

Union Calendar No. 253

111TH CONGRESS
2^D SESSION

H. R. 4192

[Report No. 111-437]

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

MARCH 11, 2010

Additional sponsor: Ms. WOOLSEY

MARCH 11, 2010

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on December 3, 2009]

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 Outstanding Natural Area Act of 2010”.*

6 (b) *DEFINITIONS.*—*In this Act:*

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

11 (2) *OUTSTANDING NATURAL AREA.*—*The term*
12 *“Outstanding Natural Area” means the Stornetta*
13 *Outstanding Natural Area established under section*
14 *2.*

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

17 (4) *STORNETTA PUBLIC LANDS.*—*The term*
18 *“Stornetta Public Lands” means the lands designated*
19 *as such on the map referred to in section 2(b).*

20 **SEC. 2. DESIGNATION OF THE STORNETTA OUTSTANDING**
21 **NATURAL AREA.**

22 (a) *IN GENERAL.*—*In order to protect, conserve, and*
23 *enhance for the benefit and enjoyment of present and future*
24 *generations the unique and nationally important historical,*
25 *natural, cultural, scientific, educational, scenic, and rec-*

1 *reational values of certain lands in and around the*
2 *Stornetta Public Lands, in Mendocino County, California,*
3 *while allowing certain recreational and research activities*
4 *to continue, there is established, subject to valid existing*
5 *rights, the Stornetta Outstanding Natural Area.*

6 **(b) MAP.**—*The Outstanding Natural Area shall consist*
7 *of the lands generally depicted as the Stornetta Outstanding*
8 *Natural Area on the map titled “Stornetta Outstanding*
9 *Natural Area” and dated December 3, 2009. The map shall*
10 *be on file and available for public inspection in the Office*
11 *of the Director, Bureau of Land Management, United*
12 *States Department of the Interior, and the State office of*
13 *the Bureau of Land Management in the State of California.*

14 **(c) BASIS OF MANAGEMENT.**—*The Secretary shall*
15 *manage the Outstanding Natural Area as part of the Na-*
16 *tional Landscape Conservation System to protect the re-*
17 *sources of the area, and shall allow only those uses that fur-*
18 *ther the purposes for the establishment of the Outstanding*
19 *Natural Area, the Federal Land Policy and Management*
20 *Act of 1976 (43 U.S.C. 1701 et seq.), and other applicable*
21 *laws.*

22 **(d) WITHDRAWAL.**—*Subject to valid existing rights,*
23 *the Federal lands and interests in lands included within*
24 *the Outstanding Natural Area are hereby withdrawn*
25 *from—*

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

3 (2) *location, entry, and patent under the public*
4 *land mining laws; and*

5 (3) *operation of the mineral leasing and geo-*
6 *thermal leasing laws and the mineral materials laws.*

7 **SEC. 3. MANAGEMENT OF THE STORNETTA OUTSTANDING**
8 **NATURAL AREA.**

9 (a) *IN GENERAL.*—*The Secretary shall manage the*
10 *Outstanding Natural Area in a manner that conserves, pro-*
11 *pects, and enhances the unique and nationally important*
12 *historical, natural, cultural, scientific, educational, scenic,*
13 *and recreational values of that area, consistent with the re-*
14 *quirements section of 2(c).*

15 (b) *USES.*—*Subject to valid existing rights, the Sec-*
16 *retary shall only allow such uses of the Outstanding Nat-*
17 *ural Area as the Secretary finds are likely to further the*
18 *purposes for which the Outstanding Natural Area is estab-*
19 *lished as set forth in section 2(a).*

20 (c) *MANAGEMENT PLAN.*—*Not later than 3 years after*
21 *funds are made available for this purpose, the Secretary*
22 *shall complete a comprehensive management plan con-*
23 *sistent with the requirements of section 202 of the Federal*
24 *Land Policy and Management Act of 1976 (43 U.S.C. 1712)*
25 *to provide long-term management guidance for the public*

1 *lands within the Outstanding Natural Area and fulfill the*
2 *purposes for which it is established, as set forth in section*
3 *2(a). The management plan shall be developed in consulta-*
4 *tion with appropriate Federal, State, and local government*
5 *agencies, with full public participation, and shall include—*

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

8 (2) *a proposal for minimal administrative and*
9 *public facilities to be developed or improved at a level*
10 *compatible with achieving the resources objectives for*
11 *the Outstanding Natural Area as described in sub-*
12 *section (a) and with other proposed management ac-*
13 *tivities to accommodate visitors and researchers to the*
14 *Outstanding Natural Area; and*

