

109TH CONGRESS
2^D SESSION

H. R. 233

AN ACT

To designate certain National Forest System lands in the Mendocino and Six Rivers National Forests and certain Bureau of Land Management lands in Humboldt, Lake, Mendocino, and Napa Counties in the State of California as wilderness, to designate the Elkhorn Ridge Potential Wilderness Area, to designate certain segments of the Black Butte River in Mendocino County, California as a wild or scenic river, and for other purposes.

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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 AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “Northern California Coastal Wild Heritage Wilderness
 6 Act”.

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

- Sec. 1. Short title and table of contents.
- Sec. 2. Definition of Secretary.
- Sec. 3. Designation of wilderness areas.
- Sec. 4. Administration of wilderness areas.
- Sec. 5. Release of wilderness study areas.
- Sec. 6. Elkhorn Ridge Potential Wilderness Area.
- Sec. 7. Wild and scenic river designation.
- Sec. 8. King Range National Conservation Area boundary adjustment.
- Sec. 9. Cow Mountain Recreation Area, Lake and Mendocino Counties, California.
- Sec. 10. Continuation of traditional commercial surf fishing, Redwood National and State Parks.

9 **SEC. 2. DEFINITION OF SECRETARY.**

10 In this Act, the term “Secretary” means—

11 (1) with respect to land under the jurisdiction
 12 of the Secretary of Agriculture, the Secretary of Ag-
 13 riculture; and

14 (2) with respect to land under the jurisdiction
 15 of the Secretary of the Interior, the Secretary of the
 16 Interior.

17 **SEC. 3. DESIGNATION OF WILDERNESS AREAS.**

18 In accordance with the Wilderness Act (16 U.S.C.
 19 1131 et seq.), the following areas in the State of California

1 are designated as wilderness areas and as components of
2 the National Wilderness Preservation System:

3 (1) SNOW MOUNTAIN WILDERNESS ADDITION.—

4 (A) IN GENERAL.—Certain land in the
5 Mendocino National Forest, comprising ap-
6 proximately 23,706 acres, as generally depicted
7 on the maps described in subparagraph (B), is
8 incorporated in and shall considered to be a
9 part of the “Snow Mountain Wilderness”, as
10 designated by section 101(a)(31) of the Cali-
11 fornia Wilderness Act of 1984 (16 U.S.C. 1132
12 note; Public Law 98–425).

13 (B) DESCRIPTION OF MAPS.—The maps
14 referred to in subparagraph (A) are—

15 (i) the map entitled “Skeleton Glade
16 Unit, Snow Mountain Proposed Wilderness
17 Addition, Mendocino National Forest” and
18 dated April 21, 2005; and

19 (ii) the map entitled “Bear Creek/
20 Deafy Glade Unit, Snow Mountain Wilder-
21 ness Addition, Mendocino National Forest”
22 and dated July 21, 2006.

23 (2) SANHEDRIN WILDERNESS.—Certain land in
24 the Mendocino National Forest, comprising approxi-
25 mately 10,571 acres, as generally depicted on the

1 map entitled “Sanhedrin Proposed Wilderness,
2 Mendocino National Forest” and dated April 21,
3 2005, which shall be known as the “Sanhedrin Wil-
4 derness”.

5 (3) YUKI WILDERNESS.—Certain land in the
6 Mendocino National Forest and certain land admin-
7 istered by the Bureau of Land Management in Lake
8 and Mendocino Counties, California, together com-
9 prising approximately 53,887 acres, as generally de-
10 picted on the map entitled “Yuki Proposed Wilder-
11 ness” and dated May 23, 2005, which shall be
12 known as the “Yuki Wilderness”.

13 (4) YOLLA BOLLY-MIDDLE EEL WILDERNESS
14 ADDITION.—Certain land in the Mendocino National
15 Forest and certain land administered by the Bureau
16 of Land Management in Mendocino County, Cali-
17 fornia, together comprising approximately 27,036
18 acres, as generally depicted on the map entitled
19 “Middle Fork Eel, Smokehouse and Big Butte
20 Units, Yolla Bolly-Middle Eel Proposed Wilderness
21 Addition” and dated June 7, 2005, is incorporated
22 in and shall considered to be a part of the Yolla
23 Bolly-Middle Eel Wilderness, as designated by sec-
24 tion 3 of the Wilderness Act (16 U.S.C. 1132).

