

113TH CONGRESS
2D SESSION

H. R. 4858

To establish the San Gabriel National Recreation Area as a unit of the National Park System in the State of California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2014

Ms. CHU (for herself, Mr. SCHIFF, and Mr. CÁRDENAS) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To establish the San Gabriel National Recreation Area as a unit of the National Park System in the State of California, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “San Gabriel National Recreation Area Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Establishment of San Gabriel National Recreation Area.
- Sec. 4. Management.
- Sec. 5. Non-Federal lands.

- Sec. 6. Water rights; water resource facilities; public roads; utility facilities.
Sec. 7. San Gabriel National Recreation Area Public Advisory Council.
Sec. 8. San Gabriel National Recreation Area Partnership.
Sec. 9. Access and visitor services.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **ADJUDICATION.**—The term “adjudication”
4 means any final judgment, order, ruling, or decree
5 entered in any judicial proceeding adjudicating or af-
6 fecting water rights, surface water management, or
7 groundwater management.

8 (2) **ADVISORY COUNCIL.**—The term “advisory
9 council” means the San Gabriel National Recreation
10 Area Public Advisory Council established by section
11 7(a).

12 (3) **FEDERAL LANDS.**—The term “Federal
13 lands” includes lands under the jurisdiction of the
14 Secretary of Agriculture or the Secretary of the In-
15 terior.

16 (4) **MANAGEMENT PLAN.**—The term “manage-
17 ment plan” means the management plan for the San
18 Gabriel National Recreation Area required by sec-
19 tion 4(e).

20 (5) **PARK LANDS.**—The term “park lands”
21 means Federal lands under the jurisdiction of the
22 Secretary and administered as part of the National
23 Park System.

1 (6) PARTNERSHIP.—The term “partnership”
2 means the San Gabriel National Recreation Partner-
3 ship established by section 8(a).

4 (7) RECREATION AREA.—The term “recreation
5 area” means the San Gabriel National Recreation
6 Area established by section 3(b).

7 (8) SECRETARY.—The term “Secretary” means
8 the Secretary of the Interior.

9 (9) SECRETARIES.—The term “Secretaries”
10 means the Secretary of the Interior and the Sec-
11 retary of Agriculture acting jointly.

12 (10) STATE.—The term “State” means the
13 State of California.

14 (11) UTILITY FACILITY.—The term “utility fa-
15 cility” means electric substations, communication fa-
16 cilities, towers, poles, and lines, ground wires, com-
17 munication circuits, and other structures, and re-
18 lated infrastructure.

19 (12) WATER RESOURCE FACILITY.—The term
20 “water resource facility” means irrigation and
21 pumping facilities, dams and reservoirs, flood control
22 facilities, water conservation works, including debris
23 protection facilities, sediment placement sites, rain
24 gauges, and stream gauges, water quality facilities,
25 recycled water facilities and water pumping, convey-

1 ance distribution systems, and water treatment fa-
2 cilities, aqueducts, canals, ditches, pipelines, wells,
3 hydropower projects, and transmission and other an-
4 cillary facilities, groundwater recharge facilities,
5 water conservation, water filtration plants, and other
6 water diversion, conservation, groundwater recharge,
7 storage, and carriage structures.

8 **SEC. 3. ESTABLISHMENT OF SAN GABRIEL NATIONAL**
9 **RECREATION AREA.**

10 (a) **PURPOSES.**—The purposes of this Act are—

11 (1) to conserve, protect, and enhance for the
12 benefit and enjoyment of present and future genera-
13 tions the ecological, scenic, wildlife, recreational, cul-
14 tural, historical, natural, educational, and scientific
15 resources of the recreation area;

16 (2) to provide environmentally responsible, well-
17 managed recreational opportunities within the recre-
18 ation area, and improve access to and from the
19 recreation area;

20 (3) to provide expanded educational and inter-
21 pretive services that will increase public under-
22 standing of and appreciation for the natural and cul-
23 tural resources of the recreation area;

24 (4) to facilitate the cooperative management of
25 the lands and resources within the recreation area,

1 in collaboration with the State and political subdivi-
2 sions of the State, historical, business, cultural,
3 civic, recreational, tourism and other nongovern-
4 mental organizations, and the public; and

5 (5) to allow the continued use of the recreation
6 area by all persons, entities, and local government
7 agencies in activities relating to integrated water
8 management, flood protection, water conservation,
9 water quality, water rights, water supply, ground-
10 water recharge and monitoring, wastewater treat-
11 ment, public roads and bridges, and utilities within
12 or adjacent to the recreation area.

13 (b) ESTABLISHMENT AND BOUNDARIES.—Subject to
14 valid existing rights, there is hereby designated the San
15 Gabriel National Recreation Area in the State, which shall
16 consist of approximately 615,245 acres of Federal lands
17 and interests in land in the State as depicted on the map
18 titled “San Gabriel National Recreation Area” and dated
19 June 12, 2014.

20 (c) MAP AND LEGAL DESCRIPTION.—

21 (1) IN GENERAL.—As soon as practicable after
22 the date of the enactment of this Act, the Secretary
23 shall file a map and a legal description of the recre-
24 ation area with—

1 (A) the Committee on Natural Resources
2 of the House of Representatives; and

3 (B) the Committee on Energy and Natural
4 Resources of the Senate.

5 (2) FORCE OF LAW.—The map and legal de-
6 scription filed under paragraph (1) shall have the
7 same force and effect as if included in this Act, ex-
8 cept that the Secretary may correct any clerical and
9 typographical errors in the map and legal descrip-
10 tion.

11 (3) PUBLIC AVAILABILITY.—The map and legal
12 description filed under paragraph (1) shall be on file
13 and available for public inspection in the appropriate
14 offices of the Forest Service and agencies of the De-
15 partment of the Interior.