15 (3) *cultural resources management strategies for*
16 *the Outstanding Natural Area, prepared in consulta-*
17 *tion with appropriate departments of the State of*
18 *California, with emphasis on the preservation of the*
19 *resources of the Outstanding Natural Area and the*
20 *interpretive, education, and long-term scientific uses*
21 *of the resources, giving priority to the enforcement of*
22 *the Archaeological Resources Protection Act of 1979*
23 *(16 U.S.C. 470aa et seq.) and the National Historic*
24 *Preservation Act (16 U.S.C. 470 et seq.) within the*
25 *Outstanding Natural Area.*

1 (d) *COOPERATIVE AGREEMENTS.*—*In order to better*
2 *implement the management plan and to continue the suc-*
3 *cessful partnerships with local communities, the California*
4 *Coastal National Monument and Manchester State Park,*
5 *administered by the California Department of Parks and*
6 *Recreation, the Secretary may enter into cooperative agree-*
7 *ments with the appropriate Federal, State, and local agen-*
8 *cies pursuant to section 307(b) of the Federal Land Man-*
9 *agement Policy and Management Act of 1976 (43 U.S.C.*
10 *1737(b)).*

11 (e) *RESEARCH ACTIVITIES.*—*In order to continue the*
12 *successful partnership with research organizations and*
13 *agencies and to assist in the development and implementa-*
14 *tion of the management plan, the Secretary may authorize*
15 *within the Outstanding Natural Area appropriate research*
16 *activities for the purposes identified in section 2(a) and*
17 *pursuant to section 307(a) of the Federal Land Policy and*
18 *Management Act of 1976 (43 U.S.C. 1737(a)).*

19 (f) *ACQUISITION.*—*State and privately held lands or*
20 *interests in lands adjacent to the Outstanding Natural Area*
21 *and identified as appropriate for acquisition in the man-*
22 *agement plan may be acquired by the Secretary as part*
23 *of the Outstanding Natural Area only by—*

24 (1) *donation;*

25 (2) *exchange with a willing party; or*

1 (3) *purchase from a willing seller.*

2 (g) *ADDITIONS TO THE OUTSTANDING NATURAL*
3 *AREA.—Any lands or interest in lands adjacent to the Out-*
4 *standing Natural Area acquired by the United States after*
5 *the date of the enactment of this Act shall be added to and*
6 *administered as part of the Outstanding Natural Area.*

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

9 (1) *restrict or preclude overflights, including low-*
10 *level overflights, military, commercial, and general*
11 *aviation overflights that can be seen or heard within*
12 *the Outstanding Natural Area;*

13 (2) *restrict or preclude the designation or cre-*
14 *ation of new units of special use airspace or the estab-*
15 *lishment of military flight training routes over the*
16 *Outstanding Natural Area; or*

17 (3) *modify regulations governing low-level over-*
18 *flights above the adjacent Gulf of the Farallones Na-*
19 *tional Marine Sanctuary.*

20 (i) *LAW ENFORCEMENT ACTIVITIES.—Nothing in this*
21 *Act shall be construed to preclude or otherwise affect coastal*
22 *border security operations or other law enforcement activi-*
23 *ties by the Coast Guard or other agencies within the De-*
24 *partment of Homeland Security, the Department of Justice,*

1 *or any other Federal, State, and local law enforcement*
2 *agencies within the Outstanding Natural Area.*

3 (j) *NATIVE AMERICAN USES AND INTERESTS.—In rec-*
4 *ognition of the past use of the Outstanding Natural Area*
5 *by Indians and Indian tribes for traditional cultural and*
6 *religious purposes, the Secretary shall ensure reasonable ac-*
7 *cess to the Outstanding Natural Area by Indians and In-*
8 *dian tribes for such traditional cultural and religious pur-*
9 *poses. In implementing this section, the Secretary, upon the*
10 *request of a federally recognized Indian tribe or Indian reli-*
11 *gious community, may temporarily close to the general pub-*
12 *lic use of one or more specific portions of the Outstanding*
13 *Natural Area in order to protect the privacy of traditional*
14 *cultural and religious activities in such areas by the feder-*
15 *ally recognized Indian tribe or Indian religious commu-*
16 *nity. Any such closure shall be made to affect the smallest*
17 *practicable area for the minimum period necessary for such*
18 *purposes. Such access shall be consistent with the purpose*
19 *and intent of Public Law 95–341 (42 U.S.C. 1996 et seq.;*
20 *commonly referred to as the “American Indian Religious*
21 *Freedom Act”).*

22 (k) *NO BUFFER ZONES.—The designation of the Out-*
23 *standing Natural Area is not intended to lead to the cre-*
24 *ation of protective perimeters or buffer zones around the*
25 *area. The fact that activities outside the Outstanding Nat-*

1 *ural Area and not consistent with the purposes of this Act*
2 *can be seen or heard within the Outstanding Natural Area*
3 *shall not, of itself, preclude such activities or uses up to*
4 *the boundary of the Outstanding Natural Area.*

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