25 (5) SISKIYOU WILDERNESS ADDITION.—

1 (A) IN GENERAL.—Certain land in the Six
2 Rivers National Forest, comprising approxi-
3 mately 30,122 acres, as generally depicted on
4 the maps described in subparagraph (B), is in-
5 corporated in and shall be considered to be a
6 part of the Siskiyou Wilderness, as designated
7 by section 101(a)(30) of the California Wilder-
8 ness Act of 1984 (16 U.S.C. 1132 note; Public
9 Law 98–425).

10 (B) DESCRIPTION OF MAPS.—The maps
11 referred to in subparagraph (A) are—

12 (i) the map entitled “Bear Basin
13 Butte Unit, Siskiyou Proposed Wilderness
14 Additions, Six Rivers National Forest” and
15 dated June 28, 2005; and

16 (ii) the map entitled “Blue Creek
17 Unit, Siskiyou Proposed Wilderness Addi-
18 tion, Six Rivers National Forest” and
19 dated July 21, 2006;

20 (6) MOUNT LASSIC WILDERNESS.—Certain land
21 in the Six Rivers National Forest, comprising ap-
22 proximately 7,279 acres, as generally depicted on the
23 map entitled “Mt. Lassic Proposed Wilderness” and
24 dated June 7, 2005, which shall be known as the
25 “Mount Lassic Wilderness”.

1 (7) TRINITY ALPS WILDERNESS ADDITION.—

2 (A) IN GENERAL.—Certain land in the Six
3 Rivers National Forest, comprising approxi-
4 mately 22,863 acres, as generally depicted on
5 the maps described in subparagraph (B) and
6 which is incorporated in and shall be considered
7 to be a part of the Trinity Alps Wilderness as
8 designated by section 101(a)(34) of the Cali-
9 fornia Wilderness Act of 1984 (16 U.S.C. 1132
10 note; Public Law 98–425).

11 (B) DESCRIPTION OF MAPS.—The maps
12 referred to in subparagraph (A) are—

13 (i) the map entitled “East Fork Unit,
14 Trinity Alps Proposed Wilderness Addi-
15 tion, Six Rivers National Forest” and
16 dated September 17, 2004;

17 (ii) the map entitled “Horse Linto
18 Unit, Trinity Alps Proposed Wilderness
19 Addition, Six Rivers National Forest” and
20 dated September 17, 2004; and

21 (iii) the map entitled “Red Cap Unit,
22 Trinity Alps Proposed Wilderness Addi-
23 tion, Six Rivers National Forest” and
24 dated June 7, 2005.

1 (8) CACHE CREEK WILDERNESS.—Certain land
2 administered by the Bureau of Land Management in
3 Lake County, California, comprising approximately
4 27,245 acres, as generally depicted on the map enti-
5 tled “Cache Creek Wilderness Area” and dated July
6 22, 2006, which shall be known as the “Cache Creek
7 Wilderness”.

8 (9) CEDAR ROUGHS WILDERNESS.—Certain
9 land administered by the Bureau of Land Manage-
10 ment in Napa County, California, comprising ap-
11 proximately 6,350 acres, as generally depicted on the
12 map entitled “Cedar Roughs Wilderness Area” and
13 dated September 27, 2004, which shall be known as
14 the “Cedar Roughs Wilderness”.

15 (10) SOUTH FORK EEL RIVER WILDERNESS.—
16 Certain land administered by the Bureau of Land
17 Management in Mendocino County, California, com-
18 prising approximately 12,915 acres, as generally de-
19 picted on the map entitled “South Fork Eel River
20 Wilderness Area and Elkhorn Ridge Potential Wil-
21 derness” and dated June 16, 2005, which shall be
22 known as the “South Fork Eel River Wilderness”.

23 (11) KING RANGE WILDERNESS.—

24 (A) IN GENERAL.—Certain land adminis-
25 tered by the Bureau of Land Management in

1 Humboldt and Mendocino Counties, California,
2 comprising approximately 42,585 acres, as gen-
3 erally depicted on the map entitled “King
4 Range Wilderness”, and dated November 12,
5 2004, which shall be known as the “King
6 Range Wilderness”.

