

shall, to the maximum extent practicable, provide any information and technical services requested by the Commission to assist in carrying out the duties of the Commission.

#### SEC. 5. POWERS OF THE COMMISSION.

(a) HEARINGS.—The Commission may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this Act.

##### (b) COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—For purposes of carrying out the management plan on non-Federal land in the Natural Area, the Commission may enter into a cooperative agreement with the State of Colorado, a political subdivision of the State, or any person.

(2) REQUIREMENTS.—A cooperative agreement entered into under paragraph (1) shall establish procedures for providing notice to the Commission of any action proposed by the State of Colorado, a political subdivision of the State, or any person that may affect the implementation of the management plan on non-Federal land in the Natural Area.

(3) EFFECT.—A cooperative agreement entered into under paragraph (1) shall not enlarge or diminish any right or duty of a Federal agency under Federal law.

(c) PROHIBITION OF ACQUISITION OF REAL PROPERTY.—The Commission may not acquire any real property or interest in real property.

##### (d) IMPLEMENTATION OF MANAGEMENT PLAN.—

(1) IN GENERAL.—The Commission shall assist the Secretary in implementing the management plan by carrying out the activities described in paragraph (2) to preserve and interpret the natural, historic, cultural, scientific, scenic, wildlife, and recreational resources of the Natural Area.

(2) AUTHORIZED ACTIVITIES.—In assisting with the implementation of the management plan under paragraph (1), the Commission may—

(A) assist the State of Colorado in preserving State land and wildlife within the Natural Area;

(B) assist the State of Colorado and political subdivisions of the State in increasing public awareness of, and appreciation for, the natural, historic, scientific, scenic, wildlife, and recreational resources in the Natural Area;

(C) encourage political subdivisions of the State of Colorado to adopt and implement land use policies that are consistent with—

(i) the management of the Natural Area; and

(ii) the management plan; and

(D) encourage and assist private landowners in the Natural Area in the implementation of the management plan.

#### SEC. 6. MANAGEMENT PLAN.

(a) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Secretary and the Commission, in coordination with appropriate agencies in the State of Colorado, political subdivisions of the State, and private landowners in the Natural Area, shall prepare management plans for the Natural Area as provided in subsection (b).

##### (b) DUTIES OF SECRETARY AND COMMISSION.—

(1) SECRETARY.—The Secretary shall prepare a management plan relating to the management of Federal land in the Natural Area.

##### (2) COMMISSION.—

(A) IN GENERAL.—The Commission shall prepare a management plan relating to the management of the non-Federal land in the Natural Area.

(B) APPROVAL OR DISAPPROVAL.—

(i) IN GENERAL.—The Commission shall submit to the Secretary the management plan prepared under subparagraph (A) for approval or disapproval.

(ii) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves the management plan submitted under clause (i), the Secretary shall—

(1) notify the Commission of the reasons for the disapproval; and

(2) allow the Commission to submit to the Secretary revisions to the management plan submitted under clause (i).

(3) COOPERATION.—The Secretary and the Commission shall cooperate to ensure that the management plans relating to the management of Federal land and non-Federal land are consistent.

(c) REQUIREMENTS.—The management plans shall—

(1) take into consideration Federal, State, and local plans in existence on the date of enactment of this Act to present a unified preservation, restoration, and conservation plan for the Natural Area;

(2) with respect to Federal land in the Natural Area—

(A) be developed in accordance with section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712);

(B) be consistent, to the maximum extent practicable, with the management plans adopted by the Director of the Bureau of Land Management for land adjacent to the Natural Area; and

(C) be considered to be an amendment to the San Luis Resource Management Plan of the Bureau of Land Management; and

(3) include—

(A) an inventory of the resources contained in the Natural Area (including a list of property in the Natural Area that should be preserved, restored, managed, developed, maintained, or acquired to further the purposes of the Natural Area); and

(B) a recommendation of policies for resource management, including the use of intergovernmental cooperative agreements, that—

(i) protect the resources of the Natural Area; and

(ii) provide for solitude, quiet use, and pristine natural values of the Natural Area.

