

106TH CONGRESS  
1ST SESSION

# H. R. 468

To establish the Saint Helena Island National Scenic Area.

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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

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## 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,*

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.**

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-  
11        ues of Saint Helena Island in Lake Michigan, Michi-  
12        gan, and

1           (2) to provide for the conservation, protection,  
2           and enhancement of primitive recreation opportuni-  
3           ties, fish and wildlife habitat, vegetation, and histori-  
4           cal and cultural resources of such island.

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

9           (c) EFFECTIVE UPON CONVEYANCE.—Subsection (b)  
10          shall be effective upon conveyance of satisfactory title to  
11          the United States of the whole of Saint Helena Island,  
12          except that portion to be conveyed to the Great Lakes  
13          Lighthouse Keepers Association pursuant to section 1001  
14          of the Coast Guard Authorization Act of 1996 (110 Stat.  
15          3948).

16       **SEC. 3. BOUNDARIES.**

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

22          (b) BOUNDARIES OF HIAWATHA NATIONAL FOREST  
23          EXTENDED.—Upon establishment of the scenic area, the  
24          boundaries of the Hiawatha National Forest shall be ex-  
25          tended to include all of the lands within the scenic area.

1 All such extended boundaries shall be deemed boundaries  
2 in existence as of January 1, 1965, for the purposes of  
3 section 8 of the Land and Water Conservation Fund Act  
4 of 1965 (16 U.S.C. 460l–9).

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

10 **SEC. 4. ADMINISTRATION AND MANAGEMENT.**

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

17 (b) SPECIAL MANAGEMENT REQUIREMENTS.—With-  
18 in 3 years of the date of enactment of this Act, the Sec-  
19 retary shall develop a management plan for the scenic area  
20 as an amendment to the Land and Resources Management  
21 Plan for the Hiawatha National Forest. Such an amend-  
22 ment shall conform to the provisions of this Act. Nothing  
23 in this Act shall require the Secretary to revise the Land  
24 and Resource Management Plan for the Hiawatha Na-  
25 tional Forest pursuant to section 6 of the Forest and

1 Rangeland Renewable Resources Planning Act of 1974. In  
2 developing a plan for management of the scenic area, the  
3 Secretary shall address the following special management  
4 considerations:

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

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

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

24 (4) MOTORIZED TRAVEL.—Motorized travel  
25 shall not be permitted within the scenic area, except

1 on the waters of Lake Michigan, and as necessary  
2 for administrative use in furtherance of the purposes  
3 of this Act.

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

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

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

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

20 (c) CONSULTATION.—In preparing the comprehensive  
21 management plan, the Secretary shall consult with appro-  
22 priate State and local government officials, provide for full  
23 public participation, and consider the views of all inter-  
24 ested parties, organizations, and individuals.

1 **SEC. 5. FISH AND GAME.**

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

5 **SEC. 6. MINERALS.**

6 Subject to valid existing rights, the lands within the  
7 scenic area are hereby withdrawn from location, entry, and  
8 patent under the United States mining laws and from dis-  
9 position under all laws pertaining to mineral leasing, in-  
10 cluding all laws pertaining to geothermal leasing. Also  
11 subject to valid existing rights, the Secretary shall not  
12 allow any mineral development on federally owned land  
13 within the scenic area, except that common varieties of  
14 mineral materials, such as stone and gravel, may be uti-  
15 lized only as authorized by the Secretary to the extent nec-  
16 essary for construction and maintenance of roads and fa-  
17 cilities within the scenic area.

18 **SEC. 7. ACQUISITION.**

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

25 (b) ACQUISITION OF OTHER LANDS.—The Secretary  
26 may acquire by purchase from willing sellers, gift, or ex-

1 change, lands or structures on the mainland to the extent  
2 necessary for access to and administrative facilities for the  
3 scenic area.

4 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) ACQUISITION OF LANDS.—There are hereby au-  
6 thorized to be appropriated such sums as may be nec-  
7 essary for the acquisition of land, interests in land, or  
8 structures within the scenic area and on the mainland as  
9 needed for access and administrative facilities.

10 (b) OTHER PURPOSES.—In addition to the amounts  
11 authorized to be appropriated under subsection (a), there  
12 are authorized to be appropriated such sums as may be  
13 necessary for development to carry out the other purposes  
14 of this Act.

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