S. 173

To establish the Sacramento River National Recreation Area in the State of California.

IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 5), 2011

Mrs. BOXER (for herself and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Sacramento River National Recreation Area in the State of California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sacramento River National Recreation Area Act of 2011”.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADVISORY COUNCIL.—The term “Advisory Council” means the Sacramento River National
Recreation Area Advisory Council established by section 5(a).

(2) MANAGEMENT PLAN.—The term “management plan” means the management plan for the Recreation Area prepared under section 4(c).

(3) RECREATION AREA.—The term “Recreation Area” means the Sacramento River National Recreation Area.

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

(5) STATE.—The term “State” means the State of California.

SEC. 3. ESTABLISHMENT OF SACRAMENTO RIVER NATIONAL RECREATION AREA.

(a) IN GENERAL.—To conserve, protect, and enhance the landscape described in subsection (b) in order to promote the outstanding recreational, ecological, geological, scenic, cultural, and historic resources, fish and wildlife values, and other resources of the landscape, there is established the Sacramento River National Recreation Area in the State, to be managed by the Secretary.

(b) BOUNDARIES.—The Recreation Area shall consist of approximately 17,869 acres of Federal land in Tehama County and Shasta County, California, adjacent to the Sacramento River, lower Battle Creek, and lower Paynes
Creek, as generally depicted on the map entitled “Sacramento River National Recreation Area” and dated February 2, 2010.

(c) Map.—

(1) In general.—As soon as practicable, but not later than 3 years, after the date of enactment of this Act, the Secretary shall submit a map and legal description of the Recreation Area to—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) Effect.—The map and legal description submitted under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical and typographical errors in the map and legal description.

(3) Availability.—Copies of the map submitted under paragraph (1) shall be on file and available for public inspection in—

(A) the Office of the Director of the Bureau of Land Management; and

(B) the appropriate office of the Bureau of Land Management in California.
(d) INCLUSION IN NATIONAL LANDSCAPE CONSERVATION SYSTEM.—The Recreation Area shall be included in the National Landscape Conservation System.

SEC. 4. MANAGEMENT.

(a) IN GENERAL.—The Secretary shall manage the Recreation Area to further the purposes described in section 3(a), in accordance with—

(1) this Act;

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

(3) any other applicable law.

(b) USES.—The Secretary shall only allow uses of the Recreation Area that would further the purposes for which the area is designated, as described in section 3(a).

(c) RECREATION AREA MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit a comprehensive plan for the long-range protection and management of the Recreation Area to—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.
(2) CONTENTS OF PLAN.—The management plan—

(A) shall describe the appropriate uses and management of the Recreation Area in accordance with this Act;

(B) may incorporate any appropriate decisions, as determined by the Secretary, in accordance with this Act, that are contained in any management or activity plan for the area completed before the date of enactment of this Act;

(C) may incorporate appropriate wildlife habitat management plans or other plans prepared for the land within or adjacent to the Recreation Area before the date of enactment of this Act, in accordance with this Act;

(D) shall include a monitoring and enforcement strategy;

(E) shall be prepared in consultation with—

(i) the Sacramento River National Recreation Area Advisory Council;

(ii) appropriate Federal, State, and local agencies (including Tehama County and Shasta County, California);
(iii) adjacent landowners; and

(iv) other stakeholders; and

(F) may use information developed under any studies of land within or adjacent to the Recreation Area carried out before the date of enactment of this Act.

(d) ACQUISITION OF PROPERTY.—

(1) IN GENERAL.—The Secretary may acquire land adjacent to the National Recreation Area by purchase from willing sellers, donation, or exchange.

(2) MANAGEMENT.—Any land acquired under paragraph (1) shall be managed in accordance with—

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

(B) this Act; and

(C) any other applicable law (including regulations).

(3) IMPROVED ACCESS.—The Secretary may acquire, through voluntary sale, donation, exchange, or easement, land or interest in land to improve public safety in providing access to the Recreation Area.

(e) PRIVATE PROPERTY.—

(1) ACCESS TO PRIVATE PROPERTY.—
(A) IN GENERAL.—The Secretary shall provide landowners adequate access to inholdings within the Recreation Area.

(B) INHOLDINGS.—For access purposes, private land adjacent to the Recreation Area to which there is no other practicable access except through the Recreation Area shall be man-aged as an inholding.

(2) USE OF PRIVATE PROPERTY.—Nothing in this Act affects the ownership, management, or other rights relating to any non-Federal land (including any interest in any non-Federal land).

(3) BUFFER ZONES.—Nothing in this Act creates a protective perimeter or buffer zone around any area designated as a Recreation Area by this Act.