(d) PUBLICATION.—The Secretary shall publish notice of the management plans in the Federal Register.

#### SEC. 7. ADMINISTRATION OF NATURAL AREA.

(a) IN GENERAL.—The Secretary shall administer the Federal land in the Natural Area—

(1) in accordance with—

(A) the laws (including regulations) applicable to public land; and

(B) the management plan; and

(2) in a manner that provides for—

(A) the conservation, restoration, and protection of the natural, historic, scientific, scenic, wildlife, and recreational resources of the Natural Area;

(B) the continued use of the Natural Area for purposes of education, scientific study, and limited public recreation in a manner that does not substantially impair the purposes for which the Natural Area is established;

(C) the protection of the wildlife habitat of the Natural Area;

(D) a prohibition on the construction of water storage facilities in the Natural Area; and

(E) the reduction in the use of or removal of roads in the Natural Area and, to the maximum extent practicable, the reduction in or prohibition against the use of motorized vehicles in the Natural Area (including the removal of roads and a prohibition against motorized use on Federal land in the area on

the western side of the Rio Grande River from Lobatos Bridge south to the New Mexico State line).

(b) CHANGES IN STREAMFLOW.—The Secretary is encouraged to negotiate with the State of Colorado, the Rio Grande Water Conservation District, and affected water users in the State to determine if changes in the streamflow that are beneficial to the Natural Area may be accommodated.

(c) PRIVATE LAND.—The management plan prepared under section 6(b)(2)(A) shall apply to private land in the Natural Area only to the extent that the private landowner agrees in writing to be bound by the management plan.

(d) WITHDRAWAL.—Subject to valid existing rights, all Federal land in the Natural Area is withdrawn from—

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

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

(3) disposition under the mineral leasing laws (including geothermal leasing laws).

##### (e) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary may acquire from willing sellers by purchase, exchange, or donation land or an interest in land in the Natural Area.

(2) ADMINISTRATION.—Any land or interest in land acquired under paragraph (1) shall be administered in accordance with the management plan and this Act.

(f) APPLICABLE LAW.—Section 5(d)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(d)(1)) shall not apply to the Natural Area.

#### SEC. 8. EFFECT.

Nothing in this Act—

(1) amends, modifies, or is in conflict with the Rio Grande Compact, consented to by Congress in the Act of May 31, 1939 (53 Stat. 785, ch. 155);

(2) authorizes the regulation of private land in the Natural Area;

(3) authorizes the imposition of any mandatory streamflow requirements;

(4) creates an express or implied Federal reserved water right;

(5) imposes any Federal water quality standard within or upstream of the Natural Area that is more restrictive than would be applicable had the Natural Area not been established; or

(6) prevents the State of Colorado from acquiring an instream flow through the Natural Area under the terms, conditions, and limitations of State law to assist in protecting the natural environment to the extent and for the purposes authorized by State law.

#### SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

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

#### SEC. 10. TERMINATION OF COMMISSION.

The Commission shall terminate on the date that is 10 years after the date of enactment of this Act.

### LAND CONVEYANCE TO FRANNIE, WYOMING

The bill (S. 101) to convey to the town of Frannie, Wyoming, certain land withdrawn by the Commissioner of Reclamation, was read the third time and passed, as follows:

S. 101

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

#### SECTION 1. CONVEYANCE OF LAND TO THE TOWN OF FRANNIE, WYOMING.

(a) CONVEYANCE.—Subject to valid existing rights, the Secretary of the Interior shall

convey by quitclaim deed, without consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (b) to the town of Frannie, Wyoming.

(b) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (a) is the parcel of land withdrawn by the Commissioner of Reclamation—

(1) consisting of approximately 37,500 square feet;

(2) located in the town of Frannie, Wyoming; and

(3) more particularly described in the approved Plat of Survey of Frannie Townsite, Wyoming, as the North ½ of Block 26, T. 58 N., R. 97 W.