7 (B) APPLICABLE LAW.—With respect to
8 the wilderness designated by subparagraph (A),
9 in the case of a conflict between this Act and
10 Public Law 91–476 (16 U.S.C. 460y et seq.),
11 the more restrictive provision shall control.

12 (12) ROCKS AND ISLANDS.—

13 (A) IN GENERAL.—All Federally-owned
14 rocks, islets, and islands (whether named or
15 unnamed and surveyed or unsurveyed) that are
16 located—

17 (i) not more than 3 geographic miles
18 off the coast of the King Range National
19 Conservation Area; and

20 (ii) above mean high tide.

21 (B) APPLICABLE LAW.—In the case of a
22 conflict between this Act and Proclamation No.
23 7264 (65 Fed. Reg. 2821), the more restrictive
24 provision shall control.

1 **SEC. 4. ADMINISTRATION OF WILDERNESS AREAS.**

2 (a) **MANAGEMENT.**—Subject to valid existing rights,
3 each area designated as wilderness by section 3 shall be
4 administered by the Secretary in accordance with the Wil-
5 derness Act (16 U.S.C. 1131 et seq.), except that—

6 (1) any reference in that Act to the effective
7 date shall be considered to be a reference to the date
8 of enactment of this Act; and

9 (2) any reference in that Act to the Secretary
10 of Agriculture shall be considered to be a reference
11 to the Secretary that has jurisdiction over the wil-
12 derness.

13 (b) **MAP AND DESCRIPTION.**—

14 (1) **IN GENERAL.**—As soon as practicable after
15 the date of enactment of this Act, the Secretary
16 shall file a map and a legal description of each wil-
17 derness area designated by section 3 with—

18 (A) the Committee on Resources of the
19 House of Representatives; and

20 (B) the Committee on Energy and Natural
21 Resources of the Senate.

22 (2) **FORCE OF LAW.**—A map and legal descrip-
23 tion filed under paragraph (1) shall have the same
24 force and effect as if included in this Act, except
25 that the Secretary may correct errors in the map
26 and legal description.

1 (3) PUBLIC AVAILABILITY.—Each map and
2 legal description filed under paragraph (1) shall be
3 filed and made available for public inspection in the
4 appropriate office of the Secretary.

5 (c) INCORPORATION OF ACQUIRED LAND AND INTER-
6 ESTS.—Any land within the boundary of a wilderness area
7 designated by this Act that is acquired by the Federal
8 Government shall—

9 (1) become part of the wilderness area in which
10 the land is located; and

11 (2) be managed in accordance with this Act, the
12 Wilderness Act (16 U.S.C. 1131 et seq.), and any
13 other applicable law.

14 (d) WITHDRAWAL.—Subject to valid rights in exist-
15 ence on the date of enactment of this Act, the Federal
16 land designated as wilderness by this Act is withdrawn
17 from all forms of—

18 (1) entry, appropriation, or disposal under the
19 public land laws;

20 (2) location, entry, and patent under the mining
21 laws; and

22 (3) disposition under all laws pertaining to min-
23 eral and geothermal leasing or mineral materials.

24 (e) FIRE, INSECT, AND DISEASE MANAGEMENT AC-
25 TIVITIES.—

1 (1) IN GENERAL.—The Secretary may take
2 such measures in the wilderness areas designated by
3 this Act as are necessary for the control and preven-
4 tion of fire, insects, and diseases, in accordance
5 with—

6 (A) section 4(d)(1) of the Wilderness Act
7 (16 U.S.C. 1133(d)(1)); and

8 (B) House Report No. 98–40 of the 98th
9 Congress.

10 (2) REVIEW.—Not later than 1 year after the
11 date of enactment of this Act, the Secretary shall re-
12 view existing policies applicable to the wilderness
13 areas designated by this Act to ensure that author-
14 ized approval procedures for any fire management
15 measures allow a timely and efficient response to
16 fire emergencies in the wilderness areas.

17 (f) ACCESS TO PRIVATE PROPERTY.—

18 (1) IN GENERAL.—The Secretary shall provide
19 any owner of private property within the boundary
20 of a wilderness area designated by this Act adequate
21 access to such property to ensure the reasonable use
22 and enjoyment of the property by the owner.

