

109TH CONGRESS
2^D SESSION

H. R. 6413

To establish the Sacramento River National Recreation Area consisting of certain public lands administered by the Bureau of Land Management in Tehama and Shasta Counties, California, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2006

Mr. HERGER introduced the following bill; which was referred to the
Committee on Resources

A BILL

To establish the Sacramento River National Recreation Area consisting of certain public lands administered by the Bureau of Land Management in Tehama and Shasta Counties, California, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Sacramento River National Recreation Area Establish-
6 ment Act of 2006”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. Sacramento River National Recreation Area, California.
- Sec. 5. Purpose and management of recreation area.
- Sec. 6. Sacramento River National Recreation Area Advisory Council.
- Sec. 7. Recreational facilities.
- Sec. 8. Hunting and fishing.
- Sec. 9. Use of motorized vehicles.
- Sec. 10. Water rights exclusion.
- Sec. 11. Private property.
- Sec. 12. Grazing.
- Sec. 13. State and local jurisdiction.
- Sec. 14. Limitation on fees.
- Sec. 15. Activities outside recreation area.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Outdoors recreational opportunities avail-
4 able on public lands at the Sacramento River Bend
5 Area in Northern California are abundant and di-
6 verse and have made these lands a destination point
7 for the recreating public.

8 (2) Statutory protection of the use and enjoy-
9 ment of these lands is needed to ensure that they
10 continue to be a source of enjoyment and inspiration
11 for all Americans.

12 **SEC. 3. DEFINITIONS.**

13 In this Act:

14 (1) RECREATION AREA.—The term “recreation
15 area” means the Sacramento River National Recre-
16 ation Area established by this Act.

17 (2) ADVISORY COUNCIL.—The term “advisory
18 council” means the Sacramento River National

1 Recreation Area Advisory Council established by this
2 Act.

3 (3) MANAGEMENT PLAN.—The term “manage-
4 ment plan” means the management plan for the
5 recreation area, as developed and implemented pur-
6 suant to this Act.

7 (4) PUBLIC LANDS.—The term “public lands”
8 has the meaning given that term in section 103(e)
9 of the Federal Land Policy and Management Act of
10 1976 (43 U.S.C. 1702(e)).

11 (5) REDDING FIELD OFFICE.—The term “Red-
12 ding Field Office” means the Redding, California,
13 Field Office of the Bureau of Land Management.

14 (6) SECRETARY.—The term “Secretary” means
15 the Secretary of the Interior.

16 **SEC. 4. SACRAMENTO RIVER NATIONAL RECREATION**
17 **AREA, CALIFORNIA.**

18 (a) ESTABLISHMENT.—In order to preserve and en-
19 hance recreational opportunities on public lands described
20 in subsection (b) and to promote local economic develop-
21 ment through recreation involving these lands, there is
22 hereby established the Sacramento River National Recre-
23 ation Area.

24 (b) AREA.—The recreation area consists of approxi-
25 mately 17,000 acres of public lands adjacent to the Sac-

1 ramento River, and between its tributaries of Battle Creek
2 and Seven Mile Creek, in Tehama and Shasta Counties,
3 California, as generally depicted on the map entitled
4 “Tehama County, California, Board of Supervisors Pro-
5 posed Sacramento River NRA Boundary Map” and dated
6 December 1, 2006.

7 (c) LEGAL DESCRIPTIONS; CORRECTION OF ER-
8 RORS.—

9 (1) PREPARATION.—The Secretary of the Inte-
10 rior, in consultation with the advisory council, shall
11 prepare a final map and legal descriptions of the
12 boundaries of the recreation area.

13 (2) SUBMISSION.—The map and legal descrip-
14 tions shall be submitted to the Committee on Re-
15 sources of the House of Representatives and to the
16 Committee on Energy and Natural Resources of the
17 Senate as soon as practicable, but in no event later
18 than two years after the date of the enactment of
19 this Act.

20 (3) LEGAL EFFECT.—The map and legal de-
21 scriptions of the recreation area shall have the same
22 force and effect as if included in this Act, except
23 that the Secretary may correct clerical and typo-
24 graphical errors in the map and legal descriptions.

25 The map shall be on file and available for public in-

1 spection in appropriate offices of the Bureau of
2 Land Management.

