activity must be limited in size and number to the minimum necessary to
accomplish the purpose of the harvest,
and must blend with the natural land-
scape to the extent practicable.

(b) Wild and Scenic Rivers. The fol-
lowing standards and guidelines apply
to timber harvesting activities in the
Wild and Scenic Rivers category of the
HCNRA.

(1) Timber may be harvested on river
segments classified “scenic” or “rec-
reational” to protect and enhance the
values for which the river was des-
ignated.

(2) Timber may be harvested on river
segments classified “wild” only when
necessary to provide for recreational
facilities such as trails, to reduce the
risk of hazard trees, or to respond to
natural events provided that the activ-
ity is consistent with the Wild and Sce-
nic Rivers Act.

(3) Where authorized, timber har-
vesting activities on wild and scenic
rivers may be conducted in accordance
with and using the same methods as
prescribed in section (a)(2) above.

(c) Wilderness Lands. Except as pro-
vided for in Sections 4 (c) and (d) of the
Wilderness Act and regulations at 36
CFR part 293, timber harvesting is pro-
hibited on Wilderness Lands.

§292.47 Mining activities.

(a) Other Lands. The standards and
guidelines of this section apply to min-
ing activities in the Other Lands cat-
egory of the HCNRA.

(1) All mining activities are prohib-
ited subject to valid existing rights as
of December 31, 1975.

(2) The impact of mining activities
including, but not limited to, drilling
and the development of ingress and
egress routes, must be minimized and
directed away from Wilderness Lands
and Wild and Scenic Rivers to the ex-
tent practicable.

(3) Mineral materials including, but
not limited to common varieties of
gravel, sand, or stone, may be used
only within the HCNRA for the purpose
of construction and maintenance of fa-
cilities including, but not limited to,
roads, airfields, trails, and recreation
developments.

(4) Sources of mineral materials
should be located outside the HCNRA.

Sources for mineral materials that
may be used to benefit the HCNRA
may be located inside the HCNRA if
the cost of obtaining the materials out-
side the HCNRA adds significantly to
the costs of the materials, or the trans-
portation of mineral materials from
outside the HCNRA presents a safety
hazard. When mineral materials are ob-
tained from inside the HCNRA, the en-
vironmental effects at the source of ex-
traction must be mitigated by site rec-
clamation upon the termination of the
extraction activity. Site reclamation
may include contouring the land, re-es-
ablishing vegetation, and other meas-
ures deemed appropriate by the author-
ized officer to blend the site into the
surrounding environment to the extent
practicable. The HCNRA shall not be
the source of mineral materials for use
outside the HCNRA for projects that do
not directly benefit the HCNRA.

(b) Wilderness Lands and Wild and Sce-
nic Rivers. The standards and guidelines
of this section apply to mining activi-
ties in the Wilderness Lands and Wild
and Scenic Rivers categories of the
HCNRA.

(1) The standards and guidelines for
Other Lands in paragraphs (a)(1) and (2)
of this section also apply to Wilderness
Lands and Wild and Scenic Rivers.

(2) Extraction of mineral materials is
prohibited on Wilderness Lands and
Wild and Scenic Rivers subject to valid
existing rights.

§292.48 Grazing activities.

The following standards and guide-
lines apply to domestic livestock graz-
ing activities on Other Lands, Wild and
Scenic Rivers, and Wilderness Lands in
the HCNRA.

(a) Grazing may be authorized only
on rangeland determined by the au-
thorized officer to be suitable for graz-
ing and meeting or moving towards
satisfactory condition and meeting the
conditions described in paragraph (b) of
this section.

(b) Where domestic livestock grazing
is incompatible with the protection,
restoration, or maintenance of fish and
wildlife or their habitats; public out-
door recreation; conservation of scenic,
wilderness, and scientific values; rare
combinations of outstanding ecosystems, or the protection and enhancement of the values for which a wild and scenic river was designated, the livestock use shall be modified as necessary to eliminate or avoid the incompatibility. In the event an incompatibility persists after the modification or modification is not feasible, the livestock use shall be terminated.

(c) Range improvements must be designed and located to minimize their impact on scenic, cultural, fish and wildlife, and other resources in the HCNRA.

(d) The authorization of grazing use, through a grazing permit, must provide for terms and conditions which protect and conserve riparian areas.

Subpart G—Smith River National Recreation Area

AUTHORITY: 16 U.S.C. 460bbb et seq.

SOURCE: 63 FR 15059, Mar. 27, 1998, unless otherwise noted.

§ 292.60 Purpose and scope.

(a) Purpose. The regulations of this subpart set forth the rules and procedures by which the Forest Service regulates mineral operations on National Forest System lands within the Smith River National Recreation Area as established by Congress in the Smith River National Recreation Area Act of 1990 (16 U.S.C. 460bbb et seq.).

(b) Scope. The rules of this subpart apply only to mineral operations on National Forest System lands within the Smith River National Recreation Area.

(c) Applicability of other rules. The rules of this subpart supplement existing Forest Service regulations concerning the review, approval, and administration of mineral operations on National Forest System lands including, but not limited to, those set forth at parts 228, 251, and 261 of this chapter.

(d) Conflicts. In the event of conflict or inconsistency between the rules of this subpart and other parts of this chapter, the rules of this subpart take precedence, to the extent allowable by law.

§ 292.61 Definitions.

The special terms used in this subpart have the following meaning:


Authorized officer means the Forest Service officer to whom authority has been delegated to take actions pursuant to the provisions of this subpart.

Hazardous material means any hazardous substance, pollutant, contaminant, hazardous waste, and oil or other petroleum products, as those terms are defined under any Federal, State, or local law or regulation.

Outstanding mineral rights means the rights owned by a party other than the surface owner at the time the surface was conveyed to the United States.

SRNRA is the abbreviation for the Smith River National Recreation Area, located within the Six Rivers National Forest, California.

§ 292.62 Valid existing rights.

(a) Definition. For the purposes of this subpart, valid existing rights are defined as follows:

(1) For certain “Wild” River segments. The rights associated with all mining claims on National Forest System lands within the SRNRA in “wild” segments of the Wild and Scenic Smith River, Middle Fork Smith River, North Fork Smith River, Siskiyou Fork Smith River, South Fork Smith River, and their designated tributaries, except Peridotite Creek, Harrington Creek, and the lower 2.5 miles of Myrtle Creek, which:

(i) Were properly located prior to January 19, 1981;
(ii) Were properly maintained thereafter under the applicable law;
(iii) Were supported by a discovery of a valuable mineral deposit within the meaning of the United States mining laws prior to January 19, 1981, which discovery has been continuously maintained since that date; and
(iv) Continue to be valid.

(2) For Siskiyou Wilderness. The rights associated with all mining claims on National Forest System lands within the SRNRA in the Siskiyou Wilderness except, those within the Gasquet-Oldeans Corridor addition or those rights...