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PIEDRAS BLANCAS HISTORIC LIGHT STATION OUTSTANDING NATURAL AREA ACT OF 2007

JUNE 28, 2007.—Ordered to be printed

Mr. BINGAMAN, from the Committee on Energy and Natural
Resources, submitted the following

R E P O R T

[To accompany H.R. 276]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 276) to designate the Piedras Blancas Light Station and the surrounding public land as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE

The purpose of H.R. 276 is to designate the Piedras Blancas Light Station and 18 acres of surrounding public land as an Outstanding Natural Area to be administered by the Bureau of Land Management as a part of the National Landscape Conservation System.

BACKGROUND AND NEED

Piedras Blancas is located in San Luis Obispo County on California's central coast, just north of San Simeon (Hearst Castle), approximately halfway between Los Angeles and San Francisco. The point is a Spanish name for the white rock outcropping located just off the end of the point. In the early 1870's, this location was chosen to fill the gap between the lighthouses at Point Conception and Point Sur.

The Piedras Blancas Lighthouse was completed in 1875. A two story Victorian style dwelling was completed later that year. The original tower was 115 feet tall and housed a first-order Fresnel

lens. A fog signal building and additional keeper's dwelling were added in 1906.

The Piedras Blancas lighthouse was operated by employees of the U.S. Lighthouse Service until 1939, when the Coast Guard assumed command. Structural damage to the tower and new technology eventually replaced many of the functions of the lightkeepers as the light station became automated. The Coast Guard subsequently relinquished control and management of the Piedras Blancas Light Station to the Bureau of Land Management on October 12, 2001. The site is listed on the National Register of Historic Places.

H.R. 276 would designate the lighthouse and the surrounding 18 acres of public land as an Outstanding Natural Area, following a similar 1980 designation in Oregon for the Yaquina Head Outstanding Natural Area.

LEGISLATIVE HISTORY

H.R. 276, sponsored by Representative Capps, passed the House of Representatives by a voice vote on March 5, 2007. During the 109th Congress, a similar measure was considered in the House, H.R. 3534, also sponsored by Rep. Capps. That bill passed the House of Representatives by a voice vote on September 25, 2006. However, no further action occurred in the Senate prior to the sine die adjournment of the 109th Congress.

The Subcommittee on Public Lands and Forests held a hearing on H.R. 276 on May 3, 2007. At its business meeting on May 23, 2007, the Committee on Energy and Natural Resources ordered H.R. 276 favorably reported, without amendment.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in an open business session on May 23, 2007, by a unanimous voice vote of a quorum present, recommends that the Senate pass H.R. 276.

SECTION-BY-SECTION ANALYSIS

Section 1(a) provides the short title, the "Piedras Blancas Historic Light Station Outstanding Natural Area Act of 2007."

Subsection (b) defines key terms used in the Act.

Section 2 contains congressional findings.

Section 3(a) establishes the Piedras Blancas Historic Light Station Outstanding Natural Area on 18 acres of public land in San Luis Obispo County, California, to be administered by the Secretary of the Interior.

Subsection (b) references the official boundary map for the Outstanding Natural Area and directs that the map be kept on file and available for public inspection in Bureau of Land Management offices in Washington, D.C. and California.

Subsection (c) directs the Secretary to manage the Outstanding Natural Area as part of the National Landscape Conservation System, and shall allow only those uses that further the purposes of the Outstanding Natural Area. The area is also to be administered under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) and other applicable laws.

Subsection (d) withdraws the land included within the Outstanding Natural Area from the public land laws, mining and mineral leasing and geothermal leasing laws.

Section 4(a) directs the Secretary to manage the Outstanding Natural Area in a manner that conserves, protects, and enhances the unique and nationally important historical, natural, cultural, scientific, educational, scenic, and recreational values of the area.

Subsection (b) directs the Secretary to allow only such uses of the Outstanding Natural Area that the Secretary finds are likely to further the purposes for which the area is established.

Subsection (c) requires the Secretary to complete a comprehensive management plan for the area not later than three years after the date of enactment. The purpose of the plan is to provide long-term management guidance for the public lands within the boundary of the Outstanding Natural Area, including interpretation of, and public education about the historic light station. The plan is to be developed with full public participation, including consultation with appropriate Federal, State, and local governmental agencies.

Subsection (d) authorizes the Secretary to enter into cooperative agreements with appropriate Federal, State, and local agencies to better implement the management plan and to continue successful partnerships with the Heart San Simeon State Historical Monument.

Subsection (e) authorizes the Secretary to allow appropriate research activities consistent with the purposes for which the Outstanding Natural Area is established.