16 (d) ADMINISTRATION AND JURISDICTION.—

17 (1) NATIONAL FOREST SYSTEM LANDS.—The
18 National Forest System lands within the recreation
19 area shall be administered by the Secretary of Agri-
20 culture.

21 (2) NATIONAL PARK SYSTEM LANDS.—The
22 park lands shall be administered by the Secretary as
23 a unit of the National Park System.

24 (3) NO CHANGE IN JURISDICTION.—Nothing in
25 this Act transfers administrative jurisdiction of Fed-

1 eral lands from the Secretary of Defense or Sec-
2 retary of Agriculture to the Secretary.

3 (4) STATE AND LOCAL JURISDICTION.—Noth-
4 ing in this Act alters, modifies, or diminishes any
5 right, responsibility, power, authority, jurisdiction,
6 or entitlement of the State, any political subdivision
7 thereof, or any State, or local agency under existing
8 Federal, State, and local law (including regulations).

9 (5) MILITARY JURISDICTION.—Nothing in this
10 Act affects lands under the jurisdiction of the Sec-
11 retary of Defense.

12 (6) APPLICABLE LAW.—Nothing in this Act
13 shall be construed to apply the laws (including regu-
14 lations) generally applicable to units of the National
15 Park System to the National Forest System lands in
16 the recreation area.

17 (7) ADMINISTRATIVE TRANSFER.—Administra-
18 tive jurisdiction over the approximately 2,987 acres
19 of land administered by the Bureau of Land Man-
20 agement that is identified as “BLM lands for trans-
21 fer” on the map entitled “San Gabriel National
22 Recreation Area,” and dated June 12, 2014, is
23 transferred from the Bureau of Land Management
24 to the National Park Service.

1 **SEC. 4. MANAGEMENT.**

2 (a) NATIONAL FOREST SYSTEM.—Subject to valid
3 existing rights, the Secretary of Agriculture shall manage
4 the National Forest System lands within the recreation
5 area in a manner that protects, and enhances their natural
6 resources and values, in accordance with—

7 (1) this Act;

8 (2) the laws, regulations, and rules applicable
9 to the National Forest System;

10 (3) the Wilderness Act (16 U.S.C. 1131 et
11 seq.); and

12 (4) other applicable law (including Federal,
13 State, or local law, and regulations).

14 (b) NATIONAL PARK SYSTEM.—Subject to valid ex-
15 isting rights, the Secretary shall manage the park lands
16 in a manner that protects, and enhances their natural re-
17 sources and values, in accordance with—

18 (1) this Act;

19 (2) the laws generally applicable to units of the
20 National Park System, including the National Park
21 Service Organic Act (16 U.S.C. 1 et seq.); and

22 (3) other applicable law (including Federal,
23 State, or local law, and regulations).

24 (c) CONSULTATION.—The Secretary of Agriculture
25 and the Secretary shall consult with the Secretary of De-
26 fense regarding opportunities to manage, to the maximum

1 extent practicable, the Army Corps of Engineers lands
2 within the recreation area in accordance with the purposes
3 described in section 3(a).

4 (d) USES.—

5 (1) NATIONAL FOREST SYSTEM.—Subject to
6 valid existing rights, the Secretary of Agriculture
7 shall—

8 (A) allow such uses of the National Forest
9 System lands as the Secretary of Agriculture
10 determines would further the purposes de-
11 scribed in section 3(a).

12 (B) continue to authorize, maintain, and
13 enhance the recreational use of National Forest
14 System lands within the recreation area, includ-
15 ing hunting, fishing, swimming, bicycling,
16 camping, hiking, hang gliding, sightseeing, na-
17 ture study, horseback riding, rafting, motorized
18 recreation on authorized routes and in author-
19 ized areas, and other recreational activities that
20 are feasible and consistent with—

21 (i) the purposes described in section
22 3(a);

23 (ii) this section; and

1 (iii) any other applicable Federal,
2 State, and local laws, ordinances, and
3 plans.

4 (2) NON-FEDERAL LANDS.—Nothing in this Act
5 shall—

6 (A) authorize the Secretary or the Sec-
7 retary of Agriculture to take any action that
8 would affect the use of any land not owned by
9 the United States;

10 (B) affect the use of, or access to, any
11 non-Federal land within the recreation area;

12 (C) modify any provision of Federal, State,
13 or local law with respect to public access to or
14 use of non-Federal land;

15 (D) require any owner of non-Federal land
16 to allow public access (including Federal, State,
17 or local government access) to private property
18 or any other non-Federal land;

19 (E) alter any duly adopted land use regu-
20 lation, approved land use plan, or any other
21 regulatory authority of any State, or local agen-
22 cy, or tribal government;

23 (F) create any liability, or affects any li-
24 ability under any other law, of any private
25 property owner or other owner of non-Federal

1 land with respect to any person injured on pri-
2 vate property or other non-Federal land;

3 (G) convey any land use or other regu-
4 latory authority to the partnership;

5 (H) be construed to cause any Federal,
6 State, or local regulations or permit require-
7 ments intended to apply to units of the Na-
8 tional Park System, to affect the Federal lands
9 outside of park lands or non-Federal lands of
10 the recreation area; or

11 (I) require any city to participate in any
12 program administered by the Secretary or Sec-
13 retary of Agriculture.

14 (3) COOPERATION.—The Secretary and the
15 Secretary of Agriculture are encouraged to work
16 with owners of non-Federal land who have agreed to
17 cooperate with the Secretary and the Secretary of
18 Agriculture to further the purposes of this Act.

19 (4) BUFFER ZONES.—

20 (A) IN GENERAL.—Congress does not in-
21 tend for designation of the recreation area to
22 lead to the creation of protective perimeters or
23 buffer zones around the recreation area.

