

Union Calendar No. 150

106TH CONGRESS
1ST SESSION

H. R. 468

[Report No. 106-255]

To establish the Saint Helena Island National Scenic Area.

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

JULY 26, 1999

Additional sponsors: Mr. EHLERS, Mr. DINGELL, Mr. BONIOR, and Ms. KILPATRICK

JULY 26, 1999

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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

[For text of introduced bill, see copy of bill as introduced on February 2, 1999]

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,*

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Saint Helena Island*
3 *National Scenic Area Act”.*

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

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

7 (1) *to preserve and protect for present and future*
8 *generations the outstanding resources and values of*
9 *Saint Helena Island in Lake Michigan, Michigan,*
10 *and*

11 (2) *to provide for the conservation, protection,*
12 *and enhancement of primitive recreation opportuni-*
13 *ties, fish and wildlife habitat, vegetation, and histor-*
14 *ical and cultural resources of the island.*

15 (b) *ESTABLISHMENT.*—*For the purposes described in*
16 *subsection (a), there shall be established the Saint Helena*
17 *Island National Scenic Area (in this Act referred to as the*
18 *“scenic area”).*

19 (c) *EFFECTIVE UPON CONVEYANCE.*—*Subsection (b)*
20 *shall be effective upon conveyance of satisfactory title to the*
21 *United States of the whole of Saint Helena Island, except*
22 *that portion conveyed to the Great Lakes Lighthouse Keep-*
23 *ers Association pursuant to section 1001 of the Coast Guard*
24 *Authorization Act of 1996 (Public Law 104–324; 110 Stat.*
25 *3948).*

1 **SEC. 3. BOUNDARIES.**

2 (a) *SAINT HELENA ISLAND.*—*The scenic area shall*
3 *comprise all of Saint Helena Island, in Lake Michigan,*
4 *Michigan, and all associated rocks, pinnacles, islands, and*
5 *islets within one-eighth mile of the shore of Saint Helena*
6 *Island.*

7 (b) *BOUNDARIES OF HIAWATHA NATIONAL FOREST*
8 *EXTENDED.*—*Upon establishment of the scenic area, the*
9 *boundaries of the Hiawatha National Forest shall be ex-*
10 *tended to include all of the lands within the scenic area.*
11 *All such extended boundaries shall be deemed boundaries*
12 *in existence as of January 1, 1965, for the purposes of sec-*
13 *tion 8 of the Land and Water Conservation Fund Act of*
14 *1965 (16 U.S.C. 460l–9).*

15 (c) *PAYMENTS TO LOCAL GOVERNMENTS.*—*Solely for*
16 *purposes of payments to local governments pursuant to sec-*
17 *tion 6902 of title 31, United States Code, lands acquired*
18 *by the United States under this Act shall be treated as enti-*
19 *tlement lands.*

20 **SEC. 4. ADMINISTRATION AND MANAGEMENT.**

21 (a) *ADMINISTRATION.*—*Subject to valid existing*
22 *rights, the Secretary of Agriculture (in this Act referred to*
23 *as the “Secretary”) shall administer the scenic area in ac-*
24 *cordance with the laws, rules, and regulations applicable*
25 *to the National Forest System in furtherance of the pur-*
26 *poses of this Act.*

1 (b) *SPECIAL MANAGEMENT REQUIREMENTS.*—Within
2 3 years of the date of enactment of this Act, the Secretary
3 shall seek to develop a management plan for the scenic area
4 as an amendment to the land and resources management
5 plan for the Hiawatha National Forest. Such an amend-
6 ment shall conform to the provisions of this Act. Nothing
7 in this Act shall require the Secretary to revise the land
8 and resource management plan for the Hiawatha National
9 Forest pursuant to section 6 of the Forest and Rangeland
10 Renewable Resources Planning Act of 1974 (16 U.S.C.
11 1604). In developing a plan for management of the scenic
12 area, the Secretary shall address the following special man-
13 agement considerations:

14 (1) *PUBLIC ACCESS.*—Alternative means for pro-
15 viding public access from the mainland to the scenic
16 area shall be considered, including any available ex-
17 isting services and facilities, concessionaires, special
18 use permits, or other means of making public access
19 available for the purposes of this Act.

