

Calendar No. 994

110TH CONGRESS
2^D SESSION

S. 3017

To designate the Beaver Basin Wilderness at Pictured Rocks National
Lakeshore in the State of Michigan.

IN THE SENATE OF THE UNITED STATES

MAY 14, 2008

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

SEPTEMBER 16, 2008

Reported by Mr. BINGAMAN, with an amendment

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

A BILL

To designate the Beaver Basin Wilderness at Pictured Rocks
National Lakeshore in the State of Michigan.

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 “Beaver Basin Wilder-
5 ness Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) since 1981, the National Park Service has
4 managed the land designated as the Beaver Basin
5 Wilderness by section 4(a) as a backcountry and wil-
6 derness area;

7 (2) the land designated by section 4(a) as the
8 Wilderness comprises approximately 16 percent of
9 the area of Pictured Rocks National Lakeshore;

10 (3) the decision to propose this portion of the
11 National Lakeshore as wilderness was made after 5
12 years of planning, which involved extensive public in-
13 volvement and culminated in the approval of a new
14 general management plan in 2004; and

15 (4) the fundamental manner in which the land
16 designated as Wilderness by section 4(a) is managed
17 for purposes of access, public use, and enjoyment
18 will not change as a result of this designation.

19 **SEC. 3. DEFINITIONS.**

20 In this Act:

21 (1) **LINE OF DEMARCATION.**—The term “line of
22 demarcation” means the point on the bank or shore
23 at which the surface waters of Lake Superior meet
24 the land or sand beach, regardless of the level of
25 Lake Superior.

1 (2) MAP.—The term “map” means the map en-
2 titled “Pictured Rocks National Lakeshore Beaver
3 Basin Wilderness Boundary”, numbered 625/80,051,
4 and dated April 10, 2007.

5 (3) NATIONAL LAKESHORE.—The term “Na-
6 tional Lakeshore” means the Pictured Rocks Na-
7 tional Lakeshore.

8 (4) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

10 (5) WILDERNESS.—The term “Wilderness”
11 means the Beaver Basin Wilderness designated by
12 section 4(a).

13 **SEC. 4. DESIGNATION OF BEAVER BASIN WILDERNESS.**

14 (a) IN GENERAL.—In accordance with the Wilderness
15 Act (16 U.S.C. 1131 et seq.), the land described in sub-
16 section (b) is designated as wilderness and as a component
17 of the National Wilderness Preservation System, to be
18 known as the “Beaver Basin Wilderness”.

19 (b) DESCRIPTION OF LAND.—The land referred to in
20 subsection (a) is the land and inland water comprising ap-
21 proximately 11,740 acres within the National Lakeshore,
22 as generally depicted on the map.

23 (c) BOUNDARY.—

1 (1) LINE OF DEMARCATION.—The line of de-
2 marcation shall be the boundary for any portion of
3 the Wilderness that is bordered by Lake Superior.

4 (2) SURFACE WATER.—The surface water of
5 Lake Superior, regardless of the fluctuating lake
6 level, shall be considered to be outside the boundary
7 of the Wilderness.

8 (d) MAP AND LEGAL DESCRIPTION.—

9 (1) AVAILABILITY OF MAP.—The map shall be
10 on file and available for public inspection in the ap-
11 propriate offices of the National Park Service.

12 (2) LEGAL DESCRIPTION.—As soon as prac-
13 ticable after the date of enactment of this Act, the
14 Secretary shall submit to the Committee on Energy
15 and Natural Resources of the Senate and the Com-
16 mittee on Natural Resources of the House of Rep-
17 resentatives a legal description of the boundary of
18 the Wilderness.

19 (3) FORCE AND EFFECT.—The map and the
20 legal description submitted under paragraph (2)
21 shall have the same force and effect as if included
22 in this Act, except that the Secretary may correct
23 any clerical or typographical errors in the map and
24 legal description.

1 **SEC. 5. ADMINISTRATION.**

2 (a) **MANAGEMENT.**—Subject to valid existing rights,
3 the Wilderness shall be administered by the Secretary in
4 accordance with the Wilderness Act (16 U.S.C. 1131 et
5 seq.); except that—

6 (1) any reference in that Act to the effective
7 date of that Act shall be considered to be a reference
8 to the date of enactment of this Act; and

9 (2) with respect to land administered by the
10 Secretary, any reference in that Act to the Secretary
11 of Agriculture shall be considered to be a reference
12 to the Secretary.

13 (b) **USE OF ELECTRIC MOTORS.**—The use of boats
14 powered by electric motors on Little Beaver and Big Bea-
15 ver Lakes may continue, subject to any applicable laws
16 (including regulations).