24 (B) ACTIVITIES OR USES UP TO BOUND-
25 ARIES.—The fact that certain activities or land

1 can be seen or heard from within the recreation
2 area shall not, of itself, preclude the activities
3 or land uses up to the boundary of the recre-
4 ation area.

5 (5) FACILITIES.—Nothing in this Act shall af-
6 fect the operation, maintenance, modification, con-
7 struction, or expansion of any water resource facility
8 or any solid waste, sanitary sewer, water or waste-
9 water treatment, groundwater recharge or conserva-
10 tion, hydroelectric, conveyance distribution system,
11 recycled water facility, or utility facility located with-
12 in or adjacent to the recreation area.

13 (6) EXEMPTION.—Section 5(c) of Public Law
14 90–401 (16 U.S.C. 4601–22(c)) shall not apply to
15 the Puente Hills landfill, materials recovery facility,
16 or intermodal facility.

17 (e) MANAGEMENT PLAN.—Not later than 3 years
18 after the date of the enactment of this Act, the Secretaries
19 and the advisory council shall create a comprehensive
20 management plan for the recreation area that fulfills the
21 purposes described in section 3(a).

22 (1) IN GENERAL.—In developing the manage-
23 ment plan required by this section, and to the extent
24 consistent with this section, the Secretaries may in-
25 corporate any provision from a land and resource

1 management plan, or any other plan applicable to
2 the recreation area.

3 (2) ACCESS AND VISITOR SERVICES.—The Sec-
4 retaries shall, to the maximum extent practicable,
5 incorporate the visitor services plan and access study
6 required by section 9 into the management plan re-
7 quired by this subsection.

8 (3) PARTNERSHIP.—In developing the manage-
9 ment plan, the Secretaries shall consider rec-
10 ommendations of the partnership. To the maximum
11 extent practicable, the Secretary shall incorporate
12 recommendations of the partnership into the man-
13 agement plan, where such recommendations are fea-
14 sible and consistent with the purposes in section
15 3(a), this Act, and applicable laws (including regula-
16 tions).

17 (f) FISH AND WILDLIFE.—

18 (1) IN GENERAL.—Nothing in this Act affects
19 the jurisdiction of the State with respect to fish and
20 wildlife located on public land in the State.

21 (2) HUNTING.—The Secretary of Agriculture
22 may permit hunting on National Forest System
23 lands within the recreation area, consistent with ap-
24 plicable Federal, State, and local laws.

25 (g) MOTORIZED VEHICLES.—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), motorized vehicle use on National Forest
3 System lands within the recreation area shall be per-
4 mitted only on roads and trails designated by the
5 management plan for use by motorized vehicles.

6 (2) EXCEPTION.—The Secretary of Agriculture
7 may permit the use of motorized vehicles off roads
8 and trails designated for use by motorized vehicles—

9 (A) to respond to an emergency;

10 (B) for administrative purposes;

11 (C) within the—

12 (i) Little Rock Off-Highway Vehicle
13 Area; and

14 (ii) San Gabriel Canyon Off-Highway
15 Vehicle Area; or

16 (D) as necessary to permit local govern-
17 ment agencies and electrical or communication
18 utilities to perform activities relating to fire
19 management, law enforcement, integrated water
20 management, flood protection and water con-
21 servation (including debris control and sediment
22 management), water replenishment, water
23 rights, water supply, public roads and bridges,
24 utility facility, including the operation, mainte-

1 nance, and construction of any utility facility or
2 right-of-way.

3 (h) WITHDRAWAL.—

4 (1) IN GENERAL.—Subject to valid existing
5 rights, all Federal land within the recreation area is
6 withdrawn from—

7 (A) entry, appropriation, or disposal under
8 the public land laws;

9 (B) location, entry, and patent under the
10 mining laws; and

11 (C) leasing or disposition under all laws re-
12 lating to—

13 (i) minerals; and

14 (ii) operation of the mineral leasing,
15 mineral materials, and geothermal leasing
16 laws.

17 (2) ADDITIONAL LAND.—If the Secretary of
18 Agriculture or the Secretary acquires additional
19 land, in accordance with section 5(a), that is located
20 within or adjacent to the recreation area after the
21 date of the enactment of this Act, the land is with-
22 drawn from operation of the laws referred to in
23 paragraph (1) on the date of acquisition of the land.

24 (i) GRAZING.—The Secretary of Agriculture shall
25 permit grazing on the National Forest System lands with-

1 in the recreation area, where established before the date
2 of the enactment of this Act—

3 (1) subject to all applicable laws (including reg-
4 ulations);

5 (2) consistent with the purposes described in
6 subsection 3(a); and

7 (3) subject to such reasonable regulations as
8 the Secretary of Agriculture deems necessary.

9 (j) WILDLAND FIRE OPERATIONS.—

10 (1) IN GENERAL.—Nothing in this section pro-
11 hibits the Secretary of Agriculture in cooperation
12 with other Federal, State, and local agencies, as ap-
13 propriate, from conducting wildland fire operations,
14 consistent with the purposes described in section
15 3(a).

16 (2) CONSULTATION AND REVISION OF PLANS.—

17 As soon as practicable after the date of enactment
18 of this Act, the Secretary shall, in consultation with
19 appropriate State or local firefighting agencies,
20 amend the local fire management plans that apply to
21 the recreation area.

22 (k) NATIVE AMERICAN CULTURAL AND RELIGIOUS
23 USES.—Nothing in this Act diminishes—

24 (1) the rights of any Indian tribe; or

1 (2) any tribal rights regarding access to Fed-
2 eral land for tribal activities, including spiritual, cul-
3 tural, and traditional food-gathering activities.

