

112TH CONGRESS
1ST SESSION

S. 140

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 SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 5), 2011

Mr. LEVIN (for himself and Ms. STABENOW) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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
9 consisting of 6 sheets entitled “Sleeping Bear Dunes

1 National Lakeshore Proposed Wilderness Bound-
2 ary”, numbered 634/80,083B, and dated November
3 2010.

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

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

7 (a) DESIGNATION.—In accordance with the Wilder-
8 ness Act (16 U.S.C. 1131 et seq.), certain land and inland
9 water within the Sleeping Bear Dunes National Lakeshore
10 comprising approximately 32,557 acres along the main-
11 land shore of Lake Michigan and on certain nearby islands
12 in Benzie and Leelanau Counties, Michigan, as generally
13 depicted on the map, is designated as wilderness and as
14 a component of the National Wilderness Preservation Sys-
15 tem, to be known as the “Sleeping Bear Dunes Wilder-
16 ness”.

17 (b) MAP.—

18 (1) AVAILABILITY.—The map shall be on file
19 and available for public inspection in appropriate of-
20 fices of the National Park Service.

21 (2) CORRECTIONS.—The Secretary may correct
22 any clerical or typographical errors in the map.

23 (3) LEGAL DESCRIPTION.—As soon as prac-
24 ticable after the date of enactment of this Act, the
25 Secretary shall prepare a legal description of the wil-

1 derness boundary and submit a copy of the map and
2 legal description to the Committee on Energy and
3 Natural Resources of the Senate and the Committee
4 on Natural Resources of the House of Representa-
5 tives.

6 (c) ROAD SETBACKS.—The wilderness boundary shall
7 be—

8 (1) 100 feet from the centerline of adjacent
9 county roads; and

10 (2) 300 feet from the centerline of adjacent
11 State highways.

12 **SEC. 4. ADMINISTRATION.**

13 (a) IN GENERAL.—Subject to valid existing rights,
14 the wilderness area designated by section 3(a) shall be ad-
15 ministered by the Secretary in accordance with the Wilder-
16 ness Act (16 U.S.C. 1131 et seq.), except that—

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

20 (2) any reference in the Wilderness Act to the
21 Secretary of Agriculture shall be considered to be a
22 reference to the Secretary.

23 (b) MAINTENANCE OF ROADS OUTSIDE WILDERNESS
24 BOUNDARY.—Nothing in this Act prevents the mainte-
25 nance and improvement of roads that are located outside

1 the boundary of the wilderness area designated by section
2 3(a).

3 (c) FISH AND WILDLIFE.—Nothing in this Act af-
4 fects the jurisdiction of the State of Michigan with respect
5 to the management of fish and wildlife, including hunting
6 and fishing within the national lakeshore in accordance
7 with section 5 of Public Law 91–479 (16 U.S.C. 460x–
8 4).

9 (d) SAVINGS PROVISIONS.—Nothing in this Act
10 modifies, alters, or affects—

11 (1) any treaty rights; or

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

○