

SAINT FRANCIS DAM DISASTER NATIONAL MEMORIAL
ACT

JULY 1, 2016.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. BISHOP of Utah, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 5244]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred 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, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

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.

(6) It is right to pay homage to the citizens who were killed, injured, or dislocated due to the flood, and to educate the public about this important historical event.

(7) It is appropriate that the site of the Saint Francis Dam and surrounding areas be specially designated and protected to commemorate this tragic event.

SEC. 3. SAINT FRANCIS DAM DISASTER NATIONAL MEMORIAL.

(a) **ESTABLISHMENT.**—The Secretary is authorized to establish a memorial at the Saint Francis Dam site in the County of Los Angeles, California, for the purpose of honoring the victims of the Saint Francis Dam disaster of March 12, 1928.

(b) **REQUIREMENTS.**—The Memorial shall be—

- (1) known as the Saint Francis Dam Disaster National Memorial; and
- (2) managed by the Forest Service.

(c) **DONATIONS.**—The Secretary is authorized to accept, hold, administer, invest, and spend any gift, devise, or bequest of real or personal property made to the Secretary for purposes of developing, designing, constructing, and managing the Memorial.

SEC. 4. RECOMMENDATIONS FOR MEMORIAL.

(a) **IN GENERAL.**—Not later than 3 years after the date of the enactment of this Act, the Secretary shall submit to Congress recommendations regarding—

- (1) the planning, design, construction, and long-term management of the Memorial;
- (2) the proposed boundaries of the Memorial;
- (3) a visitor center and educational facilities at the Memorial; and
- (4) ensuring public access to the Memorial.

(b) **CONSULTATION.**—In preparing the recommendations required under subsection (a), the Secretary shall consult with—

- (1) appropriate Federal agencies;
- (2) State, tribal, and local governments, including the Santa Clarita City Council; and
- (3) the public.

SEC. 5. ESTABLISHMENT OF SAINT FRANCIS DAM DISASTER NATIONAL MONUMENT.

(a) **ESTABLISHMENT.**—There is established as a national monument in the State, certain National Forest System land administered by the Secretary in the County of Los Angeles comprising approximately 440 acres, as generally depicted on the map entitled “Proposed Saint Francis Dam Disaster National Monument”, created on June 14, 2016, to be known as the Saint Francis Dam Disaster National Monument.

(b) **PURPOSE.**—The purpose of the Monument is to conserve and enhance for the benefit and enjoyment of the public the cultural, archaeological, historical, watershed, educational, and recreational resources and values of the Monument.

SEC. 6. DUTIES OF THE SECRETARY WITH RESPECT TO MONUMENT.

(a) **MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—Not later than 4 years after the date of the enactment of this Act, the Secretary shall develop a management plan for the Monument.

(2) **CONSULTATION.**—The management plan shall be developed in consultation with—

- (A) appropriate Federal agencies;
- (B) State, tribal, and local governments; and
- (C) the public.

(3) **CONSIDERATIONS.**—In developing and implementing the management plan, the Secretary shall, with respect to methods of protecting and providing access to the Monument, consider the recommendations of the Saint Francis Disaster National Memorial Foundation, the Santa Clarita Valley Historical Society, and the Community Hiking Club of Santa Clarita.

(b) **MANAGEMENT.**—The Secretary shall manage the Monument—

(1) in a manner that conserves and enhances the cultural and historic resources of the Monument; and

(2) in accordance with—

- (A) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.) and the laws generally applicable to the National Forest System;
- (B) this Act; and
- (C) any other applicable laws.

(c) **USES.**—

(1) **USE OF MOTORIZED VEHICLES.**—The use of motorized vehicles within the Monument may be permitted only—

- (A) on roads designated for use by motorized vehicles in the management plan required under subsection (a);
 - (B) for administrative purposes; or
 - (C) for emergency responses.
- (2) GRAZING.—The Secretary shall permit grazing within the Monument, where established before the date of the enactment of this Act—
- (A) subject to all applicable laws (including regulations and Executive orders); and
 - (B) consistent with the purpose described in section 5(b).

SEC. 7. DEFINITIONS.

