

Union Calendar No. 150

106TH CONGRESS
1ST SESSION

H. R. 468

[Report No. 106-255]

To establish the Saint Helena Island National Scenic Area.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1999

Mr. KILDEE (for himself and Mr. STUPAK) introduced the following bill; which
was referred to the Committee on Resources

JULY 26, 1999

Additional sponsors: Mr. EHLERS, Mr. DINGELL, Mr. BONIOR, and Ms.
KILPATRICK

JULY 26, 1999

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 italics]

[For text of introduced bill, see copy of bill as introduced on February 2, 1999]

A BILL

To establish the Saint Helena Island National Scenic Area.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Saint Helena Island*
3 *National Scenic Area Act”.*

4 **SEC. 2. ESTABLISHMENT OF SAINT HELENA ISLAND NA-**
5 **TIONAL SCENIC AREA, MICHIGAN.**

6 (a) *PURPOSE.*—*The purposes of this Act are—*

7 *(1) to preserve and protect for present and future*
8 *generations the outstanding resources and values of*
9 *Saint Helena Island in Lake Michigan, Michigan,*
10 *and*

11 *(2) to provide for the conservation, protection,*
12 *and enhancement of primitive recreation opportuni-*
13 *ties, fish and wildlife habitat, vegetation, and histor-*
14 *ical and cultural resources of the island.*

15 (b) *ESTABLISHMENT.*—*For the purposes described in*
16 *subsection (a), there shall be established the Saint Helena*
17 *Island National Scenic Area (in this Act referred to as the*
18 *“scenic area”).*

19 (c) *EFFECTIVE UPON CONVEYANCE.*—*Subsection (b)*
20 *shall be effective upon conveyance of satisfactory title to the*
21 *United States of the whole of Saint Helena Island, except*
22 *that portion conveyed to the Great Lakes Lighthouse Keep-*
23 *ers Association pursuant to section 1001 of the Coast Guard*
24 *Authorization Act of 1996 (Public Law 104–324; 110 Stat.*
25 *3948).*

1 **SEC. 3. BOUNDARIES.**

2 (a) *SAINT HELENA ISLAND.*—*The scenic area shall*
3 *comprise all of Saint Helena Island, in Lake Michigan,*
4 *Michigan, and all associated rocks, pinnacles, islands, and*
5 *islets within one-eighth mile of the shore of Saint Helena*
6 *Island.*

7 (b) *BOUNDARIES OF HIAWATHA NATIONAL FOREST*
8 *EXTENDED.*—*Upon establishment of the scenic area, the*
9 *boundaries of the Hiawatha National Forest shall be ex-*
10 *tended to include all of the lands within the scenic area.*
11 *All such extended boundaries shall be deemed boundaries*
12 *in existence as of January 1, 1965, for the purposes of sec-*
13 *tion 8 of the Land and Water Conservation Fund Act of*
14 *1965 (16 U.S.C. 460l–9).*

15 (c) *PAYMENTS TO LOCAL GOVERNMENTS.*—*Solely for*
16 *purposes of payments to local governments pursuant to sec-*
17 *tion 6902 of title 31, United States Code, lands acquired*
18 *by the United States under this Act shall be treated as enti-*
19 *tlement lands.*

20 **SEC. 4. ADMINISTRATION AND MANAGEMENT.**

21 (a) *ADMINISTRATION.*—*Subject to valid existing*
22 *rights, the Secretary of Agriculture (in this Act referred to*
23 *as the “Secretary”) shall administer the scenic area in ac-*
24 *cordance with the laws, rules, and regulations applicable*
25 *to the National Forest System in furtherance of the pur-*
26 *poses of this Act.*

1 (b) *SPECIAL MANAGEMENT REQUIREMENTS.*—Within
2 3 years of the date of enactment of this Act, the Secretary
3 shall seek to develop a management plan for the scenic area
4 as an amendment to the land and resources management
5 plan for the Hiawatha National Forest. Such an amend-
6 ment shall conform to the provisions of this Act. Nothing
7 in this Act shall require the Secretary to revise the land
8 and resource management plan for the Hiawatha National
9 Forest pursuant to section 6 of the Forest and Rangeland
10 Renewable Resources Planning Act of 1974 (16 U.S.C.
11 1604). In developing a plan for management of the scenic
12 area, the Secretary shall address the following special man-
13 agement considerations:

14 (1) *PUBLIC ACCESS.*—Alternative means for pro-
15 viding public access from the mainland to the scenic
16 area shall be considered, including any available ex-
17 isting services and facilities, concessionaires, special
18 use permits, or other means of making public access
19 available for the purposes of this Act.