(c) RESERVATION OF MINERAL RIGHTS.—The conveyance under subsection (a) shall be subject to the reservation by the United States of any oil and gas rights.

(d) REVOCATIONS.—

(1) SPECIAL USE PERMIT.—The special use permit issued by the Commissioner of Reclamation, numbered O-LM-60-L1413, and dated April 20, 1990, is revoked with respect to the land described in subsection (b).

(2) SECRETARIAL ORDERS.—The following Secretarial Orders issued by the Commissioner of Reclamation are revoked with respect to the land described in subsection (b):

(A) The Secretarial Order for the withdrawal of land for the Shoshone Reclamation Project dated October 21, 1913, as amended.

(B) The Secretarial Order for the withdrawal of land for the Frannie Townsite Reservation dated April 19, 1920.

## NORTHERN CALIFORNIA COASTAL WILD HERITAGE WILDERNESS ACT

The Senate proceeded to consider the bill (S. 128) to designate certain public land in Humboldt, Del Norte, Mendocino, Lake, and Napa Counties in the State of California as wilderness, to designate certain segments of the Black Butte River in Mendocino County, California as a wild or scenic river, and for other purposes.

S. 128

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

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Northern California Coastal Wild Heritage Wilderness Act”.

### SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means—

(1) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

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

### SEC. 3. DESIGNATION OF WILDERNESS AREAS.

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

(1) SNOW MOUNTAIN WILDERNESS ADDITION.—

(A) IN GENERAL.—Certain land in the Mendocino National Forest, comprising approximately 23,312 acres, as generally depicted on the maps described in subparagraph (B), is incorporated in and shall be considered to be a part of the “Snow Mountain Wilderness”, as designated by section 101(a)(31) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98-425).

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

(i) the map entitled “Skeleton Glade Unit, Snow Mountain Proposed Wilderness Addi-

tion, Mendocino National Forest” and dated September 17, 2004; and

(ii) the map entitled “Bear Creek/Deafy Glade Unit, Snow Mountain Wilderness Addition, Mendocino National Forest” and dated September 17, 2004.

(2) SANHEDRIN WILDERNESS.—Certain land in the Mendocino National Forest, comprising approximately 10,571 acres, as generally depicted on the map entitled “Sanhedrin Proposed Wilderness, Mendocino National Forest” and dated September 17, 2004, which shall be known as the “Sanhedrin Wilderness”.

(3) YUKI WILDERNESS.—Certain land in the Mendocino National Forest and certain land administered by the Bureau of Land Management in Lake and Mendocino Counties, California, together comprising approximately 54,087 acres, as generally depicted on the map entitled “Yuki Proposed Wilderness” and dated October 28, 2004, which shall be known as the “Yuki Wilderness”.

(4) YOLLA BOLLY-MIDDLE EEL WILDERNESS ADDITION.—Certain land in the Mendocino National Forest and certain land administered by the Bureau of Land Management in Mendocino County, California, together comprising approximately 25,806 acres, as generally depicted on the map entitled “Middle Fork Eel, Smokehouse and Big Butte Units, Yolla Bolly-Middle Eel Proposed Wilderness Addition” and dated October 28, 2004, is incorporated in and shall be considered to be a part of the Yolla Bolly-Middle Eel Wilderness, as designated by section 3 of the Wilderness Act (16 U.S.C. 1132).

(5) MAD RIVER BUTTES WILDERNESS.—Certain land in the Six Rivers National Forest, comprising approximately 6,494 acres, as generally depicted on the map entitled “Mad River Buttes, Mad River Proposed Wilderness” and dated September 17, 2004, which shall be known as the “Mad River Buttes Wilderness”.

