

## Calendar No. 533

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R. 233**

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IN THE SENATE OF THE UNITED STATES

JULY 25, 2006

Received; read twice and placed on the calendar

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**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.

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”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
2 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.

3 **SEC. 2. DEFINITION OF SECRETARY.**

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

5 (1) with respect to land under the jurisdiction  
6 of the Secretary of Agriculture, the Secretary of Ag-  
7 riculture; and

8 (2) with respect to land under the jurisdiction  
9 of the Secretary of the Interior, the Secretary of the  
10 Interior.

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

12 In accordance with the Wilderness Act (16 U.S.C.  
13 1131 et seq.), the following areas in the State of California  
14 are designated as wilderness areas and as components of  
15 the National Wilderness Preservation System:

16 (1) SNOW MOUNTAIN WILDERNESS ADDITION.—

17 (A) IN GENERAL.—Certain land in the  
18 Mendocino National Forest, comprising ap-  
19 proximately 23,706 acres, as generally depicted  
20 on the maps described in subparagraph (B), is

1 incorporated in and shall considered to be a  
2 part of the “Snow Mountain Wilderness”, as  
3 designated by section 101(a)(31) of the Cali-  
4 fornia Wilderness Act of 1984 (16 U.S.C. 1132  
5 note; Public Law 98–425).

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

8 (i) the map entitled “Skeleton Glade  
9 Unit, Snow Mountain Proposed Wilderness  
10 Addition, Mendocino National Forest” and  
11 dated April 21, 2005; and

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

16 (2) SANHEDRIN WILDERNESS.—Certain land in  
17 the Mendocino National Forest, comprising approxi-  
18 mately 10,571 acres, as generally depicted on the  
19 map entitled “Sanhedrin Proposed Wilderness,  
20 Mendocino National Forest” and dated April 21,  
21 2005, which shall be known as the “Sanhedrin Wil-  
22 derness”.

23 (3) YUKI WILDERNESS.—Certain land in the  
24 Mendocino National Forest and certain land admin-  
25 istered by the Bureau of Land Management in Lake

1 and Mendocino Counties, California, together com-  
2 prising approximately 53,887 acres, as generally de-  
3 picted on the map entitled “Yuki Proposed Wilder-  
4 ness” and dated May 23, 2005, which shall be  
5 known as the “Yuki Wilderness”.

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

18 (5) SISKIYOU WILDERNESS ADDITION.—

19 (A) IN GENERAL.—Certain land in the Six  
20 Rivers National Forest, comprising approxi-  
21 mately 30,122 acres, as generally depicted on  
22 the maps described in subparagraph (B), is in-  
23 corporated in and shall be considered to be a  
24 part of the Siskiyou Wilderness, as designated  
25 by section 101(a)(30) of the California Wilder-

1           ness Act of 1984 (16 U.S.C. 1132 note; Public  
2           Law 98–425).

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

5                   (i) the map entitled “Bear Basin  
6                   Butte Unit, Siskiyou Proposed Wilderness  
7                   Additions, Six Rivers National Forest” and  
8                   dated June 28, 2005; and

9                   (ii) the map entitled “Blue Creek  
10                   Unit, Siskiyou Proposed Wilderness Addi-  
11                   tion, Six Rivers National Forest” and  
12                   dated July 21, 2006;

13           (6) MOUNT LASSIC WILDERNESS.—Certain land  
14           in the Six Rivers National Forest, comprising ap-  
15           proximately 7,279 acres, as generally depicted on the  
16           map entitled “Mt. Lassic Proposed Wilderness” and  
17           dated June 7, 2005, which shall be known as the  
18           “Mount Lassic Wilderness”.

19           (7) TRINITY ALPS WILDERNESS ADDITION.—

20                   (A) IN GENERAL.—Certain land in the Six  
21                   Rivers National Forest, comprising approxi-  
22                   mately 22,863 acres, as generally depicted on  
23                   the maps described in subparagraph (B) and  
24                   which is incorporated in and shall be considered  
25                   to be a part of the Trinity Alps Wilderness as

1 designated by section 101(a)(34) of the Cali-  
2 fornia Wilderness Act of 1984 (16 U.S.C. 1132  
3 note; Public Law 98–425).

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

6 (i) the map entitled “East Fork Unit,  
7 Trinity Alps Proposed Wilderness Addi-  
8 tion, Six Rivers National Forest” and  
9 dated September 17, 2004;

10 (ii) the map entitled “Horse Linto  
11 Unit, Trinity Alps Proposed Wilderness  
12 Addition, Six Rivers National Forest” and  
13 dated September 17, 2004; and

14 (iii) the map entitled “Red Cap Unit,  
15 Trinity Alps Proposed Wilderness Addi-  
16 tion, Six Rivers National Forest” and  
17 dated June 7, 2005.

