

111TH CONGRESS
1ST SESSION

H. R. 4192

To designate the Stornetta Public Lands as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 3, 2009

Mr. THOMPSON of California introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To designate the Stornetta Public Lands as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System, 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; DEFINITIONS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Stornetta Public Lands Outstanding Natural Area Act
6 of 2009”.

7 (b) **DEFINITIONS.**—In this Act:

1 (1) PUBLIC LANDS.—The term “public lands”
2 has the meaning stated in section 103(e) of the Fed-
3 eral Land Policy and Management Act of 1976 (43
4 U.S.C. 1703(e)).

5 (2) OUTSTANDING NATURAL AREA.—The term
6 “Outstanding Natural Area” means the Stornetta
7 Public Lands Outstanding Natural Area established
8 under section 3.

9 (3) SECRETARY.—The term “Secretary” means
10 the Secretary of the Interior.

11 (4) STORNETTA PUBLIC LANDS.—The term
12 “Stornetta Public Lands” means the lands des-
13 igned as such on the map referred to in section
14 3(b).

15 **SEC. 2. FINDINGS.**

16 Congress finds as follows:

17 (1) The publicly owned Stornetta Public Lands
18 contains significant natural resources, including im-
19 portant wildlife habitat, several riparian corridors,
20 extensive wetlands, ponds and other water sources,
21 cypress groves, meadows, and sand dunes that
22 should be preserved for present and future genera-
23 tions.

24 (2) The ocean and coastal ecosystems adjacent
25 to the Stornetta Public Lands are internationally

1 recognized as significant centers of coastal upwelling
2 that support the diverse, abundant and productive
3 marine ecosystems and wildlife underlying the local
4 economy and identity of coastal communities.

5 (3) The Stornetta Public Lands tell an impor-
6 tant story about California’s coastal prehistory and
7 history in the context of the surrounding region and
8 communities.

9 (4) The coastal area surrounding the Stornetta
10 Public Lands was traditionally used by Indian peo-
11 ple, including the Pomo Indian tribes.

12 (5) The Stornetta Public Lands are historically
13 associated with adjacent lands managed for the en-
14 joyment of current and future generations, including
15 the Point Arena Lighthouse, California Coastal Na-
16 tional Monument, Arena Rock Marine Natural Pre-
17 serve and Manchester Beach State Park.

18 (6) The Stornetta Public Lands represent a
19 model partnership where future management can be
20 successfully accomplished among the Federal Gov-
21 ernment, State of California, Mendocino County,
22 local communities, and private groups.

23 (7) The Stornetta Public Lands Outstanding
24 Natural Area would make a significant addition to
25 the National Landscape Conservation System ad-

1 ministered by the Department of the Interior’s Bu-
2 reau of Land Management.

3 (8) Statutory protection is needed for Stornetta
4 Public Lands to ensure that it remains a part of our
5 historic, cultural and natural heritage and a source
6 of inspiration for the people of the United States.

7 **SEC. 3. DESIGNATION OF THE STORNETTA PUBLIC LANDS**
8 **OUTSTANDING NATURAL AREA.**

9 (a) IN GENERAL.—In order to protect, conserve, and
10 enhance for the benefit and enjoyment of present and fu-
11 ture generations the unique and nationally important his-
12 torical, natural, cultural, scientific, educational, scenic,
13 and recreational values of certain lands in and around the
14 Stornetta Public Lands, in Mendocino County, California,
15 while allowing certain recreational and research activities
16 to continue, there is established, subject to valid existing
17 rights, the Stornetta Public Lands Outstanding Natural
18 Area.

19 (b) MAP.—The Outstanding Natural Area shall con-
20 sist of the lands generally depicted as the Stornetta Out-
21 standing Natural Area on the map titled “Stornetta Out-
22 standing Natural Area” and dated December 3, 2009. The
23 map shall be on file and available for public inspection
24 in the Office of the Director, Bureau of Land Manage-
25 ment, United States Department of the Interior, and the

1 State office of the Bureau of Land Management in the
2 State of California.

3 (c) BASIS OF MANAGEMENT.—The Secretary shall
4 manage the Outstanding Natural Area as part of the Na-
5 tional Landscape Conservation System to protect the re-
6 sources of the area, and shall allow only those uses that
7 further the purposes for the establishment of the Out-
8 standing Natural Area, the Federal Land Policy and Man-
9 agement Act of 1976 (43 U.S.C. 1701 et seq.), and other
10 applicable laws.

11 (d) WITHDRAWAL.—Subject to valid existing rights,
12 and in accordance with the existing withdrawal as set
13 forth in Public Land Order 7501 (Oct. 12, 2001, Vol. 66,
14 No. 198, Federal Register 52149), the Federal lands and
15 interests in lands included within the Outstanding Natural
16 Area are hereby withdrawn from—

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

19 (2) location, entry, and patent under the public
20 land mining laws; and

21 (3) operation of the mineral leasing and geo-
22 thermal leasing laws and the mineral materials laws.

1 **SEC. 4. MANAGEMENT OF THE STORNETTA PUBLIC LANDS**
2 **OUTSTANDING NATURAL AREA.**

3 (a) IN GENERAL.—The Secretary shall manage the
4 Outstanding Natural Area in a manner that conserves,
5 protects, and enhances the unique and nationally impor-
6 tant historical, natural, cultural, scientific, educational,
7 scenic, and recreational values of that area, consistent
8 with the requirements section of 3(c).

9 (b) USES.—Subject to valid existing rights, the Sec-
10 retary shall only allow such uses of the Outstanding Nat-
11 ural Area as the Secretary finds are likely to further the
12 purposes for which the Outstanding Natural Area is estab-
13 lished as set forth in section 3(a).