23 (2) KING RANGE WILDERNESS.—

24 (A) IN GENERAL.—Subject to subpara-
25 graph (B), within the wilderness designated by

1 section 3(11), the access route depicted on the
2 map for private landowners shall also be avail-
3 able for persons invited by the private land-
4 owners.

5 (B) LIMITATION.—Nothing in subpara-
6 graph (A) requires the Secretary to provide any
7 access to the landowners or persons invited by
8 the landowners beyond the access that would be
9 available if the wilderness had not been des-
10 ignated.

11 (g) SNOW SENSORS AND STREAM GAUGES.—If the
12 Secretary determines that hydrologic, meteorologic, or cli-
13 matological instrumentation is appropriate to further the
14 scientific, educational, and conservation purposes of the
15 wilderness areas designated by this Act, nothing in this
16 Act prevents the installation and maintenance of the in-
17 strumentation within the wilderness areas.

18 (h) MILITARY ACTIVITIES.—Nothing in this Act pre-
19 cludes low-level overflights of military aircraft, the des-
20 ignation of new units of special airspace, or the use or
21 establishment of military flight training routes over wil-
22 derness areas designated by this Act.

23 (i) LIVESTOCK.—Grazing of livestock and the mainte-
24 nance of existing facilities related to grazing in wilderness
25 areas designated by this Act, where established before the

1 date of enactment of this Act, shall be permitted to con-
2 tinue in accordance with—

3 (1) section 4(d)(4) of the Wilderness Act (16
4 U.S.C. 1133(d)(4)); and

5 (2) the guidelines set forth in Appendix A of
6 the report of the Committee on Interior and Insular
7 Affairs of the House of Representatives accom-
8 panying H.R. 2570 of the 101st Congress (H. Rept.
9 101–405).

10 (j) FISH AND WILDLIFE MANAGEMENT.—

11 (1) IN GENERAL.—In furtherance of the pur-
12 poses of the Wilderness Act (16 U.S.C. 1131 et
13 seq.), the Secretary may carry out management ac-
14 tivities to maintain or restore fish and wildlife popu-
15 lations and fish and wildlife habitats in wilderness
16 areas designated by this Act if such activities are—

17 (A) consistent with applicable wilderness
18 management plans; and

19 (B) carried out in accordance with applica-
20 ble guidelines and policies.

21 (2) STATE JURISDICTION.—Nothing in this Act
22 affects the jurisdiction of the State of California
23 with respect to fish and wildlife on the public land
24 located in the State.

25 (k) USE BY MEMBERS OF INDIAN TRIBES.—

1 (1) ACCESS.—In recognition of the past use of
2 wilderness areas designated by this Act by members
3 of Indian tribes for traditional cultural and religious
4 purposes, the Secretary shall ensure that Indian
5 tribes have access to the wilderness areas for tradi-
6 tional cultural and religious purposes.

7 (2) TEMPORARY CLOSURES.—

8 (A) IN GENERAL.—In carrying out this
9 section, the Secretary, on request of an Indian
10 tribe, may temporarily close to the general pub-
11 lic 1 or more specific portions of a wilderness
12 area to protect the privacy of the members of
13 the Indian tribe in the conduct of the tradi-
14 tional cultural and religious activities in the wil-
15 derness area.

16 (B) REQUIREMENT.—Any closure under
17 subparagraph (A) shall be made in such a man-
18 ner as to affect the smallest practicable area for
19 the minimum period of time necessary for the
20 activity to be carried out.

21 (3) APPLICABLE LAW.—Access to the wilder-
22 ness areas under this subsection shall be in accord-
23 ance with—

1 (A) Public Law 95–341 (commonly known
2 as the “American Indian Religious Freedom
3 Act”) (42 U.S.C. 1996 et seq.); and

4 (B) the Wilderness Act (16 U.S.C. 1131 et
5 seq.).

6 (l) ADJACENT MANAGEMENT.—

7 (1) IN GENERAL.—Nothing in section 3 creates
8 protective perimeters or buffer zones around any wil-
9 derness area designated by section 3.

10 (2) NONWILDERNESS ACTIVITIES.—The fact
11 that nonwilderness activities or uses can be seen or
12 heard from areas within a wilderness area des-
13 igned by section 3 shall not preclude the conduct
14 of those activities or uses outside the boundary of
15 the wilderness area.

