

SUBCHAPTER CIII—PINE RIDGE NATIONAL
RECREATION AREA

§ 460rr. Establishment

Certain lands in the Nebraska National Forest, Nebraska, which comprise approximately six thousand six hundred acres, as generally depicted on a map entitled “Pine Ridge National Recreation Area—Proposed”, dated September 1986, are hereby designated as the Pine Ridge National Recreation Area.

(Pub. L. 99-504, title II, §201, Oct. 20, 1986, 100 Stat. 1804.)

§ 460rr-1. Map and description

As soon as practicable after October 20, 1986, the Secretary of Agriculture shall file a map and legal description of the national recreation area designated by this subchapter with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the United States House of Representatives and with the Committee on Energy and Natural Resources of the United States Senate. Such map and description shall have the same force and effect as if included in this subchapter, except that correction of clerical and typographical errors in such map and description may be made by the Secretary. Such map and description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

(Pub. L. 99-504, title II, §202, Oct. 20, 1986, 100 Stat. 1804.)

CHANGE OF NAME

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

§ 460rr-2. Administration

(a) Objectives

Subject to valid existing rights, the Pine Ridge National Recreation Area designated by this subchapter shall be administered by the Secretary of Agriculture in accordance with the laws, rules, and regulations applicable to the national forests in a manner compatible with the following objectives:

- (1) the continuation of existing primitive and semiprimitive recreational use in a natural environment;
- (2) preservation and protection of forest, aquatic and grassland habitat;
- (3) protection and conservation of special areas having uncommon or outstanding wilderness, biological, geological, recreational, cultural, historical or archeological, and scientific, or other values contributing to the public benefit;
- (4) the continuation of existing livestock grazing uses;
- (5) the control of noxious weeds and insects and prevention of their spreading onto the nearby private and Federal lands; and
- (6) the control of fires and prevention of their spreading onto nearby private and Federal lands.

(b) Fire control; Memorandum of Agreement

The Secretary shall enter into a Memorandum of Agreement with local and State firefighting agencies and individuals to assure the best utilization of the firefighting resources available in the nearby communities for control of fire in the national recreation area.

(c) Hunting, fishing, and trapping

The Secretary shall permit hunting, fishing, and trapping on lands and waters under the Secretary's jurisdiction within the boundaries of the national recreation area designated by this subchapter in accordance with applicable laws of the United States and the State of Nebraska.

(d) Mining and mineral leasing laws

Subject to valid existing rights, all Federal lands within the national recreation area are hereby withdrawn from location, entry, and patent under the United States mining laws, and from disposition under all laws pertaining to mineral and geothermal leasing and all amendments thereto.

(e) State responsibilities with respect to wildlife and fish unaffected

Nothing in this subchapter shall be construed as affecting the jurisdiction or responsibilities of the State of Nebraska with respect to wildlife and fish in the national recreation area.

(f) Comprehensive management plan

Within eighteen months after October 20, 1986, the Secretary shall develop and submit to the Committee on Interior and Insular Affairs and the Committee on Agriculture of the United States House of Representatives and to the Committee on Energy and Natural Resources of the United States Senate a comprehensive management plan for the national recreation area designated by this subchapter.

(g) Public participation in development of management plan

In conducting the reviews and preparing the comprehensive management plan required by subsection (d),¹ the Secretary shall provide for full public participation, and shall consider the views of all interested agencies, organizations, and individuals.

(Pub. L. 99-504, title II, §203, Oct. 20, 1986, 100 Stat. 1804.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (e), was in the original “this Act”, meaning Pub. L. 99-504, Oct. 20, 1986, 100 Stat. 1802, known as the Nebraska Wilderness Act of 1985, which enacted this subchapter and provisions listed in a table of Wilderness Areas set out under section 1132 of this title. For complete classification of this Act to the Code, see Tables.

CHANGE OF NAME

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

¹ So in original. Probably should be “subsection (f).”