4 **SEC. 5. NON-FEDERAL LANDS.**

5 (a) INCORPORATION AND LIMITATION ON ACQUIRED
6 LANDS AND INTERESTS.—

7 (1) AUTHORITY.—The Secretary and the Sec-
8 retary of Agriculture may acquire non-Federal land
9 within the boundaries of the recreation area only
10 through exchange, donation, or purchase from a will-
11 ing seller.

12 (2) EMINENT DOMAIN.—Nothing in this Act
13 authorizes the use of eminent domain to acquire
14 land or interests in land.

15 (3) MANAGEMENT.—

16 (A) IN GENERAL.—Any land or interest in
17 land acquired by the United States and located
18 within the recreation area shall—

19 (i) be part of the recreation area; and

20 (ii) be administered in accordance

21 with—

22 (I) this section; and

23 (II) any other applicable law (in-
24 cluding regulations).

25 (B) ADMINISTRATION.—

1 (i) Any land or interest in land that
2 is located within the recreation area that is
3 acquired by the Forest Service shall be ad-
4 ministered by the Secretary of Agriculture.

5 (ii) Any land or interest in land that
6 is located within the recreation area that is
7 acquired by the National Park Service
8 shall be incorporated into the park lands
9 and administered by the Secretary.

10 (b) ADDITIONAL REQUIREMENT.—Any land acquired
11 by the Secretary or Secretary of Agriculture shall, in the
12 opinion of the appropriate Secretary, contain important
13 biological, cultural, historic, or recreational values.

14 **SEC. 6. WATER RIGHTS; WATER RESOURCE FACILITIES;**
15 **PUBLIC ROADS; UTILITY FACILITIES.**

16 (a) NO EFFECT ON WATER RIGHTS.—Nothing in
17 this Act—

18 (1) shall affect the use or allocation, in exist-
19 ence on the date of the enactment of this Act, of any
20 water, water right, or interest in water (including
21 potable, recycled, reclaimed, waste, imported, ex-
22 ported, banked, stored water, surface water, ground-
23 water, and public trust interests);

24 (2) shall affect any public or private contract in
25 existence on the date of the enactment of this Act

1 for the sale, lease, or loan of any water (including
2 potable, recycled, reclaimed, waste, imported, ex-
3 ported, banked, stored water, surface water, and
4 groundwater);

5 (3) shall be considered to be a relinquishment
6 or reduction of any water rights reserved or appro-
7 priated by the United States in the State on or be-
8 fore the date of the enactment of this Act;

9 (4) authorizes or imposes any new reserved
10 Federal water rights or expands water usage pursu-
11 ant to any existing Federal reserved riparian or ap-
12 propriative rights;

13 (5) shall be considered to be a relinquishment
14 or reduction of any water rights (including potable,
15 recycled, reclaimed, waste, imported, exported,
16 banked, stored water, surface water and ground-
17 water) held, reserved or appropriated by any public
18 entity, or other person or entities, on or before the
19 date of the enactment of this Act;

20 (6) shall be construed to, or shall interfere or
21 conflict with the exercise of the powers or duties of
22 any watermaster, public agency, or other body or en-
23 tity responsible for groundwater or surface water
24 management or groundwater replenishment as des-
25 ignated or established pursuant to any adjudication,

1 or Federal or State statute including, without limita-
2 tion, the management of the San Gabriel River wa-
3 tershed and basin, to provide water supply and other
4 environmental benefits as described in—

5 (A) the Southwestern Willow Flycatcher
6 Management Plan San Gabriel River—Morris
7 Reservoir to Santa Fe Dam dated September
8 2012; or

9 (B) the Long-Term Management Plan:
10 West Fork San Gabriel River dated May 8,
11 1989;

12 (7) shall be construed to, or shall interfere or
13 conflict with any provision of any judgment or court
14 order issued, or rule or regulation adopted, pursuant
15 to any adjudication affecting water, water rights or
16 water management in the San Gabriel River or Lytle
17 Creek watersheds and basins;

18 (8) shall be construed to impede or adversely
19 impact any previously adopted Los Angeles County
20 Drainage Area project, as described in the report of
21 the Chief of Engineers dated June 30, 1992, includ-
22 ing any supplement or addendum to that report, or
23 any maintenance agreement to operate the project;

24 (9) shall interfere or conflict with any action by
25 a watermaster or public agency that is authorized

1 pursuant to Federal or State statute, water right or
2 adjudication, including, but not limited to, actions
3 relating to water conservation, water quality, surface
4 water diversion or impoundment, groundwater re-
5 charge, water treatment, conservation or storage of
6 water, pollution, waste discharge, the pumping of
7 groundwater; the spreading, injection, pumping,
8 storage, or the use of water from local sources,
9 storm water flows, and runoff, or from imported or
10 recycled water, that is undertaken in connection with
11 the management or regulation of the San Gabriel
12 River or Lytle Creek watersheds and groundwater
13 basins;

14 (10) shall interfere with, obstruct, hinder, or
15 delay the exercise of, or access to, any water right
16 by the owner of a public water system, or other per-
17 son or entity, including, but not limited to, the con-
18 struction, operation, maintenance, replacement, re-
19 pair, location, or relocation of any well; pipeline; or
20 water pumping, treatment, diversion, impoundment,
21 or storage facility; or other facility or property nec-
22 essary or useful to access any water right or operate
23 any public water system;

24 (11) shall require initiation or reinitiation of
25 consultation with the United States Fish and Wild-

1 life Service under, or the application of provisions of,
2 the Endangered Species Act (16 U.S.C. 1531 et
3 seq.) concerning—

4 (A) the plans described in paragraph 6(A)
5 or 6(B); or

6 (B) any action or activity affecting water,
7 water rights or water management or water re-
8 source facilities in the San Gabriel River or
9 Lytle Creek watersheds and basins; or

10 (12) authorizes any agency or employee of the
11 United States, or any other person, to take any ac-
12 tion inconsistent with paragraphs (1) through (11).

