Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 486

To authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, and for other purposes.

Referred to the Committee on and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by

Viz:

1 Strike all after the enacting clause and insert the fol-

lowing:

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Preserving Public Ac-

cess to Cape Hatteras Beaches Act”.

6 SEC. 2. DEFINITIONS.

7 In this Act:

8 (1) FINAL RULE.—The term “Final Rule”

means the final rule entitled “Special Regulations,

Areas of the National Park System, Cape Hatteras
National Seashore—Off-Road Vehicle Management” (77 Fed. Reg. 3123 (January 23, 2012)).

(2) NATIONAL SEASHORE.—The term “National Seashore” means the Cape Hatteras National Seashore Recreational Area.

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

(4) STATE.—The term “State” means the State of North Carolina.

SEC. 3. REVIEW AND ADJUSTMENT OF WILDLIFE PROTECTION BUFFERS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall review and modify wildlife buffers in the National Seashore in accordance with this section and any other applicable law.

(b) BUFFER MODIFICATIONS.—In modifying wildlife buffers under subsection (a), the Secretary shall, using adaptive management practices—

(1) ensure that the buffers are of the shortest duration and cover the smallest area necessary to protect a species, as determined in accordance with peer-reviewed scientific data; and

(2) designate pedestrian and vehicle corridors around areas of the National Seashore closed be-
cause of wildlife buffers, to allow access to areas
that are open.

(c) COORDINATION WITH STATE.—The Secretary,
after coordinating with the State, shall determine appro-
priate buffer protections for species that are not listed
1531 et seq.), but that are identified for protection under
State law.

SEC. 4. MODIFICATIONS TO FINAL RULE.

The Secretary shall undertake a public process to
consider, consistent with management requirements at the
National Seashore, the following changes to the Final
Rule:

(1) Opening beaches at the National Seashore
that are closed to night driving restrictions, by open-
ing beach segments each morning on a rolling basis
as daily management reviews are completed.

(2) Extending seasonal off-road vehicle routes
for additional periods in the Fall and Spring if off-
road vehicle use would not create resource manage-
ment problems at the National Seashore.

(3) Modifying the size and location of vehicle-
free areas.
SEC. 5. CONSTRUCTION OF NEW VEHICLE ACCESS POINTS.

The Secretary shall construct new vehicle access points and roads at the National Seashore—

(1) as expeditiously as practicable; and

(2) in accordance with applicable management plans for the National Seashore.

SEC. 6. REPORT.

The Secretary shall report to Congress within 1 year after the date of enactment of this Act on measures taken to implement this Act.