(6) SISKIYOU WILDERNESS ADDITION.—

(A) IN GENERAL.—Certain land in the Six Rivers National Forest, comprising approximately 48,754 acres, as generally depicted on the maps described in subparagraph (B), is incorporated in and shall be considered to be a part of the Siskiyou Wilderness, as designated by section 101(a)(30) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98-425).

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

(i) the map entitled “Bear Basin Butte Unit, Siskiyou Proposed Wilderness Additions, Six Rivers National Forest” and dated October 28, 2004;

(ii) the map entitled “Blue Creek Unit, Siskiyou Proposed Wilderness Addition, Six Rivers National Forest” and dated October 28, 2004;

(iii) the map entitled “Blue Ridge Unit, Siskiyou Proposed Wilderness Addition, Six Rivers National Forest” and dated September 17, 2004;

(iv) the map entitled “Broken Rib Unit, Siskiyou Proposed Wilderness Addition, Six Rivers National Forest” and dated September 17, 2004; and

(v) the map entitled “Woolly Bear Unit, Siskiyou Proposed Wilderness Addition, Six Rivers National Forest” and dated September 27, 2004.

(7) MOUNT LASSIC WILDERNESS.—Certain land in the Six Rivers National Forest, comprising approximately 7,279 acres, as generally depicted on the map entitled “Mt. Lassic Proposed Wilderness” and dated September 17, 2004, which shall be known as the “Mount Lassic Wilderness”.

(8) TRINITY ALPS WILDERNESS ADDITION.—

(A) IN GENERAL.—Certain land in the Six Rivers National Forest, comprising approximately 28,805 acres, as generally depicted on

the maps described in subparagraph (B) and which is incorporated in and shall be considered to be a part of the Trinity Alps Wilderness as designated by section 101(a)(34) of the California Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98-425).

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

(i) the map entitled “Orleans Mountain Unit (Boise Creek), Trinity Alps Proposed Wilderness Addition, Six Rivers National Forest”, and dated October 28, 2004;

(ii) the map entitled “East Fork Unit, Trinity Alps Proposed Wilderness Addition, Six Rivers National Forest” and dated September 17, 2004;

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

(iv) the map entitled “Red Cap Unit, Trinity Alps Proposed Wilderness Addition, Six Rivers National Forest” and dated September 17, 2004.

(9) UNDERWOOD WILDERNESS.—Certain land in the Six Rivers National Forest, comprising approximately 2,977 acres, as generally depicted on the map entitled “Underwood Proposed Wilderness, Six Rivers National Forest” and dated September 17, 2004, which shall be known as the “Underwood Wilderness”.

(10) CACHE CREEK WILDERNESS.—Certain land administered by the Bureau of Land Management in Lake County, California, comprising approximately 30,870 acres, as generally depicted on the map entitled “Cache Creek Wilderness Area” and dated September 27, 2004, which shall be known as the “Cache Creek Wilderness”.

(11) CEDAR ROUGHS WILDERNESS.—Certain land administered by the Bureau of Land Management in Napa County, California, comprising approximately 6,350 acres, as generally depicted on the map entitled “Cedar Roughts Wilderness Area” and dated September 27, 2004, which shall be known as the “Cedar Roughts Wilderness”.

(12) SOUTH FORK EEL RIVER WILDERNESS.—Certain land administered by the Bureau of Land Management in Mendocino County, California, comprising approximately 12,915 acres, as generally depicted on the map entitled “South Fork Eel River Wilderness Area and Elkhorn Ridge Potential Wilderness” and dated September 27, 2004, which shall be known as the “South Fork Eel River Wilderness”.

(13) KING RANGE WILDERNESS.—

(A) IN GENERAL.—Certain land administered by the Bureau of Land Management in Humboldt and Mendocino Counties, California, comprising approximately 42,585 acres, as generally depicted on the map entitled “King Range Wilderness”, and dated November 12, 2004, which shall be known as the “King Range Wilderness”.

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

(14) ROCKS AND ISLANDS.—

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

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

(ii) above mean high tide.

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