16 (m) CHERRY-STEMMED ROADS.—

17 (1) DEFINITION.—In this subsection, the term
18 “cherry-stemmed road” means a road that is ex-
19 cluded from the wilderness areas designated by sec-
20 tion 3 by a non-wilderness corridor having des-
21 igned wilderness on both sides, as generally de-
22 picted on the maps described in such section.

23 (2) CLOSURES AND RESTRICTIONS.—The Sec-
24 retary shall not—

1 (A) close any cherry-stemmed road that is
2 open to the public as of the date of the enact-
3 ment of this Act;

4 (B) prohibit motorized access on a cherry-
5 stemmed road that is open to the public for mo-
6 torized access as of the date of the enactment
7 of this Act; or

8 (C) prohibit mechanized access on a cher-
9 ry-stemmed road that is open to the public for
10 mechanized access as of the date of the enact-
11 ment of this Act.

12 (3) EXCEPTIONS.—Nothing in this subsection
13 shall be construed as precluding the Secretary from
14 closing or restricting access to a cherry-stemmed
15 road for purposes of significant resource protection
16 or public safety.

17 **SEC. 5. RELEASE OF WILDERNESS STUDY AREAS.**

18 (a) FINDING.—Congress finds that, for the purposes
19 of section 603 of the Federal Land Policy and Manage-
20 ment Act of 1976 (43 U.S.C. 1782), any portion of a wil-
21 derness study area described in subsection (b) that is not
22 designated as wilderness by section 3 or any previous Act
23 has been adequately studied for wilderness.

24 (b) DESCRIPTION OF STUDY AREAS.—The study
25 areas referred to in subsection (a) are—

1 (1) the King Range Wilderness Study Area;
2 (2) the Chemise Mountain Instant Study Area;
3 (3) the Red Mountain Wilderness Study Area;
4 (4) the Cedar Roughts Wilderness Study Area;
5 and

6 (5) those portions of the Rocky Creek/Cache
7 Creek Wilderness Study Area in Lake County, Cali-
8 fornia which are not in R. 5 W., T. 12 N., sec. 22,
9 Mount Diablo Meridian.

10 (c) RELEASE.—Any portion of a wilderness study
11 area described in subsection (b) that is not designated as
12 wilderness by section 3 or any other Act enacted before
13 the date of enactment of this Act shall not be subject to
14 section 603(c) of the Federal Land Policy and Manage-
15 ment Act of 1976 (43 U.S.C. 1782(c)).

16 **SEC. 6. ELKHORN RIDGE POTENTIAL WILDERNESS AREA.**

17 (a) DESIGNATION.—In furtherance of the purposes of
18 the Wilderness Act (16 U.S.C. 1131 et seq.), certain pub-
19 lic land in the State administered by the Bureau of Land
20 Management, comprising approximately 11,271 acres,
21 as generally depicted on the map entitled “South Fork Eel
22 River Wilderness Area and Elkhorn Ridge Potential Wil-
23 derness” and dated June 16, 2005, is designated as a po-
24 tential wilderness area.

1 (b) MANAGEMENT.—Except as provided in subsection
2 (c) and subject to valid existing rights, the Secretary shall
3 manage the potential wilderness area as wilderness until
4 the potential wilderness area is designated as wilderness
5 under subsection (d).

6 (c) ECOLOGICAL RESTORATION.—

7 (1) IN GENERAL.—For purposes of ecological
8 restoration (including the elimination of non-native
9 species, removal of illegal, unused, or decommis-
10 sioned roads, repair of skid tracks, and any other
11 activities necessary to restore the natural ecosystems
12 in the potential wilderness area), the Secretary may
13 use motorized equipment and mechanized transport
14 in the potential wilderness area until the potential
15 wilderness area is designated as wilderness under
16 subsection (d).

17 (2) LIMITATION.—To the maximum extent
18 practicable, the Secretary shall use the minimum
19 tool or administrative practice necessary to accom-
20 plish ecological restoration with the least amount of
21 adverse impact on wilderness character and re-
22 sources.

