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STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

May 14, 2008

REFERENCE: Vol. 154, No. 79

SECTION: Senate

SPEAKER: Mr. SMITH; Mr. LEVIN

TEXT: [*4183]

By Mr. LEVIN (for himself and Ms. Stabenow):

S. 3017. A bill to designate the Beaver Basin **Wilderness** at Pictured Rocks National Lakeshore in the State of Michigan; to the Committee on Energy and Natural Resources.

Mr. LEVIN. Mr. President, today I am introducing with Senator Stabenow the Beaver Basin **Wilderness** Act, which would permanently protect 11,740 acres within the Pictured Rocks National Park located in Michigan's Upper Peninsula along the south shore of Lake Superior. Also known as the Beaver Basin area, this area comprises about 16 percent of the national lakeshore. The **Wilderness** designation would ensure that opportunities to appreciate and enjoy nature in a relatively undisturbed state at this national lakeshore are preserved for future generations.

The bill responds to many of the concerns expressed during the 5-year development of the General Management Plan for Pictured Rocks, which included a **wilderness** study, and involved extensive public involvement. Boats powered by electric motors would be allowed on Little Beaver and Beaver Lakes within the **Wilderness** area. All motor boats would be allowed to access the miles of the Lake Superior shoreline, as the **wilderness** area does not include the Lake Superior surface water. [*4184]

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Also, the access road to Beaver Lakes and Little Beaver campground is not included in the **wilderness** area, so vehicles would still have access to this popular area. Importantly, the **Wilderness** designation would not change the fundamental way this land has been managed since 1981, ensuring continued public access, use, and enjoyment of this land.

It is critical that the highly valued, pristine natural features of the Beaver Basin area remain the treasure they are today. This area provides a unique and distinct landscape that highlights one of the most beautiful backdrops of the Great Lakes, and it is vital that we do all we can to protect it. Significantly, several miles of the North Country National Scenic Trail, also known as the Lakeshore Trail, run through this **wilderness** area. This bill would help preserve the serene quality of this segment of the trail, and protect the outstanding scenery along the shoreline. The **wilderness** designation will benefit current and future generations by protecting this natural and undisturbed landscape for the enjoyment of thousands of people in Michigan and across the Nation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. 3017

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Beaver Basin **Wilderness** Act".

SEC. 2. FINDINGS.

Congress finds that-

- (1) since 1981, the National Park Service has managed the land designated as the Beaver Basin **Wilderness** by section 4(a) as a backcountry and **wilderness** area;
- (2) the land designated by section 4(a) as the **Wilderness** comprises approximately 16 percent of the area of Pictured Rocks National Lakeshore;
- (3) the decision to propose this portion of the National Lakeshore as **wilderness** was made after 5 years of planning, which involved extensive public involvement and culminated in the approval of a new general management plan in 2004; and
- (4) the fundamental manner in which the land designated as **Wilderness** by section 4(a) is managed for purposes of access, public use, and enjoyment will not change as a result of this designation.

SEC. 3. DEFINITIONS.

In this Act:

- (1) Line of demarcation.-The term "line of demarcation" means the point on the bank or shore at which the surface waters of Lake Superior meet the land or sand beach, regardless of the level of Lake Superior.
- (2) Map.-The term "map" means the map entitled "Pictured Rocks National Lakeshore Beaver Basin **Wilderness** Boundary", numbered 625/80,051, and dated April 10, 2007.
- (3) National lakeshore.-The term "National Lakeshore" means the Pictured Rocks National Lakeshore.
- (4) Secretary.-The term "Secretary" means the Secretary of the Interior.
- (5) **Wilderness**.-The term "**Wilderness**" means the Beaver Basin **Wilderness** designated by section 4(a).

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

- (a) In General.-In accordance with the **Wilderness** Act ([16 U.S.C. 1131 et seq.](#)), the land described in subsection (b) is designated as **wilderness** and as a component of the National **Wilderness** Preservation System, to be known as the "Beaver Basin **Wilderness**".
- (b) Description of Land.-The land referred to in subsection (a) is the land and inland water

comprising approximately 11,740 acres within the National Lakeshore, as generally depicted on the map.

(c) Boundary.-

(1) Line of demarcation.-The line of demarcation shall be the boundary for any portion of the **Wilderness** that is bordered by Lake Superior.

(2) Surface water.-The surface water of Lake Superior, regardless of the fluctuating lake level, shall be considered to be outside the boundary of the **Wilderness**.

(d) Map and Legal Description.-

(1) Availability of map.-The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(2) Legal description.-As soon as practicable after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a legal description of the boundary of the **Wilderness**.

(3) Force and effect.-The map and the legal description submitted under paragraph (2) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical or typographical errors in the map and legal description.

SEC. 5. ADMINISTRATION.

(a) Management.-Subject to valid existing rights, the **Wilderness** shall be administered by the Secretary in accordance with the **Wilderness Act** ([16 U.S.C. 1131 et seq.](#)), except that-

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

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

(b) Use of Electric Motors.-The use of boats powered by electric motors on Little Beaver and Big Beaver Lakes may continue, subject to any applicable laws (including regulations).

SEC. 6. EFFECT.

Nothing in this Act-

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

(2) alters the management of the water of Lake Superior within the boundary of the Pictured Rocks National Lakeshore in existence on the date of enactment of this Act; and

(3) prohibits-

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

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