13 (b) DEFINITION.—As used in this section, “adjudica-
14 tion” means any final judgment, order, ruling, or decree
15 entered in any judicial proceeding adjudicating or affect-
16 ing water rights, surface water management, or ground-
17 water management.

18 (c) WATER RESOURCE FACILITIES.—

19 (1) NO EFFECT ON EXISTING WATER RE-
20 SOURCE FACILITIES.—Nothing in this Act shall af-
21 fect—

22 (A) the use, operation, maintenance, re-
23 pair, construction, reconfiguration, expansion,
24 or replacement of a water resource facility with-
25 in or adjacent to the recreation area; or

1 (B) access to a water resource facility
2 within or adjacent to the recreation area.

3 (2) NO EFFECT ON NEW WATER RESOURCE FA-
4 CILITIES.—Nothing in this Act shall preclude the es-
5 tablishment of new water resource facilities (includ-
6 ing instream sites, routes, and areas) within the
7 recreation area if such facilities are necessary to pre-
8 serve or enhance the health, safety, water supply, or
9 utility services to residents of Los Angeles or San
10 Bernardino Counties.

11 (3) FLOOD CONTROL.—Nothing in this Act
12 shall be construed to—

13 (A) impose new restrictions or require-
14 ments on flood protection, water conservation,
15 water supply, groundwater recharge, water
16 transfers, or water quality operations; or

17 (B) increase the liability of agencies car-
18 rying out flood protection, water conservation,
19 water supply, groundwater recharge, water
20 transfers, or water quality operations.

21 (4) DIVERSION OR USE OF WATER.—Nothing in
22 this Act shall authorize or require the use of water
23 in or the diversion of water to the recreation area
24 or the park lands.

1 (d) UTILITY FACILITIES AND RIGHTS OF WAY.—

2 Nothing in this Act shall—

3 (1) affect the use, operation, maintenance, re-
4 pair, construction, reconfiguration, expansion, in-
5 spection, renewal, reconstruction, alteration, addi-
6 tion, relocation, improvement, removal, or replace-
7 ment of utility facilities or appurtenant rights of way
8 within or adjacent to the recreation area;

9 (2) affect access to utility facilities or rights of
10 way within or adjacent to the recreation area; or

11 (3) preclude the establishment of new utility fa-
12 cilities or rights of way (including instream sites,
13 routes, and areas) within the recreation area if such
14 facilities are necessary for public health and safety,
15 electricity supply, or other utility services.

16 (e) ROADS; PUBLIC TRANSIT.—

17 (1) DEFINITIONS.—In this subsection:

18 (A) PUBLIC ROADS.—the term “public
19 roads” means any paved road or bridge (includ-
20 ing any appurtenant structures and rights of
21 way) that is operated or maintained by a non-
22 Federal entity and is—

23 (i) open to vehicular use by the public;

24 or

1 (ii) used by public agencies or utilities
2 for the operation, maintenance, repair,
3 construction, and rehabilitation of infra-
4 structure, utility facility, or right-of-way.

5 (B) PUBLIC TRANSIT.—The term “public
6 transit” means transit services (including oper-
7 ations and rights of way) that are operated or
8 maintained by a non-Federal entity and are—

9 (i) open to the public; or

10 (ii) used by public agencies or con-
11 tractors for the operation, maintenance, re-
12 pair, construction, and rehabilitation of in-
13 frastructure, utility facility, or right-of-
14 way.

15 (2) NO EFFECT ON PUBLIC ROADS OR PUBLIC
16 TRANSIT.—Nothing in this Act—

17 (A) authorizes the Secretary or Secretary
18 of Agriculture to take any action that would af-
19 fect the operation, maintenance, repair, and re-
20 habilitation of public roads or public transit (in-
21 cluding activities necessary to comply with Fed-
22 eral and State safety standards or public tran-
23 sit); or

1 (B) creates any new liability, or increases
2 any existing liability, of any owner of operator
3 of public roads.

4 **SEC. 7. SAN GABRIEL NATIONAL RECREATION AREA PUB-**
5 **LIC ADVISORY COUNCIL.**

6 (a) ESTABLISHMENT.—Not more than 180 days after
7 the date of the enactment of this Act, the Secretaries shall
8 establish a public advisory council, to be known as the
9 “San Gabriel National Recreation Area Public Advisory
10 Council”.

11 (b) DUTIES.—The public advisory council shall—

12 (1) advise the Secretaries on the development
13 and implementation of the management plan; and

14 (2) advise the Secretary on the development
15 and implementation of the visitor services plan and
16 access study required by section 3.

17 (c) APPLICABLE LAW.—The public advisory council
18 shall be subject to—

19 (1) the Federal Advisory Committee Act (5
20 U.S.C. App.);

21 (2) all other applicable law (including regula-
22 tions).

23 (d) MEMBERS.—

24 (1) SIZE OF PUBLIC ADVISORY COUNCIL.—The
25 public advisory council shall include 21 members.

1 (2) MAKEUP OF PUBLIC ADVISORY COUNCIL.—

2 After considering the recommendations of the part-
3 nership, the Secretaries shall appoint members of
4 the public advisory council to represent the following
5 interests—

6 (A) two members to represent local, re-
7 gional, or national environmental organizations;

8 (B) two members to represent the interests
9 of outdoor recreation, including off-highway ve-
10 hicle recreation, within the recreation area;

11 (C) two members to represent the interests
12 of community-based organizations whose mis-
13 sion includes expanding access to the outdoors;

14 (D) two members to represent business in-
15 terests;

16 (E) one member to represent Native Amer-
17 ican tribes within or adjacent to the recreation
18 area;

19 (F) one member to represent the interests
20 of homeowners' associations within the recre-
21 ation area;

22 (G) three members to represent the inter-
23 ests of holders of adjudicated water rights,
24 water agencies, wastewater and sewer agencies,

1 recycled water facilities, and water replenish-
2 ment entities;

3 (H) one member to represent energy and
4 mineral development interests;

5 (I) one member to represent owners of
6 Federal grazing permits, or other land use per-
7 mits within the recreation area;

8 (J) one member to represent archaeological
9 and historical interests;

10 (K) one member to represent the interests
11 of environmental educators;

12 (L) one member to represent cultural his-
13 tory interests;

14 (M) one member to represent environ-
15 mental justice interests;

16 (N) one member to represent electrical
17 utility interests; and

18 (O) two members to represent the affected
19 public at large.

