committee. They are fine gentlemen, one and all, from California.

Before I close, I must say I have a unique love for the State. My relative, a gentleman named Charles Fletcher Lummis, walked from Ohio to California—walked—in the 1800s, arrived in Los Angeles, and became the assistant editor of what is now the Los Angeles Times. There were only 14,000 people in Los Angeles, California. His home, El Alisal, which is between Los Angeles and Pasadena, is a State historic site in California and is a wonderful, historic place to visit.

He was the first person to photograph the Penitentes ceremony, where they actually crucified some of their colleagues in a ceremony in New Mexico. He was the American who chronicled the capture of Geronimo. He was knighted by the King of Spain for being the Californian who led the designation of national historic sites for San Juan Capistrano and others of the great missions of southern California before they were destroyed. He was a magnificent, flowery character in the State of California. His friends were people like John Muir, Teddy Roosevelt, and other famous conservationists and preservationists. I am proud to be a relative of Charles Fletcher Lummis.

I am proud of what California has done to balance its efforts in having a uniquely diverse culture and a fabulous agriculture and recreation economy. This is a unique State. This is a State that has pistachios and almonds and vegetables, which we all need to sustain ourselves in a way that will allow America to continue to play a role in feeding itself.

I was involved in an effort to try to make sure, for our own national security, that we would continue to be able to feed ourselves in this Nation, and we thought we were going to be able to feed ourselves until around the year 2050. It has been years ago since we became a net importer of food. That is not necessary. We can grow enough food in America to sustain our population. To allow us to become a net importer of food, I think, is a mistake because we have a magnificent place like California that can outgrow almost any area of our Nation if we will only be respectful and listen to the people who live there and to the people who feed us, whether they are the farm

owners or the farmworkers. These are people who want to work on California and with California so as to feed America, to support their families, and to sustain a fabulous environment.

To the fine gentlemen from California who bring this bill forward and who work so hard every day to try to make sure that these different valleys and these very diverse communities come together, I offer my full support of this bill, and I commend them for their work.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ZINKE). 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. 1838, as amended.

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

The title of the bill was amended so as to read: "A bill to establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, and for other purposes."

A motion to reconsider was laid on the table.

#### SAINT FRANCIS DAM DISASTER NATIONAL MEMORIAL ACT

Mrs. LUMMIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5244) to provide for the establishment of a national memorial and national monument to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5244

*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 "Saint Francis Dam Disaster National Memorial Act".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) On March 12, 1928, the Saint Francis Dam located in the northern portion of Los Angeles County, California, breached, resulting in a devastating flood that caused the death of approximately 425 individuals.

(2) The residents of Santa Clarita Valley, San Francisquito Canyon, Castaic Junction, Santa Clara River Valley, Piru, Fillmore, Bardsdale, Saticoy, and Santa Paula were directly impacted and suffered greatly from the worst flood in the history of the State of California.

(3) The disaster resulted in a tremendous loss of human life, property, and the livelihood of local residents, and was surpassed in the level of destruction in the 20th century only by the great San Francisco earthquake of 1906.

(4) The collapse of the dam may represent America's worst civil engineering failure in the 20th century.

(5) The site of the disaster is subject to the theft of historic artifacts, graffiti, and other vandalism.