18 (8) CACHE CREEK WILDERNESS.—Certain land  
19 administered by the Bureau of Land Management in  
20 Lake County, California, comprising approximately  
21 27,245 acres, as generally depicted on the map enti-  
22 tled “Cache Creek Wilderness Area” and dated July  
23 22, 2006, which shall be known as the “Cache Creek  
24 Wilderness”.

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

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

16           (11) KING RANGE WILDERNESS.—

17           (A) IN GENERAL.—Certain land adminis-  
18 tered by the Bureau of Land Management in  
19 Humboldt and Mendocino Counties, California,  
20 comprising approximately 42,585 acres, as gen-  
21 erally depicted on the map entitled “King  
22 Range Wilderness”, and dated November 12,  
23 2004, which shall be known as the “King  
24 Range Wilderness”.

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

6           (12) ROCKS AND ISLANDS.—

7           (A) IN GENERAL.—All Federally-owned  
8           rocks, islets, and islands (whether named or  
9           unnamed and surveyed or unsurveyed) that are  
10          located—

11                   (i) not more than 3 geographic miles  
12                   off the coast of the King Range National  
13                   Conservation Area; and

14                   (ii) above mean high tide.

15          (B) APPLICABLE LAW.—In the case of a  
16          conflict between this Act and Proclamation No.  
17          7264 (65 Fed. Reg. 2821), the more restrictive  
18          provision shall control.

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

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

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

4           (2) any reference in that Act to the Secretary  
5 of Agriculture shall be considered to be a reference  
6 to the Secretary that has jurisdiction over the wil-  
7 derness.

8 (b) MAP AND DESCRIPTION.—

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

13                   (A) the Committee on Resources of the  
14 House of Representatives; and

15                   (B) the Committee on Energy and Natural  
16 Resources of the Senate.

17           (2) FORCE OF LAW.—A map and legal descrip-  
18 tion filed under paragraph (1) shall have the same  
19 force and effect as if included in this Act, except  
20 that the Secretary may correct errors in the map  
21 and legal description.

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

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

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

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

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

14           (1) entry, appropriation, or disposal under the  
15 public land laws;

16           (2) location, entry, and patent under the mining  
17 laws; and

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

20          (e) FIRE, INSECT, AND DISEASE MANAGEMENT AC-  
21 TIVITIES.—

22           (1) IN GENERAL.—The Secretary may take  
23 such measures in the wilderness areas designated by  
24 this Act as are necessary for the control and preven-

1 tion of fire, insects, and diseases, in accordance  
2 with—

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

5 (B) House Report No. 98–40 of the 98th  
6 Congress.

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

14 (f) ACCESS TO PRIVATE PROPERTY.—

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

20 (2) KING RANGE WILDERNESS.—

21 (A) IN GENERAL.—Subject to subpara-  
22 graph (B), within the wilderness designated by  
23 section 3(11), the access route depicted on the  
24 map for private landowners shall also be avail-

1           able for persons invited by the private land-  
2           owners.

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

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

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

21          (i) LIVESTOCK.—Grazing of livestock and the mainte-  
22          nance of existing facilities related to grazing in wilderness  
23          areas designated by this Act, where established before the  
24          date of enactment of this Act, shall be permitted to con-  
25          tinue in accordance with—

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

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

8 (j) FISH AND WILDLIFE MANAGEMENT.—

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

15 (A) consistent with applicable wilderness  
16 management plans; and

17 (B) carried out in accordance with applica-  
18 ble guidelines and policies.

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

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

24 (1) ACCESS.—In recognition of the past use of  
25 wilderness areas designated by this Act by members

1 of Indian tribes for traditional cultural and religious  
2 purposes, the Secretary shall ensure that Indian  
3 tribes have access to the wilderness areas for tradi-  
4 tional cultural and religious purposes.

5 (2) TEMPORARY CLOSURES.—

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

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

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

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

1 (B) the Wilderness Act (16 U.S.C. 1131 et  
2 seq.).

3 (l) ADJACENT MANAGEMENT.—

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

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

13 (m) CHERRY-STEMMED ROADS.—

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

20 (2) CLOSURES AND RESTRICTIONS.—The Sec-  
21 retary shall not—

22 (A) close any cherry-stemmed road that is  
23 open to the public as of the date of the enact-  
24 ment of this Act;

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

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

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

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

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

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

- 23 (1) the King Range Wilderness Study Area;  
24 (2) the Chemise Mountain Instant Study Area;  
25 (3) the Red Mountain Wilderness Study Area;

1 (4) the Cedar Roughs Wilderness Study Area;  
2 and

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

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

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

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

22 (b) MANAGEMENT.—Except as provided in subsection  
23 (c) and subject to valid existing rights, the Secretary shall  
24 manage the potential wilderness area as wilderness until

1 the potential wilderness area is designated as wilderness  
2 under subsection (d).