3 **SEC. 5. PURPOSE AND MANAGEMENT OF RECREATION**
4 **AREA.**

5 (a) **MANAGEMENT PURPOSES.**—The Secretary, act-
6 ing through the Redding Field Office, shall manage the
7 recreation area for the following purposes:

8 (1) To enhance managed recreational opportu-
9 nities, including hiking, camping, equestrian activi-
10 ties, mountain biking, picnicking, wildlife viewing,
11 hunting, fishing, geo-caching, marksmanship, swim-
12 ming, archery, rafting, canoeing, kayaking, and
13 boating.

14 (2) To promote local economic development
15 through recreation.

16 (b) **MANAGEMENT PLAN.**—

17 (1) **DEVELOPMENT.**—Not later than three
18 years after the date of the enactment of this Act, the
19 Secretary shall complete a management plan for the
20 recreation area to further the management purposes
21 specified in subsection (a). As provided in section 6,
22 the Secretary shall utilize the Sacramento River Na-
23 tional Recreation Area Advisory Council in the de-
24 velopment of the management plan and in making

1 any amendment to the management plan under
2 paragraph (3).

3 (2) REPORTING REQUIREMENT.—On an annual
4 basis, the Secretary shall submit to the advisory
5 council a report on the implementation of the man-
6 agement plan. As part of the report, the Secretary
7 may suggest such amendments to the management
8 plan as the Secretary considers necessary to further
9 the management purposes.

10 (3) AMENDMENTS.—The Secretary may make
11 such amendments to the management plan as the
12 Secretary considers necessary to further the man-
13 agement purposes.

14 (c) PUBLIC PARTICIPATION.—In the development
15 and amendment of the management plan, the Secretary
16 shall encourage and solicit participation of the public at
17 large, including landowners in the vicinity of the recre-
18 ation area, interested individuals, organizations, elected
19 officials of local jurisdictions, and government agencies.

20 **SEC. 6. SACRAMENTO RIVER NATIONAL RECREATION AREA**
21 **ADVISORY COUNCIL.**

22 (a) ESTABLISHMENT AND PURPOSE.—There is es-
23 tablished an advisory committee to be known as the “Sac-
24 ramento River National Recreation Area Advisory Coun-
25 cil” for the purpose of—

1 (1) ensuring public involvement in the manage-
2 ment of the recreation area;

3 (2) providing advice, guidance, and rec-
4 ommendations to the Secretary pertaining to the de-
5 velopment, implementation, and amendment of the
6 management plan; and

7 (3) improving collaborative relationships among
8 persons and entities interested in the management of
9 the recreation area.

10 (b) COMPOSITION OF COUNCIL.—The advisory coun-
11 cil shall consist of the following members:

12 (1) The Governor of California or the designee
13 of the Governor.

14 (2) Three individuals who represent Tehama
15 County, California, appointed by the Board of Su-
16 pervisors of Tehama County.

17 (3) One individual who represents Shasta Coun-
18 ty, California, appointed by the Board of Super-
19 visors of Shasta County.

20 (4) Five individuals who reside within the juris-
21 dictional boundaries of the Redding Field Office and
22 represent the recreation community, appointed as
23 provided in paragraph (2).

1 (5) One individual who represents the interests
2 of private landowners in Bend, California, appointed
3 as provided in paragraph (2).

4 (6) One individual who represents the interests
5 of agriculture in Tehama County, California, ap-
6 pointed as provided in paragraph (2).

7 (7) One individual who resides within the juris-
8 dictional boundaries of the Redding Field Office and
9 represents the conservation community, appointed as
10 provided in paragraph (2).

11 (c) TERMS.—Members of the advisory council ap-
12 pointed under subsection (b) shall serve a term of three
13 3 years and may be reappointed, except that—

14 (1) one-third of the members initially appointed
15 shall be appointed for a term of one year; and

16 (2) one-third of the members initially appointed
17 shall be appointed for a term of two years.

18 (d) CHAIRPERSON.—The members of the advisory
19 council shall elect a chairperson. The chairperson shall
20 serve a term of one year and may be reelected.

21 (e) CONSULTATION.—The Secretary shall consult
22 with the advisory council on a periodic basis to discuss
23 matters relating to the development and implementation
24 of the management plan for the recreation area.