17 **SEC. 6. EFFECT.**

18 Nothing in this Act—

19 (1) modifies, alters, or affects any treaty rights;

20 (2) alters the management of the water of Lake
21 Superior within the boundary of the Pictured Rocks
22 National Lakeshore in existence on the date of en-
23 actment of this Act; and

24 (3) prohibits—

25 (A) the use of motors on the surface water
26 of Lake Superior adjacent to the Wilderness; or

1 (~~B~~) the beaching of motorboats at the line
2 of demarcation.

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Beaver Basin Wilderness*
5 *Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *LINE OF DEMARCATION.*—*The term “line of*
9 *demarcation” means the point on the bank or shore*
10 *at which the surface waters of Lake Superior meet the*
11 *land or sand beach, regardless of the level of Lake Su-*
12 *perior.*

13 (2) *MAP.*—*The term “map” means the map enti-*
14 *tled “Pictured Rocks National Lakeshore Beaver*
15 *Basin Wilderness Boundary”, numbered 625/80,051,*
16 *and dated April 16, 2007.*

17 (3) *NATIONAL LAKESHORE.*—*The term “National*
18 *Lakeshore” means the Pictured Rocks National Lake-*
19 *shore.*

20 (4) *SECRETARY.*—*The term “Secretary” means*
21 *the Secretary of the Interior.*

22 (5) *WILDERNESS.*—*The term “Wilderness”*
23 *means the Beaver Basin Wilderness designated by sec-*
24 *tion 3(a).*

1 **SEC. 3. DESIGNATION OF BEAVER BASIN WILDERNESS.**

2 (a) *IN GENERAL.*—*In accordance with the Wilderness*
3 *Act (16 U.S.C. 1131 et seq.), the land described in sub-*
4 *section (b) is designated as wilderness and as a component*
5 *of the National Wilderness Preservation System, to be*
6 *known as the “Beaver Basin Wilderness”.*

7 (b) *DESCRIPTION OF LAND.*—*The land referred to in*
8 *subsection (a) is the land and inland water comprising ap-*
9 *proximately 11,740 acres within the National Lakeshore, as*
10 *generally depicted on the map.*

11 (c) *BOUNDARY.*—

12 (1) *LINE OF DEMARCATION.*—*The line of demar-*
13 *cation shall be the boundary for any portion of the*
14 *Wilderness that is bordered by Lake Superior.*

15 (2) *SURFACE WATER.*—*The surface water of*
16 *Lake Superior, regardless of the fluctuating lake level,*
17 *shall be considered to be outside the boundary of the*
18 *Wilderness.*

19 (d) *MAP AND LEGAL DESCRIPTION.*—

20 (1) *AVAILABILITY OF MAP.*—*The map shall be on*
21 *file and available for public inspection in the appro-*
22 *priate offices of the National Park Service.*

23 (2) *LEGAL DESCRIPTION.*—*As soon as prac-*
24 *ticable after the date of enactment of this Act, the Sec-*
25 *retary shall submit to the Committee on Energy and*
26 *Natural Resources of the Senate and the Committee*

1 *on Natural Resources of the House of Representatives*
2 *a legal description of the boundary of the Wilderness.*

3 (3) *FORCE AND EFFECT.*—*The map and the legal*
4 *description submitted under paragraph (2) shall have*
5 *the same force and effect as if included in this Act,*
6 *except that the Secretary may correct any clerical or*
7 *typographical errors in the map and legal descrip-*
8 *tion.*

9 **SEC. 4. ADMINISTRATION.**

10 (a) *MANAGEMENT.*—*Subject to valid existing rights,*
11 *the Wilderness shall be administered by the Secretary in*
12 *accordance with the Wilderness Act (16 U.S.C. 1131 et seq.),*
13 *except that—*

14 (1) *any reference in that Act to the effective date*
15 *of that Act shall be considered to be a reference to the*
16 *date of enactment of this Act; and*

17 (2) *with respect to land administered by the Sec-*
18 *retary, any reference in that Act to the Secretary of*
19 *Agriculture shall be considered to be a reference to the*
20 *Secretary.*

21 (b) *USE OF ELECTRIC MOTORS.*—*The use of boats*
22 *powered by electric motors on Little Beaver and Big Beaver*
23 *Lakes may continue, subject to any applicable laws (includ-*
24 *ing regulations).*

1 **SEC. 5. EFFECT.**2 *Nothing in this Act—*3 *(1) modifies, alters, or affects any treaty rights;*4 *(2) alters the management of the water of Lake*5 *Superior within the boundary of the Pictured Rocks*6 *National Lakeshore in existence on the date of enact-*7 *ment of this Act; or*8 *(3) prohibits—*9 *(A) the use of motors on the surface water*10 *of Lake Superior adjacent to the Wilderness; or*11 *(B) the beaching of motorboats at the line of*12 *demarcation.*

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