(4) VALID RIGHTS.—Nothing in this Act affects any easements, rights-of-way, and other valid rights in existence on the date of enactment of this Act.

(f) WATER RIGHT EXCLUSION.—Nothing in this Act—

(1) shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with
respect to the land designated as a National Recreation Area by section 3(a); or

(2) shall affect any water rights existing on the date of enactment of this Act.

(g) HUNTING AND FISHING.—Nothing in this Act—

(1) limits hunting or fishing; or

(2) affects the authority, jurisdiction, or responsibility of the State to manage, control, or regulate fish and resident wildlife under State law (including regulations), including the regulation of hunting or fishing on public land managed by the Bureau of Land Management.

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

(i) MOTORIZED BOATS.—

(1) IN GENERAL.—Nothing in this Act restricts the use of motorized boats on the Sacramento River.

(2) REGULATION.—Tehama County and Shasta County, California, and the California Department of Boating and Waterways shall retain authority to
regulate motorized boating for the purpose of ensuring public safety and environmental protection.

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

(1) this Act;

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

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

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

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

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

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.
SEC. 5. SACRAMENTO RIVER NATIONAL RECREATION AREA

ADVISORY COUNCIL.

(a) ESTABLISHMENT.—There is established an advisory council to be known as the “Sacramento River National Recreation Area Advisory Council”.

(b) PURPOSE.—The purposes of the Advisory Council are—

(1) to ensure public involvement in the management of the Recreation Area;

(2) to provide advice and recommendations to the Secretary relating to the development, implementation, and amendment of the management plan; and

(3) to improve collaborative relationships among persons and entities interested in the management of the Recreation Area.

(c) COMPOSITION OF COUNCIL.—The Advisory Council shall consist of 11 members, of whom—

(1) 3 members shall be appointed by the Secretary, based on recommendations from the Board of Supervisors of Tehama County, to represent Tehama County, California;

(2) 1 member shall be appointed by the Secretary, based on recommendations from the Board of Supervisors of Shasta County, to represent Shasta County, California;
(3) 1 member shall be appointed by the Secretary to represent the conservation community that is carrying out conservation activities in or near the Recreation Area;

(4) 1 member shall be appointed by the Secretary from the livestock grazing community in or near the Recreation Area;

(5) 1 member shall be appointed by the Secretary to represent Indian tribes in or near the Recreation Area; and

(6) 4 members shall be appointed by the Secretary to represent different sectors of the recreation community that are carrying out activities in or near the Recreation Area.

(d) TERMS.—

(1) IN GENERAL.—Except as provided in paragraph (3), a member of the Advisory Council shall be appointed to a term of 4 years.

(2) REAPPOINTMENT.—A member of the Advisory Council may be reappointed to additional 4-year terms.

(3) INITIAL TERM.—Of the members initially appointed to the Advisory Council—

(A) 5 shall be appointed for a term of 2 years; and
(B) 6 shall be appointed for a term of 4 years.

(c) CHAIRPERSON.—

(1) IN GENERAL.—The Advisory Council shall elect a member of the Advisory Council to serve as chairperson of the Advisory Council.

(2) TERM.—The chairperson of the Advisory Council shall serve for a term of 1 year.

(3) REELECTION.—The chairperson may be re-elected for additional 1-year terms.

(f) CONSULTATION WITH SECRETARY.—The Secretary shall consult with the Advisory Council on a periodic basis to discuss matters relating to the development and implementation of the management plan for the Recreation Area.

(g) MEETINGS.—

(1) IN GENERAL.—The Advisory Council shall meet—

(A) at the call of the Secretary; but

(B) not less than—

(i) 4 times annually while the management plan is being developed, unless a majority of members of the Advisory Council determine the meetings to be unnecessary; and
(ii) not less than annually after the management plan is completed.

(2) PUBLIC ACCESS.—All meetings of the Advisory Council shall be open to the public.

(3) PUBLIC COMMENTS.—During meetings, the Advisory Council shall provide interested persons a reasonable opportunity to comment on the management of the Recreation Area.

(4) NOTICE.—The Secretary shall provide appropriate notice of the time, date, and location of each meeting of the Advisory Council.

(h) COMPENSATION.—Members of the Advisory Council shall serve without pay.

(i) TERMINATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Advisory Council shall terminate on the date that is 20 years after the date of enactment of this Act.

(2) EXCEPTION.—The Secretary may, at the request of the Advisory Council, extend the authority of the Advisory Council beyond the date specified in paragraph (1).
SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act such sums as are necessary.