20 (f) TERMS.—

21 (1) STAGGERED TERMS.—Members of the pub-
22 lic advisory council shall be appointed for terms of
23 3 years, except that, of the members first appointed,
24 6 of the members shall be appointed for a term of

1 1 year and 6 of the members shall be appointed for
2 a term of 2 years.

3 (2) REAPPOINTMENT.—A member may be re-
4 appointed to serve on the public advisory council
5 upon the expiration of the member's current term.

6 (3) VACANCY.—A vacancy on the public advi-
7 sory council shall be filled in the same manner as
8 the original appointment.

9 (g) QUORUM.—A quorum shall be ten members of the
10 public advisory council. The operations of the advisory
11 council shall not be impaired by the fact that a member
12 has not yet been appointed as long as a quorum has been
13 attained.

14 (h) CHAIRPERSON AND PROCEDURES.—The public
15 advisory council shall elect a chairperson and establish
16 such rules and procedures as it deems necessary or desir-
17 able.

18 (i) SERVICE WITHOUT COMPENSATION.—Members of
19 the public advisory council shall serve without pay.

20 (j) TERMINATION.—The public advisory council shall
21 cease to exist—

22 (1) on the date that is five years after the date
23 on which the management plans are officially adopt-
24 ed by the Secretaries; or

1 (2) on such later date as the Secretaries con-
2 sider appropriate.

3 **SEC. 8. SAN GABRIEL NATIONAL RECREATION AREA PART-**
4 **nership.**

5 (a) IN GENERAL.—There is hereby established the
6 San Gabriel National Recreation Area Partnership.

7 (b) PURPOSES.—The purposes of the partnership are
8 to—

9 (1) coordinate the activities of Federal, State,
10 tribal, and local authorities, and the private sector,
11 in fulfilling the purposes of this Act; and

12 (2) use the resources and expertise of each
13 agency in improving the management and rec-
14 reational opportunities within the recreation area.

15 (c) MEMBERSHIP.—The members of the partnership
16 shall include the following:

17 (1) The Secretary of Agriculture, or a designee
18 of the Secretary, to represent the Forest Service.

19 (2) The Secretary, or a designee of the Sec-
20 retary, to represent the National Park Service and
21 Bureau of Land Management.

22 (3) The Secretary of Defense, or a designee of
23 the Secretary, to represent the Army Corps of Engi-
24 neers.

1 (4) The Secretary of the State Natural Re-
2 sources Agency, or a designee of the Secretary, to
3 represent the California Department of Parks and
4 Recreation and the Rivers and Mountains Conser-
5 vancy.

6 (5) A designee of the Los Angeles County
7 Board of Supervisors.

8 (6) A designee of the San Bernardino County
9 Board of Supervisors.

10 (7) A designee of the Puente Hills Habitat
11 Preservation Authority.

12 (8) Four designees of the San Gabriel Council
13 of Governments, one of whom is to be elected from
14 a local land conservancy.

15 (9) Two designees of the San Bernardino Asso-
16 ciated Governments.

17 (10) A designee of the San Gabriel Valley Eco-
18 nomic Partnership.

19 (11) A designee of the Los Angeles County
20 Flood Control District.

21 (12) A designee of the San Gabriel Valley
22 Water Association.

23 (13) A designee of the Central Basin Water As-
24 sociation.

25 (14) A designee of the Six Basins Watermaster.

1 (15) A designee of a public utility company, to
2 be appointed by the Secretary.

3 (16) A designee of the Watershed Conservation
4 Authority.

5 (17) A designee of the public advisory council
6 so long as the public advisory council remains in ef-
7 fect.

8 (d) DUTIES.—To further the purposes of this Act,
9 and in a manner consistent with the purposes described
10 in section 3(a), the partnership shall—

11 (1) make recommendations to the Secretaries
12 on the development and implementation of the man-
13 agement plan;

14 (2) advise the Secretary of Agriculture on the
15 provision and management of recreational opportuni-
16 ties, and improvement of visitor services and edu-
17 cation on the National Forest System lands within
18 the recreation area;

19 (3) review and comment on the visitor services
20 plan and access study required by section 103;

21 (4) seek opportunities to facilitate the imple-
22 mentation of the visitor services plan and access
23 study required by section 9;

1 (5) assist units of local government, regional
2 planning organizations, and nonprofit organizations
3 in fulfilling the purposes of the recreation area by—

4 (A) carrying out programs and projects
5 that recognize, protect, and enhance important
6 resource values within the recreation area;

7 (B) establishing and maintaining interpre-
8 tive exhibits and programs within the recreation
9 area;

10 (C) developing recreational and educational
11 opportunities in the recreation area, consistent
12 with the purposes of this Act;

13 (D) increasing public awareness of, and
14 appreciation for, natural, historic, scenic, and
15 cultural resources of the recreation area;

16 (E) ensuring that signs identifying points
17 of public access and sites of interest are posted
18 throughout the recreation area;

19 (F) promoting a wide range of partner-
20 ships among governments, organizations, and
21 individuals to further the purposes of the recre-
22 ation area; and

23 (G) ensuring that management of the
24 recreation area takes into account local ordi-

1 nances and land-use plans, as well as adjacent
2 residents and property owners;

3 (6) make recommendations to the Secretaries
4 on members to be appointed to the advisory council;
5 and

6 (7) undertake any other action necessary to ful-
7 fill the purposes of this Act.