3 (c) ECOLOGICAL RESTORATION.—

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

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

20 (d) EVENTUAL WILDERNESS DESIGNATION.—The  
21 potential wilderness area shall be designated as wilderness  
22 and as a component of the National Wilderness Preserva-  
23 tion System on the earlier of—

24 (1) the date on which the Secretary publishes in  
25 the Federal Register notice that the conditions in

1 the potential wilderness area that are incompatible  
2 with the Wilderness Act (16 U.S.C. 1131 et seq.)  
3 have been removed; or

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

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

9 (1) known as the “Elkhorn Ridge Wilderness”;

10 and

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

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

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

18 “(\_\_\_\_) BLACK BUTTE RIVER, CALIFORNIA.—The  
19 following segments of the Black Butte River in the State  
20 of California, to be administered by the Secretary of Agri-  
21 culture:

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

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

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

7 (b) PLAN; REPORT.—

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

11           (A) a fire management plan for the Black  
12 Butte River segments designated by the amend-  
13 ment made by subsection (a); and

14           (B) a report on the cultural and historic  
15 resources within those segments.

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

20 **SEC. 8. KING RANGE NATIONAL CONSERVATION AREA**  
21 **BOUNDARY ADJUSTMENT.**

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

24           “(d) In addition to the land described in subsections  
25 (a) and (c), the land identified as the King Range Na-

1 tional Conservation Area Additions on the map entitled  
2 ‘King Range Wilderness’ and dated November 12, 2004,  
3 is included in the Area.”.

4 **SEC. 9. COW MOUNTAIN RECREATION AREA, LAKE AND**  
5 **MENDOCINO COUNTIES, CALIFORNIA.**

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

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

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

20 (b) LEGAL DESCRIPTIONS; CORRECTION OF ER-  
21 RORS.—

22 (1) PREPARATION AND SUBMISSION.—As soon  
23 as practicable after the date of the enactment of this  
24 Act, the Secretary of the Interior shall prepare a  
25 map and legal descriptions of the boundaries of the

1 recreation area. The Secretary shall submit the map  
2 and legal descriptions to the Committee on Re-  
3 sources of the House of Representatives and to the  
4 Committee on Energy and Natural Resources of the  
5 Senate.

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

14 (c) ADMINISTRATION.—

15 (1) IN GENERAL.—The Secretary of the Inte-  
16 rior shall administer the recreation area in accord-  
17 ance with this section and the laws and regulations  
18 generally applicable to the public lands, including  
19 the Federal Land Policy and Management Act of  
20 1976 (43 U.S.C. 1701 et seq.).

21 (2) EXISTING RIGHTS.—The establishment of  
22 the recreation area shall be subject to all valid exist-  
23 ing rights.

24 (d) RECREATIONAL ACTIVITIES.—

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

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

18          (3) MOUNTAIN BIKING.—Mountain biking shall  
19          be a prescribed use within the recreation area, oc-  
20          curring only on roads and trails designated by the  
21          Secretary for such use. Nothing in this paragraph  
22          shall be construed as precluding the Secretary from  
23          closing any trail or route from use for purposes of  
24          resource protection or public safety.

1 (e) ACCESS TO PRIVATE PROPERTY.—The Secretary  
2 of the Interior shall provide any owner of private property  
3 within the boundaries of the recreation area adequate ac-  
4 cess to the property to ensure the reasonable use and en-  
5 joyment of the property by the owner.

6 (f) LAND ACQUISITION.—

7 (1) ACQUISITION FROM WILLING PERSONS  
8 ONLY.—The Secretary of the Interior may acquire  
9 lands or interests in lands in the recreation area  
10 only by—

11 (A) donation;

12 (B) exchange with a willing party, as ex-  
13 pressed in a written agreement between the  
14 Secretary and the party; or

15 (C) purchase from a willing seller, as ex-  
16 pressed in a written agreement between the  
17 Secretary and the seller.

18 (2) ADMINISTRATION OF ACQUIRED LANDS.—

19 Lands or interests in lands within or adjacent to the  
20 boundaries of the recreation area that are acquired  
21 by the Bureau of Land Management, and title or  
22 possession of which is vested in the United States  
23 after the date of the enactment of this Act, shall be  
24 managed by the Secretary as part of the recreation  
25 area.

1 (g) ADJACENT MANAGEMENT.—Nothing in this sec-  
2 tion creates protective perimeters or buffer zones around  
3 the recreation area.

4 **SEC. 10. CONTINUATION OF TRADITIONAL COMMERCIAL**  
5 **SURF FISHING, REDWOOD NATIONAL AND**  
6 **STATE PARKS.**

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

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

Passed the House of Representatives July 24, 2006.

Attest:

KAREN L. HAAS,

*Clerk.*

**Calendar No. 533**

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION  
**H. R. 233**

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**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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JULY 25, 2006

Received; read twice and placed on the calendar