20 (2) *ROADS.*—After the date of enactment of this
21 Act, no new permanent roads shall be constructed
22 within the scenic area.

23 (3) *VEGETATION MANAGEMENT.*—No timber har-
24 vest shall be allowed within the scenic area, except as
25 may be necessary in the control of fire, insects, and

1 diseases, and to provide for public safety and trail ac-
2 cess. Notwithstanding the foregoing, the Secretary
3 may engage in vegetation manipulation practices for
4 maintenance of wildlife habitat and visual quality.
5 Trees cut for these purposes may be utilized, salvaged,
6 or removed from the scenic area as authorized by the
7 Secretary.

8 (4) *MOTORIZED TRAVEL.*—Motorized travel shall
9 not be permitted within the scenic area, except on the
10 waters of Lake Michigan, and as necessary for ad-
11 ministrative use in furtherance of the purposes of this
12 Act.

13 (5) *FIRE.*—Wildfires shall be suppressed in a
14 manner consistent with the purposes of this Act, using
15 such means as the Secretary deems appropriate.

16 (6) *INSECTS AND DISEASE.*—Insect and disease
17 outbreaks may be controlled in the scenic area to
18 maintain scenic quality, prevent tree mortality, or to
19 reduce hazards to visitors.

20 (7) *DOCKAGE.*—The Secretary shall provide
21 through concession, permit, or other means docking
22 facilities consistent with the management plan devel-
23 oped pursuant to this section.

24 (8) *SAFETY.*—The Secretary shall take reason-
25 able actions to provide for public health and safety

1 *and for the protection of the scenic area in the event*
2 *of fire or infestation of insects or disease.*

3 (c) *CONSULTATION.*—*In preparing the management*
4 *plan, the Secretary shall consult with appropriate State*
5 *and local government officials, provide for full public par-*
6 *ticipation, and consider the views of all interested parties,*
7 *organizations, and individuals.*

8 **SEC. 5. FISH AND GAME.**

9 *Nothing in this Act shall be construed as affecting the*
10 *jurisdiction or responsibilities of the State of Michigan with*
11 *respect to fish and wildlife in the scenic area.*

12 **SEC. 6. MINERALS.**

13 *Subject to valid existing rights, the lands within the*
14 *scenic area are hereby withdrawn from disposition under*
15 *all laws pertaining to mineral leasing, including all laws*
16 *pertaining to geothermal leasing. Also subject to valid exist-*
17 *ing rights, the Secretary shall not allow any mineral devel-*
18 *opment on federally owned land within the scenic area, ex-*
19 *cept that common varieties of mineral materials, such as*
20 *stone and gravel, may be utilized only as authorized by the*
21 *Secretary to the extent necessary for construction and*
22 *maintenance of roads and facilities within the scenic area.*

23 **SEC. 7. ACQUISITION.**

24 (a) *ACQUISITION OF LANDS WITHIN THE SCENIC*
25 *AREA.*—*The Secretary shall acquire, by purchase from will-*

1 *ing sellers, gift, or exchange, lands, waters, structures, or*
2 *interests therein, including scenic or other easements, with-*
3 *in the boundaries of the scenic area to further the purposes*
4 *of this Act.*

5 **(b) ACQUISITION OF OTHER LANDS.**—*The Secretary*
6 *may acquire, by purchase from willing sellers, gift, or ex-*
7 *change, not more than 10 acres of land, including any im-*
8 *provements thereon, on the mainland to provide access to*
9 *and administrative facilities for the scenic area.*

10 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

11 **(a) ACQUISITION OF LANDS.**—*There are hereby au-*
12 *thorized to be appropriated such sums as may be necessary*
13 *for the acquisition of land, interests in land, or structures*
14 *within the scenic area and on the mainland as provided*
15 *in section 7.*

16 **(b) OTHER PURPOSES.**—*In addition to the amounts*
17 *authorized to be appropriated under subsection (a), there*
18 *are authorized to be appropriated such sums as may be nec-*
19 *essary for the development and implementation of the man-*
20 *agement plan under section 4(b).*

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