In this Act:

- (1) MEMORIAL.—The term “Memorial” means the Saint Frances Dam Disaster National Memorial authorized under section 3(a).
- (2) MONUMENT.—The term “Monument” means the Saint Francis Dam Disaster National Monument established under section 5(a).
- (3) STATE.—The term “State” means the State of California.
- (4) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

PURPOSE OF THE BILL

The purpose of H.R. 5244 is 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.

BACKGROUND AND NEED FOR LEGISLATION

The Saint Francis Dam was one of several large infrastructure projects constructed in the early 20th century to help control the flow of water to southern California. On March 12, 1928, the dam breached, resulting in significant flooding that took more than 400 lives in Los Angeles County, California.¹ This failure is considered one of the worst civil engineering failures in the 20th century and resulted in the resignation of William Mulholland as head of the Los Angeles Bureau of Water Works and Water Supply.² Beyond the loss of life, thousands of residents lost their homes and experienced significant property damage due to the flood. Today, the site of the dam collapse and the affected areas are often subject to theft and vandalism.

H.R. 5244 recognizes the devastation of the flood and its impact on the residents of northern Los Angeles County by establishing a national memorial as well as a national monument to preserve the affected area for future generations. The bill authorizes the Secretary of Agriculture to establish the memorial via donation in consultation with the Santa Clarita City Council and the public. No taxpayer funds are authorized for the construction of the memorial.

The bill also authorizes the creation of a 440 acre monument that will encompass the St. Francis Dam memorial. The boundaries of the monument were designated in consultation with interest groups in the community. Motorized access will be allowed within the monument and grazing will continue to be allowed on any land where it is already permitted.

¹ Harrison, Scott. “St. Francis Dam Collapse Left a Trail of Death and Destruction.” *Los Angeles Times*, 19 Mar. 2016.

² Blitz, Matt. “On Occasions Like This, I Envy the Dead: The St. Francis Dam Disaster.” *Smithsonian*, 12 Mar. 2015.

COMMITTEE ACTION

H.R. 5244 was introduced on May 16, 2016, by Congressman Stephen Knight (R-CA). The bill was referred to the Committee on Natural Resources, and within the Committee, to the Subcommittee on Federal Lands. On May 24, 2016, the Subcommittee held a hearing on the bill. On June 14, 2016, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Congressman Bruce Westerman (R-AR) offered an amendment designated #1. The amendment was adopted by unanimous consent. No other amendments were offered, and the bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent on June 15, 2016.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

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

COMPLIANCE WITH HOUSE RULE XIII

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 28, 2016.

Hon. ROB BISHOP,
Chairman, Committee on Natural Resources, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 5244, the Saint Francis Dam Disaster National Memorial Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jeff LaFave.

Sincerely,

KEITH HALL, *Director.*

Enclosure.

H.R. 5244—Saint Francis Dam Disaster National Memorial Act

H.R. 5244 would establish a national monument on 440 acres of land administered by the Forest Service. The bill also would require the agency to submit recommendations to the Congress for a memorial to the victims of the Saint Francis Dam failure and to complete a management plan for the monument. CBO expects that

the construction of the memorial or any other structures or improvements within the monument would be funded by donations.

Based on information provided by the Forest Service regarding the amount of staff time required to carry out the activities required under the bill, CBO estimates that implementing the legislation would cost less than \$125,000 (the estimated cost of one year's salary and benefits for a mid- to senior-level employee of the Forest Service in Los Angeles County) over the 2017–2021 period; such spending would be subject to the availability of appropriated funds. If, in accordance with the recommendations provided to the Congress from the Forest Service any improvements were made within the monument, including constructing a visitor center, the cost of managing the monument could exceed \$125,000. However, CBO expects that any costs associated with those improvements would be incurred after 2021.

Enacting H.R. 5244 could affect direct spending by increasing offsetting receipts from donations and the associated direct spending of those funds to construct a memorial; therefore, pay-as-you-go procedures apply. However, CBO estimates that any net effect on direct spending would be negligible. Enacting the bill would not affect revenues. CBO estimates that enacting H.R. 5244 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

HR. 5244 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

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

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new spending authority, credit authority, or an increase or decrease in revenues or tax expenditure. According to the Congressional Budget Office, implementing H.R. 5244 would cost less than \$125,000, subject to appropriation, over the 2017–2012 period. In addition, “any net effect on direct spending would be negligible”.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is 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.

EARMARK STATEMENT

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

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

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

CHANGES IN EXISTING LAW

This bill makes no changes to existing law.