14 (c) MANAGEMENT PLAN.—Not later than 3 years
15 after funds are made available for this purpose, the Sec-
16 retary shall complete a comprehensive management plan
17 consistent with the requirements of section 202 of the
18 Federal Land Policy and Management Act of 1976 (43
19 U.S.C. 1712) to provide long-term management guidance
20 for the public lands within the Outstanding Natural Area
21 and fulfill the purposes for which it is established, as set
22 forth in section 3(a). The management plan shall be devel-
23 oped in consultation with appropriate Federal, State, and
24 local government agencies, with full public participation,
25 and shall include—

1 (1) provisions designed to ensure the protection
2 of the resources and values described in section 3(a);

3 (2) a proposal for minimal administrative and
4 public facilities to be developed or improved at a
5 level compatible with achieving the resources objec-
6 tives for the Outstanding Natural Area as described
7 in subsection (a) and with other proposed manage-
8 ment activities to accommodate visitors and re-
9 searchers to the Outstanding Natural Area; and

10 (3) cultural resources management strategies
11 for the Outstanding Natural Area, prepared in con-
12 sultation with appropriate departments of the State
13 of California, with emphasis on the preservation of
14 the resources of the Outstanding Natural Area and
15 the interpretive, education, and long-term scientific
16 uses of the resources, giving priority to the enforce-
17 ment of the Archaeological Resources Protection Act
18 of 1979 (16 U.S.C. 470aa et seq.) and the National
19 Historic Preservation Act (16 U.S.C. 470 et seq.)
20 within the Outstanding Natural Area.

21 (d) COOPERATIVE AGREEMENTS.—In order to better
22 implement the management plan and to continue the suc-
23 cessful partnerships with local communities, the California
24 Coastal National Monument and Manchester State Park,
25 administered by the California Department of Parks and

1 Recreation, the Secretary may enter into cooperative
2 agreements with the appropriate Federal, State, and local
3 agencies pursuant to section 307(b) of the Federal Land
4 Management Policy and Management Act of 1976 (43
5 U.S.C. 1737(b)).

6 (e) RESEARCH ACTIVITIES.—In order to continue the
7 successful partnership with research organizations and
8 agencies and to assist in the development and implementa-
9 tion of the management plan, the Secretary may authorize
10 within the Outstanding Natural Area appropriate research
11 activities for the purposes identified in section 3(a) and
12 pursuant to section 307(a) of the Federal Land Policy and
13 Management Act of 1976 (43 U.S.C. 1737(a)).

14 (f) ACQUISITION.—State and privately held lands or
15 interests in lands adjacent to the Outstanding Natural
16 Area and identified as appropriate for acquisition in the
17 management plan may be acquired by the Secretary as
18 part of the Outstanding Natural Area only by—

- 19 (1) donation;
- 20 (2) exchange with a willing party; or
- 21 (3) purchase from a willing seller.

22 (g) ADDITIONS TO THE OUTSTANDING NATURAL
23 AREA.—Any lands or interest in lands adjacent to the
24 Outstanding Natural Area acquired by the United States
25 after the date of the enactment of this Act shall be added

1 to and administered as part of the Outstanding Natural
2 Area.

3 (h) OVERFLIGHTS.—Nothing in this Act or the man-
4 agement plan shall be construed to—

5 (1) restrict or preclude overflights, including
6 low-level overflights, military, commercial, and gen-
7 eral aviation overflights that can be seen or heard
8 within the Outstanding Natural Area;

9 (2) restrict or preclude the designation or cre-
10 ation of new units of special use airspace or the es-
11 tablishment of military flight training routes over
12 the Outstanding Natural Area; or

13 (3) modify regulations governing low-level over-
14 flights above the adjacent Gulf of the Farallones Na-
15 tional Marine Sanctuary.

16 (i) LAW ENFORCEMENT ACTIVITIES.—Nothing in
17 this Act shall be construed to preclude or otherwise affect
18 coastal border security operations or other law enforce-
19 ment activities by the Coast Guard or other agencies with-
20 in the Department of Homeland Security, the Department
21 of Justice, or any other Federal, State, and local law en-
22 forcement agencies within the Outstanding Natural Area.

23 (j) NATIVE AMERICAN USES AND INTERESTS.—In
24 recognition of the past use of the Outstanding Natural
25 Area by Indians and Indian tribes for traditional cultural

1 and religious purposes, the Secretary shall ensure access
2 to the Outstanding Natural Area by Indians and Indian
3 tribes for such traditional cultural and religious purposes.
4 In implementing this section, the Secretary, upon the re-
5 quest of a federally recognized Indian tribe or Indian reli-
6 gious community, shall temporarily close to the general
7 public use of one or more specific portions of the Out-
8 standing Natural Area in order to protect the privacy of
9 traditional cultural and religious activities in such areas
10 by the federally recognized Indian tribe or Indian religious
11 community. Any such closure shall be made to affect the
12 smallest practicable area for the minimum period nec-
13 essary for such purposes. Such access shall be consistent
14 with the purpose and intent of Public Law 95–341 (42
15 U.S.C. 1996 et seq.; commonly referred to as the “Amer-
16 ican Indian Religious Freedom Act”).

17 (k) NO BUFFER ZONES.—The designation of the
18 Outstanding Natural Area is not intended to lead to the
19 creation of protective perimeters or buffer zones around
20 the area. The fact that activities outside the Outstanding
21 Natural Area and not consistent with the purposes of this
22 Act can be seen or heard within the Outstanding Natural
23 Area shall not, of itself, preclude such activities or uses
24 up to the boundary of the Outstanding Natural Area.

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