23 (d) EVENTUAL WILDERNESS DESIGNATION.—The
24 potential wilderness area shall be designated as wilderness

1 and as a component of the National Wilderness Preserva-
2 tion System on the earlier of—

3 (1) the date on which the Secretary publishes in
4 the Federal Register notice that the conditions in
5 the potential wilderness area that are incompatible
6 with the Wilderness Act (16 U.S.C. 1131 et seq.)
7 have been removed; or

8 (2) the date that is 5 years after the date of en-
9 actment of this Act.

10 (e) ADMINISTRATION AS WILDERNESS.—On its des-
11 ignation as wilderness under subsection (d), the potential
12 wilderness area shall be—

13 (1) known as the “Elkhorn Ridge Wilderness”;
14 and

15 (2) administered in accordance with section 4
16 and the Wilderness Act (16 U.S.C. 1131 et seq.).

17 **SEC. 7. WILD AND SCENIC RIVER DESIGNATION.**

18 (a) DESIGNATION OF BLACK BUTTE RIVER, CALI-
19 FORNIA.—Section 3(a) of the Wild and Scenic Rivers Act
20 (16 U.S.C. 1274(a)) is amended by adding at the end the
21 following:

22 “(____) BLACK BUTTE RIVER, CALIFORNIA.—The
23 following segments of the Black Butte River in the State
24 of California, to be administered by the Secretary of Agri-
25 culture:

1 “(A) The 16 miles of Black Butte River, from
2 the Mendocino County Line to its confluence with
3 Jumpoff Creek, as a wild river.

4 “(B) The 3.5 miles of Black Butte River from
5 its confluence with Jumpoff Creek to its confluence
6 with Middle Eel River, as a scenic river.

7 “(C) The 1.5 miles of Cold Creek from the
8 Mendocino County Line to its confluence with Black
9 Butte River, as a wild river.”.

10 (b) PLAN; REPORT.—

11 (1) IN GENERAL.—Not later than 18 months
12 after the date of enactment of this Act, the Sec-
13 retary of Agriculture shall submit to Congress—

14 (A) a fire management plan for the Black
15 Butte River segments designated by the amend-
16 ment made by subsection (a); and

17 (B) a report on the cultural and historic
18 resources within those segments.

19 (2) TRANSMITTAL TO COUNTY.—The Secretary
20 of Agriculture shall transmit to the Board of Super-
21 visors of Mendocino County, California, a copy of
22 the plan and report submitted under paragraph (1).

1 **SEC. 8. KING RANGE NATIONAL CONSERVATION AREA**
2 **BOUNDARY ADJUSTMENT.**

3 Section 9 of Public Law 91–476 (16 U.S.C. 460y–
4 8) is amended by adding at the end the following:

5 “(d) In addition to the land described in subsections
6 (a) and (c), the land identified as the King Range Na-
7 tional Conservation Area Additions on the map entitled
8 ‘King Range Wilderness’ and dated November 12, 2004,
9 is included in the Area.”.

10 **SEC. 9. COW MOUNTAIN RECREATION AREA, LAKE AND**
11 **MENDOCINO COUNTIES, CALIFORNIA.**

12 (a) ESTABLISHMENT.—In order to enhance the rec-
13 reational and scenic values of the Cow Mountain area in
14 Lake and Mendocino Counties, California, while con-
15 serving the wildlife and other natural resource values of
16 the area, there is hereby established the Cow Mountain
17 Recreation Area (in this section referred to as the “recre-
18 ation area”) consisting of approximately 51,513 acres of
19 land in such counties, as generally depicted on the map
20 entitled “Cow Mountain Recreation Area” and dated July,
21 22, 2006, including the following:

22 (1) The “South Cow Mountain OHV Manage-
23 ment Area”, as generally depicted on the map.

24 (2) The “North Cow Mountain Recreation
25 Area”, as generally depicted on the map.

1 (b) LEGAL DESCRIPTIONS; CORRECTION OF ER-
2 RORS.—

3 (1) PREPARATION AND SUBMISSION.—As soon
4 as practicable after the date of the enactment of this
5 Act, the Secretary of the Interior shall prepare a
6 map and legal descriptions of the boundaries of the
7 recreation area. The Secretary shall submit the map
8 and legal descriptions to the Committee on Re-
9 sources of the House of Representatives and to the
10 Committee on Energy and Natural Resources of the
11 Senate.