20 (2) *ROADS.*—After the date of enactment of this
21 Act, no new permanent roads shall be constructed
22 within the scenic area.

23 (3) *VEGETATION MANAGEMENT.*—No timber har-
24 vest shall be allowed within the scenic area, except as
25 may be necessary in the control of fire, insects, and

1 *diseases, and to provide for public safety and trail ac-*
2 *cess. Notwithstanding the foregoing, the Secretary*
3 *may engage in vegetation manipulation practices for*
4 *maintenance of wildlife habitat and visual quality.*
5 *Trees cut for these purposes may be utilized, salvaged,*
6 *or removed from the scenic area as authorized by the*
7 *Secretary.*

8 (4) *MOTORIZED TRAVEL.*—*Motorized travel shall*
9 *not be permitted within the scenic area, except on the*
10 *waters of Lake Michigan, and as necessary for ad-*
11 *ministrative use in furtherance of the purposes of this*
12 *Act.*

13 (5) *FIRE.*—*Wildfires shall be suppressed in a*
14 *manner consistent with the purposes of this Act, using*
15 *such means as the Secretary deems appropriate.*

16 (6) *INSECTS AND DISEASE.*—*Insect and disease*
17 *outbreaks may be controlled in the scenic area to*
18 *maintain scenic quality, prevent tree mortality, or to*
19 *reduce hazards to visitors.*

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

24 (8) *SAFETY.*—*The Secretary shall take reason-*
25 *able actions to provide for public health and safety*

1 *and for the protection of the scenic area in the event*
2 *of fire or infestation of insects or disease.*

3 (c) *CONSULTATION.*—*In preparing the management*
4 *plan, the Secretary shall consult with appropriate State*
5 *and local government officials, provide for full public par-*
6 *ticipation, and consider the views of all interested parties,*
7 *organizations, and individuals.*

8 **SEC. 5. FISH AND GAME.**

9 *Nothing in this Act shall be construed as affecting the*
10 *jurisdiction or responsibilities of the State of Michigan with*
11 *respect to fish and wildlife in the scenic area.*

12 **SEC. 6. MINERALS.**

13 *Subject to valid existing rights, the lands within the*
14 *scenic area are hereby withdrawn from disposition under*
15 *all laws pertaining to mineral leasing, including all laws*
16 *pertaining to geothermal leasing. Also subject to valid exist-*
17 *ing rights, the Secretary shall not allow any mineral devel-*
18 *opment on federally owned land within the scenic area, ex-*
19 *cept that common varieties of mineral materials, such as*
20 *stone and gravel, may be utilized only as authorized by the*
21 *Secretary to the extent necessary for construction and*
22 *maintenance of roads and facilities within the scenic area.*

23 **SEC. 7. ACQUISITION.**

24 (a) *ACQUISITION OF LANDS WITHIN THE SCENIC*
25 *AREA.*—*The Secretary shall acquire, by purchase from will-*

1 *ing sellers, gift, or exchange, lands, waters, structures, or*
2 *interests therein, including scenic or other easements, with-*
3 *in the boundaries of the scenic area to further the purposes*
4 *of this Act.*

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

10 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

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

16 **(b) OTHER PURPOSES.**—*In addition to the amounts*
17 *authorized to be appropriated under subsection (a), there*
18 *are authorized to be appropriated such sums as may be nec-*
19 *essary for the development and implementation of the man-*
20 *agement plan under section 4(b).*

Calendar No. 150

106TH CONGRESS
1ST Session

H. R. 468

[Report No. 106-255]

A BILL

To establish the Saint Helena Island National
Scenic Area.

JULY 26, 1999

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed