

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

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

6 SECTION 1. SHORT TITLE.

7 This Act may be cited as the “Sacramento River National Recreation Area Act of 2010”.

8 SEC. 2. DEFINITIONS.

9 In this Act:

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

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

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

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

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

18 SEC. 3. ESTABLISHMENT OF SACRAMENTO RIVER 19 NATIONAL RECREATION AREA.

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

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

29 (c) **Map.**—

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

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

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

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

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

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

4 (B) the appropriate office of the Bureau of Land Management in California.

5 (d) Inclusion in National Landscape Conservation System.—The Recreation Area shall be
6 included in the National Landscape Conservation System.

7 SEC. 4. MANAGEMENT.

8 (a) In General.—The Secretary shall manage the Recreation Area to further the purposes
9 described in section 3(a), in accordance with—

10 (1) this Act;

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

12 (3) any other applicable law.

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

15 (c) Recreation Area Management Plan.—

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

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

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

21 (2) CONTENTS OF PLAN.—The management plan—

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

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

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

30 (D) shall include a monitoring and enforcement strategy;

31 (E) shall be prepared in consultation with—

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

33 (ii) appropriate Federal, State, and local agencies (including Tehama County
34 and Shasta County, California);

35 (iii) adjacent landowners; and

36 (iv) other stakeholders; and

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

3 (d) Acquisition of Property.—

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

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

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

9 (B) this Act; and

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

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

14 (e) Private Property.—

15 (1) ACCESS TO PRIVATE PROPERTY.—

16 (A) IN GENERAL.—The Secretary shall provide landowners adequate access to
17 inholdings within the Recreation Area.

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

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

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

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

28 (f) Water Right Exclusion.—Nothing in this Act—

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

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

33 (g) Hunting and Fishing.—Nothing in this Act—

34 (1) limits hunting or fishing; or

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

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

5 (i) Motorized Boats.—

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

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

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

13 (1) this Act;

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

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

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

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

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

21 (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

22 SEC. 5. SACRAMENTO RIVER NATIONAL RECREATION 23 AREA ADVISORY COUNCIL.

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

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

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

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

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

32 (c) Composition of Council.—The Advisory Council shall consist of 11 members, of whom—

33 (1) 3 members shall be appointed by the Secretary, based on recommendations from the
34 Board of Supervisors of Tehama County, to represent Tehama County, California;

35 (2) 1 member shall be appointed by the Secretary, based on recommendations from the
36 Board of Supervisors of Shasta County, to represent Shasta County, California;

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1 (3) 1 member shall be appointed by the Secretary to represent the conservation
2 community that is carrying out conservation activities in or near the Recreation Area;

3 (4) 1 member shall be appointed by the Secretary from the livestock grazing community
4 in or near the Recreation Area;

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

7 (6) 4 members shall be appointed by the Secretary to represent different sectors of the
8 recreation community that are carrying out activities in or near the Recreation Area.

9 (d) Terms.—

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

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

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

15 (A) 5 shall be appointed for a term of 2 years; and

16 (B) 6 shall be appointed for a term of 4 years.

17 (e) Chairperson.—

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

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

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

22 (f) Consultation With Secretary.—The Secretary shall consult with the Advisory Council on a
23 periodic basis to discuss matters relating to the development and implementation of the
24 management plan for the Recreation Area.

25 (g) Meetings.—

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

27 (A) at the call of the Secretary; but

28 (B) not less than—

29 (i) 4 times annually while the management plan is being developed, unless a
30 majority of members of the Advisory Council determine the meetings to be
31 unnecessary; and

32 (ii) not less than annually after the management plan is completed.

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

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

36 (4) NOTICE.—The Secretary shall provide appropriate notice of the time, date, and

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1 location of each meeting of the Advisory Council.

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

3 (i) Termination.—

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

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

8 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

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