Subsection (f) authorizes the Secretary to acquire State and private lands within the boundaries of the Outstanding Natural Area by donation, exchange, or purchase from a willing seller.

Subsection (g) provides that any lands or interests therein adjacent to the Outstanding Natural Area acquired by the United States after the date of enactment shall be added to and administered as part of the area.

Subsection (h) clarifies that nothing in this Act or the management plan for the Outstanding Natural Area shall be construed to restrict or preclude military or commercial overflights.

Subsection (i) clarifies that nothing in this Act shall be construed to preclude or otherwise affect coastal border security operations or other law enforcement activities.

Subsection (j) recognizes the past use of the Outstanding Natural Area by Indians and Indian tribes for traditional cultural and religious purposes and directs the Secretary to ensure continued access for such purposes.

Subsection (k) is a savings clause that designation of the Outstanding Natural Area is not intended to create a protective perimeter or "buffer zone" around the area.

Section 5 authorizes the appropriation of such sums as are necessary to carry out this Act.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

MAY 31, 2007.

Hon. JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 276, the Piedras Blancas Historic Light Station Outstanding Natural Area Act of 2007.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Deborah Reis and David Reynolds.

Sincerely,

PETER R. ORSZAG.

Enclosure.

H.R. 276—Piedras Blancas Historic Light Station Outstanding Natural Area Act of 2007

H.R. 276 would establish the Piedras Blancas Historic Light Station Outstanding Natural Area on 18 acres of federal land in San Luis Obispo County, California. The legislation would require the Bureau of Land Management (BLM) to develop a comprehensive management plan for the area within three years. Based on information from the agency, CBO estimates that the cost to develop a plan and manage the federal land would total less than \$100,000 annually over the 2008–2012 period, assuming the availability of appropriated funds.

Enacting H.R. 276 could affect direct spending by withdrawing the 18 acres from programs to develop natural resources. According to BLM, however, the land currently generates no significant receipts and is not expected to do so over the next 10 years. Therefore, we estimate that the proposed withdrawal would have an insignificant effect on offsetting receipts (a credit against direct spending). Enacting the legislation would not affect revenues.

H.R. 276 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 contacts for this estimate are Deborah Reis and David Reynolds. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 276. The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 276, as ordered reported.

EXECUTIVE COMMUNICATIONS

The testimony provided by the Bureau of Land Management at the May 3, 2007 Subcommittee hearing on H.R. 276 follows:

STATEMENT OF JIM HUGHES, ACTING DIRECTOR, BUREAU
OF LAND MANAGEMENT

Thank you for inviting me to testify on H.R. 276, the Piedras Blancas Historic Light Station Outstanding Natural Area Act which would designate the Piedras Blancas Light Station as an Outstanding Natural Area (ONA) within the BLM's National Landscape Conservation System (NLCS). The Department supports H.R. 276.

BACKGROUND

The 18-acre Piedras Blancas Light Station sits on the coastal side of California scenic route 1 (California Coastal Highway) near Hearst Castle halfway between Los Angeles and San Francisco. It is an active lighthouse which began continuous operation in 1875 and is on the National Register of Historic Places. Formerly run by the Coast Guard, it has been managed by the BLM since 2001. Today, in addition to its safety role, the Light Station is a beacon of community support and activism.

The proposed Piedras Blancas Historical Light Station ONA is adjacent to the Monterey Bay National Marine Sanctuary, administered by NOAA. The designation of the Piedras Blancas Light Station would provide a compatible and valuable shore-based presence for this important national treasure and promote historical and educational opportunities consistent with the NLCS.

Community partnership and an active volunteer force have allowed the BLM to begin the important work of restoration of the light station. Over 80 volunteers are actively involved in Piedras Blancas projects contributing 8,000 hours of service over each of the last three years. With strong local community support our partners include: The Friends of the Piedras Blancas Light Station, Hearst San Simeon Historic Monument, California State Parks, the Central Coast Maritime Museum, the Cambria Historical Society and a wide-range of other federal, state and local government agencies. In addition, monthly tours of the light station are being conducted in conjunction with Hearst Castle.

H.R. 276

H.R. 276 recognizes both the historical significance of the Piedras Blancas Light Station and the community support for its preservation. By designating the light station as an Outstanding Natural Area, the bill follows in the footsteps of the Yaquina Head Outstanding Natural Area Along the Oregon coast established by Congress in 1980. In order to safeguard the buildings and public lands immediately surrounding them the bill provides protections for the area while encouraging and enabling active community support and involvement. In addition, the bill recognizes the importance of administering this area for educational, scientific uses as well as for traditional Native American purposes.

Thank you for the opportunity to testify in support of H.R. 276. I will be happy to answer any questions.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act H.R. 276, as ordered reported.

