

Calendar No. 160

105TH CONGRESS
1ST Session

S. 783

[Report No. 105-80]

A BILL

To increase the accessibility of the Boundary Waters Canoe Area Wilderness, and for other purposes.

SEPTEMBER 11, 1997

Reported with an amendment

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105TH CONGRESS
1ST SESSION**S. 783****[Report No. 105–80]**

To increase the accessibility of the Boundary Waters Canoe Area Wilderness,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 22, 1997

Mr. GRAMS introduced the following bill; which was read twice and referred
to the Committee on Energy and Natural Resources

SEPTEMBER 11, 1997

Reported by Mr. MURKOWSKI, with an amendment

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

A BILL

To increase the accessibility of the Boundary Waters Canoe
Area Wilderness, 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.**

4 This Act may be cited as the “Boundary Waters
5 Canoe Area Wilderness Accessibility and Fairness Act of
6 1997”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) it is in the national interest to protect, pre-
4 serve, and improve for the long term the diverse re-
5 sources of the Boundary Waters Canoe Area Wilder-
6 ness for the benefit of the people of the United
7 States;

8 (2) the Boundary Waters Canoe Area Wilder-
9 ness is a unique wilderness area dedicated to appro-
10 priate public access and use through historically rec-
11 ognized motorized and nonmotorized recreational ac-
12 tivities consistent with the protections afforded by
13 and the commitments made in the Wilderness Act
14 (16 U.S.C. 1131 et seq.) and the Act entitled “An
15 Act to designate the Boundary Waters Canoe Area
16 Wilderness, to establish the Boundary Waters Canoe
17 Area Mining Protection Area, and for other pur-
18 poses”, approved October 21, 1978 (Public Law 95-
19 495; 92 Stat. 1649);

20 (3) few other units of the National Wilderness
21 Preservation System have been created from more
22 densely populated and heavily utilized regions than
23 the Boundary Waters Canoe Area Wilderness; and

24 (4) the cessation of traditional motorized trans-
25 port on 3 portages between lakes on which the use
26 of a motorboat is permitted in the Boundary Waters

1 Canoe Area Wilderness unfairly restricts traditional
 2 and recognized public use of the wilderness and
 3 causes unnecessary hardship to individuals and fam-
 4 ilies who have physical difficulty accessing the area.

5 **SEC. 3. EXTENSION OF ALLOWABLE USES WITHIN CERTAIN**
 6 **PORTIONS OF THE BOUNDARY WATER CANOE**
 7 **AREA WILDERNESS.**

8 (a) SEAGULL LAKE.—Section 4(c) of the Act entitled
 9 “An Act to designate the Boundary Waters Canoe Area
 10 Wilderness, to establish the Boundary Waters Canoe Area
 11 Mining Protection Area, and for other purposes”, ap-
 12 proved October 21, 1978 (Public Law 95–495; 92 Stat.
 13 1650) is amended—

14 (1) in paragraph (2), by striking “Sea Gull,
 15 that portion generally east of Threemile Island,
 16 Cook County;”, and

17 (2) in paragraph (3), by striking “Sea Gull,
 18 Cook County, that portion generally west of
 19 Threemile Island, until January 1, 1999;”.

20 (b) MOTORIZED PORTAGES.—Section 4 of the Act en-
 21 titled “An Act to designate the Boundary Waters Canoe
 22 Area Wilderness, to establish the Boundary Waters Canoe
 23 Area Mining Protection Area, and for other purposes”, ap-
 24 proved October 21, 1978 (Public Law 95–495; 92 Stat.

1 1650) is amended by striking subsection (g) and inserting
 2 the following:

3 “(g) ~~MOTORIZED PORTAGES.~~—The Secretary shall
 4 permit the operation of motorized vehicles and associated
 5 equipment to transport boats across the portage between
 6 the Moose Lake chain and Basswood Lake, between Fall
 7 Lake and Basswood Lake, or between Vermilion Lake and
 8 Trout Lake.”.

9 **SECTION 1. SHORT TITLE.**

10 *This Act may be cited as the “Boundary Waters Canoe*
 11 *Area Wilderness Accessibility and Fairness Act of 1997”.*

12 **SEC. 2. FINDINGS.**

13 *Congress finds that—*

14 *(1) it is in the national interest to protect, pre-*
 15 *serve, and improve for the long term the diverse re-*
 16 *sources of the Boundary Waters Canoe Area Wilder-*
 17 *ness for the benefit of the people of the United States;*

18 *(2) the Boundary Waters Canoe Area Wilderness*
 19 *is a unique wilderness area dedicated to appropriate*
 20 *public access and use through historically recognized*
 21 *motorized and nonmotorized recreational activities*
 22 *consistent with the protections afforded by and the*
 23 *commitments made in the Wilderness Act (16 U.S.C.*
 24 *1131 et seq.) and the Act entitled “An Act to des-*
 25 *ignate the Boundary Waters Canoe Area Wilderness,*

1 to establish the Boundary Waters Canoe Area Mining
 2 Protection Area, and for other purposes”, approved
 3 October 21, 1978 (Public Law 95–495; 92 Stat.
 4 1649);

5 (3) few other units of the National Wilderness
 6 Preservation System have been created from more
 7 densely populated and heavily utilized regions than
 8 the Boundary Waters Canoe Area Wilderness; and

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 10 port on 3 portages between lakes on which the use of
 11 a motorboat is permitted in the Boundary Waters
 12 Canoe Area Wilderness unfairly restricts traditional
 13 and recognized public use of the wilderness and causes
 14 unnecessary hardship to individuals and families who
 15 have physical difficulty accessing the area.

16 **SEC. 3. EXTENSION OF ALLOWABLE USES WITHIN CERTAIN**
 17 **PORTIONS OF THE BOUNDARY WATER CANOE**
 18 **AREA WILDERNESS.**

19 (a) *SEAGULL LAKE*.—Section 4(c) of the Act entitled
 20 “An Act to designate the Boundary Waters Canoe Area Wil-
 21 derness, to establish the Boundary Waters Canoe Area Min-
 22 ing Protection Area, and for other purposes”, approved Oc-
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 24 amended—

1 (1) in paragraph (2), by striking “, that portion
2 *generally east of Threemile Island,*”; and

3 (2) in paragraph (3), by striking “*Sea Gull,*
4 *Cook County, that portion generally west of Threemile*
5 *Island, until January 1, 1999;*”.

6 (b) *MOTORIZED PORTAGES*.—Section 4 of the Act enti-
7 tled “*An Act to designate the Boundary Waters Canoe Area*
8 *Wilderness, to establish the Boundary Waters Canoe Area*
9 *Mining Protection Area, and for other purposes*”, approved
10 October 21, 1978 (Public Law 95–495; 92 Stat. 1650) is
11 amended by striking subsection (g) and inserting the follow-
12 ing:

13 “(g) *MOTORIZED PORTAGES*.—The Secretary shall
14 permit the operation of motorized vehicles and associated
15 equipment to transport boats across the portage between the
16 Moose Lake chain and Basswood Lake, between Fall Lake
17 and Basswood Lake, and between Vermilion Lake and
18 Trout Lake.”.