12 (2) LEGAL EFFECT.—The map and legal de-
13 scriptions of the recreation area shall have the same
14 force and effect as if included in this Act, except
15 that the Secretary may correct clerical and typo-
16 graphical errors in the map and legal descriptions.
17 The map shall be on file and available for public in-
18 spection in appropriate offices of the Bureau of
19 Land Management.

20 (c) ADMINISTRATION.—

21 (1) IN GENERAL.—The Secretary of the Inte-
22 rior shall administer the recreation area in accord-
23 ance with this section and the laws and regulations
24 generally applicable to the public lands, including

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

3 (2) EXISTING RIGHTS.—The establishment of
4 the recreation area shall be subject to all valid exist-
5 ing rights.

6 (d) RECREATIONAL ACTIVITIES.—

7 (1) IN GENERAL.—The Secretary of the Inte-
8 rior shall continue to authorize, maintain, and en-
9 hance the recreational use of the land included in
10 the recreation area, including motorized recreation,
11 hiking, camping, mountain biking, sightseeing, and
12 horseback riding, as long as such recreational use is
13 consistent with this section and other applicable law.

14 (2) OFF-ROAD AND MOTORIZED RECREATION.—
15 Motorized recreation shall be a prescribed use within
16 the South Cow Mountain OHV Management Area,
17 occurring only on roads and trails designated by the
18 Secretary for such use, except as needed for admin-
19 istrative purposes or to respond to an emergency.
20 Nothing in this paragraph shall be construed as pre-
21 cluding the Secretary from closing any trail or route
22 from use for purposes of resource protection or pub-
23 lic safety.

24 (3) MOUNTAIN BIKING.—Mountain biking shall
25 be a prescribed use within the recreation area, oc-

1 curring only on roads and trails designated by the
2 Secretary for such use. Nothing in this paragraph
3 shall be construed as precluding the Secretary from
4 closing any trail or route from use for purposes of
5 resource protection or public safety.

6 (e) ACCESS TO PRIVATE PROPERTY.—The Secretary
7 of the Interior shall provide any owner of private property
8 within the boundaries of the recreation area adequate ac-
9 cess to the property to ensure the reasonable use and en-
10 joyment of the property by the owner.

11 (f) LAND ACQUISITION.—

12 (1) ACQUISITION FROM WILLING PERSONS
13 ONLY.—The Secretary of the Interior may acquire
14 lands or interests in lands in the recreation area
15 only by—

16 (A) donation;

17 (B) exchange with a willing party, as ex-
18 pressed in a written agreement between the
19 Secretary and the party; or

20 (C) purchase from a willing seller, as ex-
21 pressed in a written agreement between the
22 Secretary and the seller.

23 (2) ADMINISTRATION OF ACQUIRED LANDS.—

24 Lands or interests in lands within or adjacent to the
25 boundaries of the recreation area that are acquired

1 by the Bureau of Land Management, and title or
2 possession of which is vested in the United States
3 after the date of the enactment of this Act, shall be
4 managed by the Secretary as part of the recreation
5 area.

6 (g) ADJACENT MANAGEMENT.—Nothing in this sec-
7 tion creates protective perimeters or buffer zones around
8 the recreation area.

9 **SEC. 10. CONTINUATION OF TRADITIONAL COMMERCIAL**
10 **SURF FISHING, REDWOOD NATIONAL AND**
11 **STATE PARKS.**

12 (a) AVAILABILITY OF LIMITED NUMBER OF PER-
13 MITS.—For the sole purpose of continuing traditional
14 commercial surf fishing, the Secretary of the Interior shall
15 permit the right of entry for authorized vehicle access onto
16 the wave slope area at that area known as Gold Bluffs
17 Beach, Prairie Creek Redwoods State Park, and that por-
18 tion of the beach north and south of Redwood Creek in
19 Redwood National and State Parks. The number of per-
20 mits issued under the authority of this section shall be
21 limited to the number of valid permits that were held on
22 the date of enactment of this Act. The permits so issued
23 shall be perpetual and subject to the same conditions as
24 the permits held on the date of the enactment of this Act.

1 (b) WAVE SLOPE AREA DEFINED.—In this section,
2 the term “wave slope area” refers to the area that has
3 been wet by the wave action of the previous high tide, but
4 does not include any vegetated areas.

Passed the House of Representatives July 24, 2006.

Attest:

Clerk.