

106TH CONGRESS  
1ST SESSION

# S. 1784

Entitled the “Saint Helena Island National Scenic Area Act”.

---

IN THE SENATE OF THE UNITED STATES

OCTOBER 25, 1999

Mr. ABRAHAM (for himself and Mr. LEVIN) introduced the following bill;  
which was read twice and referred to the Committee on Energy and Nat-  
ural Resources

---

## A BILL

Entitled the “Saint Helena Island National Scenic Area  
Act”.

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 “Saint Helena Island  
5       National Scenic Area Act”.

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

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

9               (1) to preserve and protect for present and fu-  
10       ture generations the outstanding resources and val-

1       ues of Saint Helena Island in Lake Michigan, Michi-  
 2       gan; and

3           (2) to provide for the conservation, protection,  
 4       and enhancement of primitive recreation opportuni-  
 5       ties, fish and wildlife habitat, vegetation, and histor-  
 6       ical and cultural resources of the island.

7       (b) ESTABLISHMENT.—For the purposes described in  
 8       subsection (a), there shall be established the Saint Helena  
 9       Island National Scenic Area (in this Act referred to as  
 10      the “scenic area”).

11      (c) EFFECTIVE UPON CONVEYANCE.—Subsection (b)  
 12      shall be effective upon conveyance of satisfactory title to  
 13      the United States of the whole of Saint Helena Island,  
 14      except that portion conveyed to the Great Lakes Light-  
 15      house Keepers Association pursuant to section 1001 of the  
 16      Coast Guard Authorization Act of 1996 (Public Law 104–  
 17      324; 110 Stat. 3948).

18   **SEC. 3. BOUNDARIES.**

19      (a) SAINT HELENA ISLAND.—The scenic area shall  
 20      comprise all of Saint Helena Island, in Lake Michigan,  
 21      Michigan, and all associated rocks, pinnacles, islands, and  
 22      islets within one-eighth mile of the shore of Saint Helena  
 23      Island.

24      (b) BOUNDARIES OF HIAWATHA NATIONAL FOREST  
 25      EXTENDED.—Upon establishment of the scenic area, the

1 boundaries of the Hiawatha National Forest shall be ex-  
2 tended to include all of the lands within the scenic area.  
3 All such extended boundaries shall be deemed boundaries  
4 in existence as of January 1, 1965, for the purposes of  
5 section 8 of the Land and Water Conservation Fund Act  
6 of 1965 (16 U.S.C. 460l-9).

7 (c) PAYMENTS TO LOCAL GOVERNMENTS.—Solely  
8 for purposes of payments to local governments pursuant  
9 to section 6902 of title 31, United States Code, lands ac-  
10 quired by the United States under this Act shall be treated  
11 as entitlement lands.

12 **SEC. 4. ADMINISTRATION AND MANAGEMENT.**

13 (a) ADMINISTRATION.—Subject to valid existing  
14 rights, the Secretary of Agriculture (in this Act referred  
15 to as the “Secretary”) shall administer the scenic area in  
16 accordance with the laws, rules, and regulations applicable  
17 to the National Forest System in furtherance of the pur-  
18 poses of this Act.

19 (b) SPECIAL MANAGEMENT REQUIREMENTS.—With-  
20 in 3 years of the date of the enactment of this Act, the  
21 Secretary shall seek to develop a management plan for the  
22 scenic area as an amendment to the land and resources  
23 management plan for the Hiawatha National Forest. Such  
24 an amendment shall conform to the provisions of this Act.  
25 Nothing in this Act shall require the Secretary to revise

1 the land and resource management plan for the Hiawatha  
2 National Forest pursuant to section 6 of the Forest and  
3 Rangeland Renewable Resources Planning Act of 1974  
4 (16 U.S.C. 1604). In developing a plan for management  
5 of the scenic area, the Secretary shall address the fol-  
6 lowing special management considerations:

7           (1) PUBLIC ACCESS.—Alternative means for  
8       providing public access from the mainland to the  
9       scenic area shall be considered, including any avail-  
10      able existing services and facilities, concessionaires,  
11      special use permits, or other means of making public  
12      access available for the purposes of this Act.

13          (2) ROADS.—After the date of the enactment of  
14      this Act, no new permanent roads shall be con-  
15      structed within the scenic area.

16          (3) VEGETATION MANAGEMENT.—No timber  
17      harvest shall be allowed within the scenic area, ex-  
18      cept as may be necessary in the control of fire, in-  
19      sects, and diseases, and to provide for public safety  
20      and trail access. Notwithstanding the foregoing, the  
21      Secretary may engage in vegetation manipulation  
22      practices for maintenance of wildlife habitat and vis-  
23      ual quality. Trees cut for these purposes may be uti-  
24      lized, salvaged, or removed from the scenic area as  
25      authorized by the Secretary.

1           (4) **MOTORIZED TRAVEL.**—Motorized travel  
2 shall not be permitted within the scenic area, except  
3 on the waters of Lake Michigan, and as necessary  
4 for administrative use in furtherance of the purposes  
5 of this Act.

6           (5) **FIRE.**—Wildfires shall be suppressed in a  
7 manner consistent with the purposes of this Act,  
8 using such means as the Secretary deems appro-  
9 priate.

10          (6) **INSECTS AND DISEASE.**—Insect and disease  
11 outbreaks may be controlled in the scenic area to  
12 maintain scenic quality, prevent tree mortality, or to  
13 reduce hazards to visitors.

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

18          (8) **SAFETY.**—The Secretary shall take reason-  
19 able actions to provide for public health and safety  
20 and for the protection of the scenic area in the event  
21 of fire or infestation of insects or disease.

22          (c) **CONSULTATION.**—In preparing the management  
23 plan, the Secretary shall consult with appropriate State  
24 and local government officials, provide for full public par-

1 ticipation, and consider the views of all interested parties,  
2 organizations, and individuals.

3 **SEC. 5. FISH AND GAME.**

4 Nothing in this Act shall be construed as affecting  
5 the jurisdiction or responsibilities of the State of Michigan  
6 with respect to fish and in the scenic area.

7 **SEC. 6. MINERALS.**

8 Subject to valid existing rights, the lands within the  
9 scenic area are hereby withdrawn from disposition under  
10 all laws pertaining to mineral leasing, including all laws  
11 pertaining to geothermal leasing. Also subject to valid ex-  
12 isting rights, the Secretary shall not allow any mineral de-  
13 velopment on federally owned land within the scenic area,  
14 except that common varieties of minerals materials, such  
15 as stone and gravel, may be utilized only as authorized  
16 by the Secretary to the extent necessary for construction  
17 and maintenance of roads and facilities within the scenic  
18 area.

19 **SEC. 7. ACQUISITION**

20 (a) ACQUISITION OF LANDS WITHIN THE SCENIC  
21 AREA.—The Secretary shall acquire, by purchase from  
22 willing sellers, gift, or exchange, lands, waters, structures,  
23 or interests therein, including scenic or other easements,  
24 within the boundaries of the scenic area to further the  
25 purposes of this Act.

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

6 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

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

12       (b) OTHER PURPOSES.—In addition to the amounts  
13 authorized to be appropriated under subsection (a), there  
14 are authorized to be appropriated such sums as may be  
15 necessary for the development and implementation of the  
16 management plan under section 4(b).

○