1 (f) MEETINGS.—The advisory council shall meet at
2 the pleasure of the Secretary, though it shall meet no
3 fewer than four times annually while the management plan
4 is being developed, unless such meetings are determined
5 by a majority of members of the advisory council to be
6 unnecessary. Meetings of the advisory council shall be
7 open to the public, and the advisory council shall provide
8 interested persons a reasonable opportunity at a meeting
9 to comment on the management of the recreation area.
10 The Secretary shall provide appropriate notice of the time,
11 date, and location of each meeting of the advisory council.

12 (g) COMPENSATION.—Members of the advisory coun-
13 cil shall serve without pay.

14 (h) EXEMPTION FROM FACCA.—The Federal Advi-
15 sory Committee Act (5 U.S.C. App.) shall not apply to
16 the advisory council.

17 **SEC. 7. RECREATIONAL FACILITIES.**

18 The Secretary may develop public recreational facili-
19 ties to further the management purposes of the recreation
20 area specified in section 5(a). Such facilities may include
21 trails, restrooms, parking areas, road pullouts, signs,
22 campgrounds, stream crossings, interpretive centers, and
23 administrative facilities reasonably appurtenant to rec-
24 reational facilities.

1 **SEC. 8. HUNTING AND FISHING.**

2 Nothing in this Act shall be construed—

3 (1) to require or authorize the Secretary to di-
4 minish or prohibit hunting and fishing in the recre-
5 ation area; or

6 (2) to authorize the Secretary to supercede
7 State law as it pertains to hunting and fishing.

8 **SEC. 9. USE OF MOTORIZED VEHICLES.**

9 (a) LIMITED TO DESIGNATED ROADWAYS.—Except
10 as provided in subsection (b), motorized vehicle use on
11 lands within the boundaries of the recreation area shall
12 be permitted only on designated roadways.

13 (b) EXCEPTION.—Subsection (a) shall not apply to
14 the use of motorized vehicles in the recreation area author-
15 ized by the Secretary—

16 (1) for maintenance or construction undertaken
17 to further the management purposes of the recre-
18 ation area specified in section 5(a); or

19 (2) for emergency or other authorized adminis-
20 trative purposes.

21 **SEC. 10. WATER RIGHTS EXCLUSION.**

22 Nothing in this Act shall be construed as authorizing
23 the Secretary to acquire water rights to further the pur-
24 poses of this Act.

1 **SEC. 11. PRIVATE PROPERTY.**

2 (a) ACCESS TO PRIVATE PROPERTY.—The Secretary
3 shall provide any owner of private property within the
4 boundaries of the recreation area access to the property
5 to ensure the use and enjoyment of the property by the
6 owner.

7 (b) IMPROVEMENTS TO PRIVATE PROPERTY.—Noth-
8 ing in this Act shall be construed as limiting or dimin-
9 ishing the rights of any owner of private property within
10 or adjacent to the recreation area, or any owner of an
11 easement or right of way over public lands included in the
12 recreation area that is used to provide access to privately
13 held land located within or adjacent to the boundaries of
14 the recreation area, to undertake improvements or en-
15 hancements to such property to ensure the continued use
16 and enjoyment thereof.

17 **SEC. 12. GRAZING.**

18 Nothing in this Act shall be construed to prohibit,
19 limit, or restrict the grazing of livestock within the recre-
20 ation area.

21 **SEC. 13. STATE AND LOCAL JURISDICTION.**

22 Nothing in this Act shall be construed to diminish,
23 enlarge, or modify any right of the State of California or
24 any political subdivision of the State, to carry out State
25 or local laws, rules, and regulations within the boundaries

1 of the recreation area for the purposes of ensuring public
2 safety and the general welfare of the public.

3 **SEC. 14. LIMITATION ON FEES.**

4 The Secretary shall not charge any fee for same-day
5 access to, or use of, the recreation area, unless a signifi-
6 cant service is provided, as required by the Federal Lands
7 Recreation Enhancement Act (16 U.S.C. 6801 et seq.).

8 **SEC. 15. ACTIVITIES OUTSIDE RECREATION AREA.**

9 The establishment of the recreation area shall not be
10 construed to—

11 (1) create a protective perimeter or buffer zone
12 around the recreation area; or

13 (2) preclude uses or activities outside the recre-
14 ation area that are permitted under other applicable
15 laws, even if the uses or activities are prohibited
16 within the recreation area.

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