SUBCHAPTER CIV—KLAMATH RIVER
CONSERVATION AREA

§ 460ss. Findings

The Congress finds that—

(1) the Klamath and Trinity Rivers have been placed under the California and National Wild and Scenic Rivers Systems to protect their outstanding anadromous fishery values;

(2) the Klamath and Trinity Rivers provide fishery resources necessary for Indian subsistence and ceremonial purposes, ocean commercial harvest, recreational fishing, and the economic health of many local communities;

(3) floods, the construction and operation of dams, diversions and hydroelectric projects, past mining, timber harvest practices, and roadbuilding have all contributed to sedimentation, reduced flows, and degraded water quality which has significantly reduced the anadromous fish habitat in the Klamath-Trinity River System;

(4) overlapping Federal, State, and local jurisdictions, inadequate enforcement of fishery harvest regulations, and ineffective fishery management have historically hampered fishery conservation efforts and prevented the Federal Government and the State of California from fulfilling their responsibilities to protect the rivers' anadromous fishery values;

(5) the Klamath-Trinity fall chinook salmon populations have declined by 80 percent from historic levels and steelhead trout have also undergone significant reductions;

(6) Klamath River Basin Fisheries Resource Plan has been developed by the Secretary acting through the Bureau of Indian Affairs;

(7) the Klamath Salmon Management Group, a group of agencies with fishery management responsibility, has established, in cooperation with the users of the Klamath-Trinity River Basin fishery resources, a sound framework for the future coordination of fishery harvest management;

(8) a new Klamath-Trinity River Basin Management authority, composed of the Klamath Salmon Management Group and representatives of users of the fishery resources of the Klamath-Trinity River Basin, is needed to ensure more effective long-term coordination of the Klamath-Trinity River fisheries under sound conservation and management principles that ensure adequate spawning escape-ment; and

(9) the Secretary has the authority to implement a restoration program only in the Trinity River Basin and needs additional authority to implement a restoration program in cooperation with State and local governments to restore anadromous fish populations to optimum levels in both the Klamath and Trinity River Basins;¹

(Pub. L. 99-552, §1, Oct. 27, 1986, 100 Stat. 3080.)

SHORT TITLE

Section 8 of Pub. L. 99-552, as added by Pub. L. 100-653, title VI, §604, Nov. 14, 1988, 102 Stat. 3830, provided that: "This Act [enacting this subchapter] may

be cited as the 'Klamath River Basin Fishery Resources Restoration Act'."

SALMON PLAN AND STUDY

Pub. L. 109-479, title I, §113(b), Jan. 12, 2007, 120 Stat. 3602, provided that:

"(1) RECOVERY PLAN.—Not later than 6 months after the date of enactment of this Act [Jan. 12, 2007], the Secretary of Commerce shall complete a recovery plan for Klamath River Coho salmon and make it available to the public.

"(2) ANNUAL REPORT.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretary of Commerce shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Resources [now Committee on Natural Resources] on—

"(A) the actions taken under the recovery plan and other law relating to recovery of Klamath River Coho salmon, and how those actions are specifically contributing to its recovery;

"(B) the progress made on the restoration of salmon spawning habitat, including water conditions as they relate to salmon health and recovery, with emphasis on the Klamath River and its tributaries below Iron Gate Dam;

"(C) the status of other Klamath River anadromous fish populations, particularly Chinook salmon; and

"(D) the actions taken by the Secretary to address the calendar year 2003 National Research Council recommendations regarding monitoring and research on Klamath River Basin salmon stocks."

§ 460ss-1. Establishment

(a) In general

The Secretary shall designate the anadromous fish habitats and resources of the Klamath River basin as the Klamath River Basin Conservation Area (hereafter in this subchapter referred to as the "Area").

(b) Restoration program

(1) Establishment

The Secretary shall, in consultation with the task force established under section 460ss-3 of this title, formulate, establish, and implement a 20-year program to restore the anadromous fish populations of the Area to optimum levels and to maintain such levels. The program shall be based on the Klamath River Basin Fisheries Resource Plan referred to in section 460ss(6) of this title and shall be known as the Klamath River Basin Conservation Area Restoration Program.

(2) Program activities

In carrying out the objectives of the program, the Secretary, in cooperation with the task force established under section 460ss-3 of this title, shall—

(A) monitor and coordinate research evaluating the Area anadromous fish populations and administer and evaluate the success of activities described in subparagraph (B); and

(B) take such actions as are necessary to—

(i) improve and restore Area habitats, and to promote access to blocked Area habitats, to support increased run sizes;

(ii) rehabilitate problem watersheds in the Area to reduce negative impacts on fish and fish habitats;

(iii) improve existing Area hatcheries and rearing ponds to assist in rebuilding the natural populations;

¹ So in original. The semicolon probably should be a period.