8 (e) AUTHORITIES.—The partnership may, subject to
9 the prior approval of the Secretary, for the purposes of
10 preparing and implementing the management plans, use
11 Federal funds made available under this section to—

12 (1) make grants to the State, political subdivi-
13 sions of the State, nonprofit organizations, and
14 other persons;

15 (2) enter into cooperative agreements with, or
16 provide grants or technical assistance to, the State,
17 political subdivisions of the State, nonprofit organi-
18 zations, Federal agencies, and other interested par-
19 ties;

20 (3) hire and compensate staff;

21 (4) obtain funds or services from any source,
22 including funds and services provided under any
23 other Federal law or program;

24 (5) contract for goods or services; and

1 (6) support activities of partners and any other
2 activities that further the purposes of the recreation
3 area and are consistent with the approved manage-
4 ment plans.

5 (f) TERMS OF OFFICE; REAPPOINTMENT; VACAN-
6 CIES.—

7 (1) TERMS.—Members of the partnership shall
8 be appointed for terms of 3 years.

9 (2) REAPPOINTMENT.—A member may be re-
10 appointed to serve on the partnership upon the expi-
11 ration of the member's current term.

12 (3) VACANCY.—A vacancy on the partnership
13 shall be filled in the same manner as the original ap-
14 pointment.

15 (g) QUORUM.—A quorum shall be eleven members of
16 the partnership. The operations of the partnership shall
17 not be impaired by the fact that a member has not yet
18 been appointed as long as a quorum has been attained.

19 (h) CHAIRPERSON AND PROCEDURES.—The partner-
20 ship shall elect a chairperson and establish such rules and
21 procedures as it deems necessary or desirable.

22 (i) SERVICE WITHOUT COMPENSATION.—Members of
23 the partnership shall serve without pay.

24 (j) DUTIES AND AUTHORITIES OF THE SEC-
25 RETARY.—

1 (1) IN GENERAL.—The Secretary shall convene
2 the partnership on a regular basis to carry out this
3 Act.

4 (2) VISITOR SERVICES AND ACCESS.—The Sec-
5 retary is authorized to carry out the visitor services
6 plan required by section 9(a)(2) and access study re-
7 quired by section 9(c)(2).

8 (3) TECHNICAL AND FINANCIAL ASSISTANCE.—
9 The Secretary may provide technical and financial
10 assistance, on a reimbursable or non-reimbursable
11 basis, as determined by the Secretary, to the part-
12 nership or any members of the partnership to carry
13 out this Act.

14 (4) COOPERATIVE AGREEMENTS.—The Sec-
15 retary may enter into cooperative agreements with
16 the partnership, any members of the partnership, or
17 other public or private entities to provide technical,
18 financial or other assistance to carry out this Act.

19 (5) CONSTRUCTION OF FACILITIES ON NON-
20 FEDERAL LANDS.—

21 (A) IN GENERAL.—In order to facilitate
22 the administration of the recreation area, the
23 Secretary is authorized, subject to valid existing
24 rights, to construct administrative or visitor use

1 facilities on non-Federal public lands within the
2 recreation area.

3 (B) ADDITIONAL REQUIREMENT.—Such
4 facilities may only be developed—

5 (i) with the consent of the owner of
6 the non-Federal public land; and

7 (ii) in accordance with applicable Fed-
8 eral, State, and local laws, regulations, and
9 plans.

10 (6) PRIORITY.—The Secretary shall give pri-
11 ority to actions that—

12 (A) conserve the significant natural, his-
13 toric, cultural, and scenic resources of the
14 recreation area; and

15 (B) provide educational, interpretive, and
16 recreational opportunities consistent with the
17 purposes of the recreation area.

18 (k) COMMITTEES.—The partnership shall establish—

19 (1) a Water Technical Advisory Committee to
20 advise the Secretaries on water-related issues relat-
21 ing to the recreation area; and

22 (2) a Public Safety Advisory Committee to ad-
23 vise the Secretaries on public safety issues relating
24 to the recreation area.

1 **SEC. 9. ACCESS AND VISITOR SERVICES.**

2 (a) VISITOR SERVICES.—

3 (1) PURPOSE.—The purpose of this subsection
4 is to facilitate the development of an integrated vis-
5 itor services plan that will improve visitor experi-
6 ences within the recreation area through expanded
7 recreational opportunities, and increased interpreta-
8 tion, education, resource protection, and enforce-
9 ment.

10 (2) PLAN REQUIRED.—Not later than three
11 years after the date of the enactment of this Act,
12 and in accordance with this subsection, the Sec-
13 retary, in consultation with the Secretary of Agri-
14 culture and the Partnership, shall develop an inte-
15 grated visitor services plan for the recreation area.

