

111TH CONGRESS  
1ST SESSION

# S. 109

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

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IN THE SENATE OF THE UNITED STATES

JANUARY 6, 2009

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

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## 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”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

8               (1) since 1981, the National Park Service has  
9       managed the land designated as the Beaver Basin

1 Wilderness by section 4(a) as a backcountry and wil-  
2 derness area;

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

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

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

15 **SEC. 3. DEFINITIONS.**

16 In this Act:

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

22 (2) **MAP.**—The term “map” means the map en-  
23 titled “Pictured Rocks National Lakeshore Beaver  
24 Basin Wilderness Boundary”, numbered 625/80,051,  
25 and dated April 16, 2007.

1           (3) NATIONAL LAKESHORE.—The term “Na-  
2           tional Lakeshore” means the Pictured Rocks Na-  
3           tional Lakeshore.

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

6           (5) WILDERNESS.—The term “Wilderness”  
7           means the Beaver Basin Wilderness designated by  
8           section 4(a).

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

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

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

19       (c) BOUNDARY.—

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

23           (2) SURFACE WATER.—The surface water of  
24   Lake Superior, regardless of the fluctuating lake

1 level, shall be considered to be outside the boundary  
2 of the Wilderness.

3 (d) MAP AND LEGAL DESCRIPTION.—

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

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

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

20 **SEC. 5. ADMINISTRATION.**

21 (a) MANAGEMENT.—Subject to valid existing rights,  
22 the Wilderness shall be administered by the Secretary in  
23 accordance with the Wilderness Act (16 U.S.C. 1131 et  
24 seq.), except that—

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

4           (2) with respect to land administered by the  
5           Secretary, any reference in that Act to the Secretary  
6           of Agriculture shall be considered to be a reference  
7           to the Secretary.

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

12   **SEC. 6. EFFECT.**

13          Nothing in this Act—

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

15               (2) alters the management of the water of Lake  
16          Superior within the boundary of the Pictured Rocks  
17          National Lakeshore in existence on the date of en-  
18          actment of this Act; and

19               (3) prohibits—

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

22                       (B) the beaching of motorboats at the line  
23                       of demarcation.

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