

Union Calendar No. 272

113TH CONGRESS
2^D SESSION

H. R. 163

[Report No. 113–366]

To designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2013

Mr. BENISHEK (for himself, Mr. CAMP, Mr. HUIZENGA of Michigan, Mr. WALBERG, Mr. UPTON, and Mr. ROGERS of Michigan) introduced the following bill; which was referred to the Committee on Natural Resources

FEBRUARY 28, 2014

Additional sponsors: Mrs. MILLER of Michigan, Mr. BENTIVOLIO, Mr. LEVIN, Mr. PETERS of Michigan, Mr. DINGELL, and Mr. KILDEE

FEBRUARY 28, 2014

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 *italic*]

[For text of introduced bill, see copy of bill as introduced on January 4, 2013]

A BILL

To designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes.

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 “Sleeping Bear Dunes*
5 *National Lakeshore Conservation and Recreation Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *MAP.*—*The term “map” means the map con-*
9 *sisting of 6 sheets entitled “Sleeping Bear Dunes Na-*
10 *tional Lakeshore Proposed Wilderness Boundary”,*
11 *numbered 634/80,083B, and dated November 2010.*

12 (2) *SECRETARY.*—*The term “Secretary” means*
13 *the Secretary of the Interior.*

14 **SEC. 3. SLEEPING BEAR DUNES WILDERNESS.**

15 (a) *DESIGNATION.*—*In accordance with the Wilderness*
16 *Act (16 U.S.C. 1131 et seq.), certain land and inland water*
17 *within the Sleeping Bear Dunes National Lakeshore com-*
18 *prising approximately 32,557 acres along the mainland*
19 *shore of Lake Michigan and on certain nearby islands in*
20 *Benzie and Leelanau Counties, Michigan, as generally de-*
21 *picted on the map, is designated as wilderness and as a*
22 *component of the National Wilderness Preservation System,*
23 *to be known as the “Sleeping Bear Dunes Wilderness”.*

24 (b) *MAP.*—

1 (1) *AVAILABILITY.*—*The map shall be on file and*
2 *available for public inspection in appropriate offices*
3 *of the National Park Service.*

4 (2) *CORRECTIONS.*—*The Secretary may correct*
5 *any clerical or typographical errors in the map.*

6 (3) *LEGAL DESCRIPTION.*—*As soon as prac-*
7 *ticable after the date of enactment of this Act, the Sec-*
8 *retary shall prepare a legal description of the wilder-*
9 *ness boundary and submit a copy of the map and*
10 *legal description to the Committee on Energy and*
11 *Natural Resources of the Senate and the Committee*
12 *on Natural Resources of the House of Representatives.*

13 (c) *ROAD SETBACKS.*—*The wilderness boundary shall*
14 *be—*

15 (1) *100 feet from the centerline of adjacent coun-*
16 *ty roads; and*

17 (2) *300 feet from the centerline of adjacent State*
18 *highways.*

19 **SEC. 4. ADMINISTRATION.**

20 (a) *IN GENERAL.*—*Subject to valid existing rights, the*
21 *wilderness area designated by section 3(a) shall be adminis-*
22 *tered by the Secretary in accordance with the Wilderness*
23 *Act (16 U.S.C. 1131 et seq.), except that—*

1 (1) *any reference in the Wilderness Act to the ef-*
2 *fective date of that Act shall be considered to be a ref-*
3 *erence to the date of enactment of this Act; and*

4 (2) *any reference in the Wilderness Act to the*
5 *Secretary of Agriculture shall be considered to be a*
6 *reference to the Secretary.*

7 (b) *MAINTENANCE OF ROADS OUTSIDE WILDERNESS*
8 *BOUNDARY.—Nothing in this Act prevents the maintenance*
9 *and improvement of roads that are located outside the*
10 *boundary of the wilderness area designated by section 3(a).*

11 (c) *FISH AND WILDLIFE.—Nothing in this Act affects*
12 *the jurisdiction of the State of Michigan with respect to the*
13 *management of fish and wildlife, including hunting and*
14 *fishing within the national lakeshore in accordance with*
15 *section 5 of Public Law 91–479 (16 U.S.C. 460x–4).*

16 (d) *BUFFER ZONES.—*

17 (1) *IN GENERAL.—Nothing in this section creates*
18 *a protective perimeter or buffer zone around any area*
19 *designated as wilderness by subsection (a).*

20 (2) *ACTIVITIES OUTSIDE WILDERNESS.—The fact*
21 *that an activity or use on land outside any area des-*
22 *ignated as wilderness by subsection (a) can be seen or*
23 *heard within the wilderness shall not preclude the ac-*
24 *tivity or use outside the boundary of the wilderness.*

1 (e) *MILITARY OVERFLIGHTS.*—*Nothing in this section*
2 *restricts or precludes—*

3 (1) *low-level overflights of military aircraft over*
4 *an area designated as wilderness by subsection (a),*
5 *including military overflights that can be seen or*
6 *heard within any wilderness area;*

7 (2) *flight testing and evaluation; or*

8 (3) *the designation or creation of new units of*
9 *special use airspace, or the establishment of military*
10 *flight training routes over the wilderness area.*

11 (f) *SAVINGS PROVISIONS.*—*Nothing in this Act modi-*
12 *fies, alters, or affects—*

13 (1) *any treaty rights; or*

14 (2) *any valid private property rights in exist-*
15 *ence on the day before the date of enactment of this*
16 *Act.*

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