16 (3) CONTENTS.—The visitor services plan re-
17 quired by this subsection shall—

18 (A) assess current and anticipated future
19 visitation to the recreation area, including
20 recreation destinations;

21 (B) consider the demand for various types
22 of recreation (including hiking, picnicking,
23 horseback riding, and the use of motorized and
24 mechanized vehicles) where permissible and ap-
25 propriate;

1 (C) evaluate the impacts of recreation on
2 natural and cultural resources, water resource
3 facilities, public roads, adjacent residents and
4 property owners, and utilities within the recre-
5 ation area, as well as the effectiveness of cur-
6 rent enforcement efforts;

7 (D) assess the current level of interpretive
8 and educational services and facilities;

9 (E) include recommendations to—

10 (i) expand opportunities for high-de-
11 mand recreational activities, consistent
12 with the purposes described in section
13 3(a);

14 (ii) better manage recreation area re-
15 sources and improve the experience of
16 recreation area visitors through expanded
17 interpretive and educational services and
18 facilities, and improved enforcement; and

19 (iii) better manage recreation area re-
20 sources to reduce negative impacts on the
21 environment, ecology, and integrated water
22 management activities in the area;

23 (F) in coordination and consultation with
24 owners of non-Federal land, assess options to

1 incorporate recreational opportunities on non-
2 Federal land into the recreation area—

3 (i) in a manner consistent with the
4 purposes and uses of the non-Federal land;
5 and

6 (ii) with the consent of the non-Fed-
7 eral land owner;

8 (G) assess opportunities to provide rec-
9 reational opportunities that connect the San
10 Gabriel River to the National Forest System
11 lands; and

12 (H) be developed and carried out in ac-
13 cordance with applicable Federal, State, and
14 local laws and ordinances.

15 (4) CONSULTATION.—In developing the plan re-
16 quired by this subsection, the Secretary shall—

17 (A) consult with—

18 (i) the Secretary of Agriculture and
19 other appropriate Federal agencies;

20 (ii) the partnership;

21 (iii) the public advisory council;

22 (iv) appropriate State and local agen-
23 cies; and

24 (v) interested nongovernmental orga-
25 nizations; and

1 (B) involve members of the public.

2 (b) VISITOR FACILITIES.—The Secretary and Sec-
3 retary of Agriculture are authorized to construct visitor
4 use facilities, within the recreation area. Such facilities
5 shall be developed in conformance with all existing Fed-
6 eral, State, and local laws (including regulations) and ap-
7 plicable Federal, State, and local plans.

8 (c) ACCESS STUDY.—

9 (1) PURPOSE.—The purpose of this subsection
10 is to assess the feasibility of improving the accessi-
11 bility of the recreation area.

12 (2) STUDY REQUIRED.—Not later than three
13 years after the date of the enactment of this Act,
14 and in accordance with this subsection, the Sec-
15 retary shall conduct a study on the accessibility of
16 the recreation area.

17 (3) CONTENTS.—The access study required by
18 this subsection shall—

19 (A) evaluate the means by which members
20 of the public access various locations within the
21 recreation area;

22 (B) consider alternatives to sustainably im-
23 prove the recreational access of the National
24 Forest System from the San Gabriel River;

1 (C) provide options and recommendations
2 for improving the accessibility of the recreation
3 area, consistent with the purposes described in
4 section 3(a); and

5 (D) be developed and carried out in ac-
6 cordance with applicable Federal, State, and
7 local laws and ordinances.

8 (4) CONSULTATION.—In developing the study
9 required by this subsection, the Secretary shall—

10 (A) consult with—

11 (i) the Secretary of Agriculture and
12 other appropriate Federal agencies;

13 (ii) the partnership;

14 (iii) the public advisory council;

15 (iv) appropriate State and local agen-
16 cies; and

17 (v) interested nongovernmental orga-
18 nizations; and

19 (B) involve members of the public.

20 (d) DONATIONS.—

21 (1) IN GENERAL.—The Secretary and the Sec-
22 retary of Agriculture may accept and use donated
23 funds, property, in-kind contributions, and services
24 to carry out this Act.

1 (2) PROHIBITION.—The Secretary or Secretary
2 of Agriculture may not accept non-Federal land that
3 has been acquired through use of eminent domain
4 after the date of the enactment of this Act.

5 (e) COORDINATION.—

6 (1) IN GENERAL.—The Secretary of Agriculture
7 and the Secretary shall coordinate in carrying out
8 this Act.

9 (2) COOPERATIVE AGREEMENTS.—In carrying
10 out this Act, the Secretary and Secretary of Agri-
11 culture may make grants to, or enter into coopera-
12 tive agreements with, State, tribal, and local govern-
13 mental entities and private entities to conduct re-
14 search, develop scientific analyses, and carry out any
15 other initiative relating to the management of and
16 visitation to the recreation area.

17 (3) COORDINATION BETWEEN FEDERAL AGEN-
18 CIES.—

19 (A) AGREEMENT REQUIRED.—Not later
20 than 18 months after the date of the enactment
21 of this Act, the Secretary of Agriculture shall
22 enter into an agreement with the Secretary to
23 carry out this Act on National Forest System
24 lands within the recreation area.

1 (B) REQUIRED COMPONENTS.—The agree-
2 ment required by subparagraph (A) shall ad-
3 dress, at a minimum, in a manner consistent
4 with the purposes for which the recreation area
5 has been established—

6 (i) sharing of resources between the
7 Secretary of Agriculture and Secretary;

8 (ii) improved visitor services, edu-
9 cation, and enforcement;

10 (iii) enhanced resource protection
11 within the recreation area; and

12 (iv) better connecting the National
13 Forest System lands and park lands.

14 (C) NATIONAL PARK SERVICE.—The Sec-
15 retary may share resources such as manage-
16 ment, research, planning, interpretation, visitor
17 services, and enforcement with any unit of the
18 National Park System.

19 (D) ANGELES NATIONAL FOREST.—The
20 Secretary may share resources such as manage-
21 ment, research, planning, interpretation, visitor
22 services, and enforcement with the Angeles Na-
23 tional Forest in order to fulfill the purposes of
24 the recreation area.

1 (4) TECHNICAL ASSISTANCE.—The Secretary
2 may provide technical assistance to interested public
3 agencies, private landowners, and organizations, to
4 carry out the purposes of this Act.

5 (f) DIVERSION OR USE OF WATER.—Nothing in this
6 Act shall authorize or require the use of water in or the
7 diversion of water to the recreation area or the park lands.

○