

XII. NATIONAL LAKESHORES

1. Apostle Islands

PUBLIC LAW 108-447-DEC. 8, 2004

118 STAT. 2809

Public Law 108-447
108th Congress

An Act

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2005, and for other purposes.

Dec. 8, 2004

[H.R. 4818]

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

Consolidated
Appropriations
Act, 2005.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Consolidated Appropriations Act, 2005”.

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SEC. 3. REFERENCES.

118 STAT. 2810
1 USC 1 note.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2005.

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DIVISION E-DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

118 STAT. 3039
Department of
the Interior and
Related Agencies
Appropriations
Act, 2005.

TITLE I-DEPARTMENT OF THE INTERIOR

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GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

118 STAT. 3062

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SEC. 140. (a) SHORT TITLE.—This section may be cited as the “Gaylord A. Nelson Apostle Islands National Lakeshore Wilderness Act”.

118 STAT. 3069
Gaylord A.
Nelson Apostle
Islands National
Lakeshore
Wilderness Act.

(b) DEFINITIONS.—In this section:

(1) MAP.—The term “map” means the map entitled “Apostle Islands Lakeshore Wilderness”, numbered 633/80,058 and dated September 17, 2004.

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

(3) HIGH-WATER MARK.—The term “high-water mark” means the point on the bank or shore up to which the water,

118 STAT. 3069

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by its presence and action or flow, leaves a distinct mark indicated by erosion, destruction of or change in vegetation or other easily recognizable characteristic.

16 USC 1132
note.

(c) DESIGNATION OF APOSTLE ISLANDS NATIONAL LAKESHORE WILDERNESS.—

(1) DESIGNATION.—Certain lands comprising approximately 33,500 acres within the Apostle Islands National Lakeshore, as generally depicted on the map referred to in subsection (b), are hereby designated as wilderness in accordance with section 3(c) of the Wilderness Act (16 U.S.C. 1132), and therefore as components of the National Wilderness Preservation System.

(2) MAP AND DESCRIPTION.—

118 STAT. 3070

(A) The map referred to in subsection (b) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(B) As soon as practical after enactment of this section, the Secretary shall submit a description of the boundary of the wilderness areas to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the United States House of Representatives.

(C) The map and description shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the description and maps.

(3) BOUNDARY OF THE WILDERNESS.—Any portion of wilderness designated in paragraph (c)(1) that is bordered by Lake Superior shall use as its boundary the high-water mark.

(4) NAMING.—The wilderness area designated by this section shall be known as the Gaylord A. Nelson National Wilderness.

(d) ADMINISTRATION.—

(1) MANAGEMENT.—Subject to valid existing rights, the lands designated as wilderness by this section shall be administered by the Secretary in accordance with the applicable provisions of the Wilderness Act (16 U.S.C. 1131), except that—

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

(B) where appropriate, any reference to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior with respect to lands administered by the Secretary.

(2) SAVINGS PROVISIONS.—Nothing in this section shall—

(A) modify, alter, or in any way affect any treaty rights;

(B) alter the management of the waters of Lake Superior within the boundary of the Apostle Islands National Lakeshore in existence on the date of enactment of this section; or

(C) be construed to modify, limit, or in any way affect the use of motors on the lake waters, including snowmobiles and the beaching of motorboats adjacent to wilderness areas below the high-water mark, and the maintenance

PUBLIC LAW 108-447—DEC. 8, 2004

118 STAT. 3070

and expansion of any docks existing at the time of the enactment of this section.

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Approved December 8, 2004.

118 STAT. 3466

LEGISLATIVE HISTORY—H.R. 4818 (S. 2812):

HOUSE REPORTS: Nos. 108-599 (Comm. on Appropriations) and 108-792 (Comm. of Conference).

SENATE REPORTS: No. 108-346 accompanying S. 2812 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 150 (2004):

July 13, 15, considered and passed House.

Sept. 23, considered and passed Senate, amended, in lieu of S. 2812.

Nov. 20, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 40 (2004):

Dec. 8, Presidential statement.

119 STAT. 2120

PUBLIC LAW 109–97—NOV. 10, 2005

Public Law 109–97
109th Congress

An Act

Nov. 10, 2005
[H.R. 2744]

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

Agriculture,
Rural
Development,
Food and Drug
Administration,
and Related
Agencies
Appropriations
Act, 2006.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2006, and for other purposes, namely:

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119 STAT. 2149

TITLE VII

GENERAL PROVISIONS

(INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

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119 STAT. 2166

SEC. 799. Public Law 109–54, the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006, is amended as follows:

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Ante, p. 559.

(6) At the end of title IV—General Provisions, insert the following:

“SEC. 440. REDESIGNATION OF WILDERNESS.

16 USC 1132
note.

“(a) REDESIGNATION.—Section 140(c)(4) of division E of Public Law 108–447 is amended by striking ‘National’.

“(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the ‘Gaylord A. Nelson National Wilderness’ shall be deemed to be a reference to the ‘Gaylord A. Nelson Wilderness’.”.

This Act may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006”.

Approved November 10, 2005.

LEGISLATIVE HISTORY—H.R. 2744:

HOUSE REPORTS: Nos. 109–102 (Comm. on Appropriations) and 109–255 (Comm. of Conference).

SENATE REPORTS: No. 109–92 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 151 (2005):

June 8, considered and passed House.

Sept. 15, 19–22, considered and passed Senate, amended.

Oct. 28, House agreed to conference report.

Nov. 2, 3, Senate considered and agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 41 (2005):

Nov. 10, Presidential statement.

2. Sleeping Bear Dunes

PUBLIC LAW 108–229—MAY 28, 2004

118 STAT. 645

Public Law 108–229
108th Congress**An Act**

To provide for expansion of Sleeping Bear Dunes National Lakeshore.

May 28, 2004

[H.R. 408]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*Michigan.
16 USC 460x–7
note.**SECTION 1. EXPANSION OF SLEEPING BEAR DUNES NATIONAL LAKE-SHORE.**

(a) **IN GENERAL.**—When title to the land described in subsection (b) has vested in the United States in fee simple, the boundary of Sleeping Bear Dunes National Lakeshore is revised to include such land in that park.

(b) **LAND DESCRIBED.**—The land referred to in subsection (a) consists of approximately 104.45 acres of unimproved lands generally depicted on National Park Service map number 634/80078, entitled “Bayberry Mills, Inc. Crystal River, MI Proposed Expansion Unit to Sleeping Bear Dunes National Lakeshore”. The Secretary of the Interior shall keep such map on file and available for public inspection in the appropriate offices of the National Park Service.

(c) **PURCHASE OF LANDS AUTHORIZED.**—The Secretary of the Interior may acquire the land described in subsection (b), only by purchase from a willing seller.

SEC. 2. LIMITATION ON ACQUISITION BY EXCHANGE OR CONVEYANCE.

The Secretary of the Interior may not acquire any of the land described in subsection (b) of section 1 through any exchange or conveyance of lands that are within the boundary of the Sleeping Bear Dunes National Lakeshore as of the date of the enactment of this Act.

Approved May 28, 2004.

LEGISLATIVE HISTORY—H.R. 408:

HOUSE REPORTS: No. 108–292 (Comm. on Resources).

SENATE REPORTS: No. 108–240 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 149 (2003): Oct. 8, considered and passed House.

Vol. 150 (2004): May 19, considered and passed Senate.

