Public Law 94-557
94th Congress

An Act

To designate certain lands as wilderness.

Oct. 19, 1976
[S. 1026]

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

Wilderness areas.

DESIGNATION OF WILDERNESS AREAS WITHIN THE NATIONAL WILDLIFE REFUGE SYSTEM

SECTION 1. In accordance with subsection 3(c) of the Wilderness Act (78 Stat. 892), the following lands are hereby designated as wilderness and, therefore, as components of the National Wildnerness Preservation System:

16 USC 1132 note.

(a) certain lands in the Simeonof National Wildlife Refuge, Alaska, which comprise approximately twenty-five thousand one hundred and forty-one acres, which are depicted on a map entitled "Simeonof Wilderness Proposal", dated January 1971, and which shall be known as the Simeonof Wilderness;

(b) certain lands in the Big Lake National Wildlife Refuge, Arkansas, which comprise approximately two thousand six hundred acres, which are depicted on a map entitled "Big Lake Wilderness Proposal", dated June 1976, and which shall be known as the Big Lake Wilderness;

(c) certain lands in the Chassahowitzka National Wildlife Refuge, Florida, which comprise approximately twenty-three thousand three hundred and sixty acres, which are depicted on a map entitled "Chassahowitzka Wilderness Proposal", dated March 1975, and which shall be known as the Chassahowitzka Wilderness;

(d) certain lands in the J. N. "Ding" Darling National Wildlife Refuge, Florida, which comprise approximately two thousand eight hundred and twenty-five acres, which are depicted on a map entitled "J. N. 'Ding' Darling Wilderness Proposal", dated March 1975, and which shall be known as the J. N. "Ding" Darling Wilderness;

(e) certain lands in the Lake Woodruff National Wildlife Refuge, Florida, which comprise approximately one thousand one hundred and forty-six acres, which are depicted on a map entitled "Lake Woodruff Wilderness Proposal", dated June 1976, and which shall be known as the Lake Woodruff Wilderness;

(f) certain lands in the Crab Orchard National Wildlife Refuge, Illinois, which comprise approximately four thousand and fifty acres, which are depicted on a map entitled "Crab Orchard Wilderness Proposal", dated January 1973, and which shall be known as the Crab Orchard Wilderness;

(g) certain lands in the Lacassine National Wildlife Refuge, Louisiana, which comprise approximately three thousand three hundred acres, which are depicted on a map entitled "Lacassine Wilderness Proposal", dated June 1976, and which shall be known as the Lacassine Wilderness;

(h) certain lands in the Agassiz National Wildlife Refuge, Minnesota, which comprise approximately four thousand acres,

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which are depicted on a map entitled "Agassiz Wilderness Proposal", dated November 1973, and which shall be known as the Agassiz Wilderness;

(i) certain lands in the Tamarac National Wildlife Refuge, Minnesota, which comprise approximately two thousand one hundred and thirty-eight acres, which are depicted on a map entitled "Tamarac Wilderness Proposal", dated January 1973, and which shall be known as the Tamarac Wilderness;

(j) certain lands in the Mingo National Wildlife Refuge, Missouri, which comprise approximately eight thousand acres, which are depicted on a map entitled "Mingo Wilderness Proposal", dated March 1975, and which shall be known as the Mingo Wilderness;

(k) certain lands in the Red Rock Lakes National Wildlife Refuge, Montana, which comprise approximately thirty-two thousand three hundred and fifty acres, which are depicted on a map entitled "Red Rock Lakes Wilderness Proposal", dated January 1974, and which shall be known as the Red Rock Lakes Wilderness;

(l) certain lands in the Medicine Lake National Wildlife Refuge, Montana, which comprise approximately eleven thousand three hundred and sixty-six acres, which are depicted on a map entitled "Medicine Lake Wilderness Proposal", dated November 1973, and which shall be known as the Medicine Lake Wilderness;

(m) certain lands in the UL Bend National Wildlife Refuge, Montana, which comprise approximately twenty thousand eight hundred and ninety acres, which are depicted on a map entitled "UL Bend Wilderness Proposal", dated June 1976, and which shall be known as the UL Bend Wilderness;

(n) certain lands in the Fort Niobrara National Wildlife Refuge, Nebraska, which comprise approximately four thousand six hundred and thirty-five acres, which are depicted on a map entitled "Fort Niobrara Wilderness Proposal", dated November 1973, and which shall be known as the Fort Niobrara Wilderness;

(o) certain lands in the Swanquarter National Wildlife Refuge, North Carolina, which comprise approximately nine thousand acres, which are depicted on a map entitled "Swanquarter Wilderness Proposal", dated December 1973, and which shall be known as the Swanquarter Wilderness;

(p) certain lands in the San Juan Islands National Wildlife Refuge, Washington, which comprise approximately three hundred and fifty-five acres, which are depicted on a map entitled "San Juan Islands Wilderness Proposal", dated August 1971 (revised July 1976), and which shall be known as the San Juan Wilderness.

DESIGNATION OF WILDERNESS AREAS WITHIN THE NATIONAL FOREST SYSTEM

16 USC 1132 note.

SEC. 2. (a) In accordance with the subsection 3(b) of the Wilderness Act (78 Stat. 891), the area in the Shoshone National Forest in Wyoming classified as the Glacier Primitive Area, with the proposed additions thereto and deletions therefrom, comprising an area of approximately one hundred and ninety-seven thousand six hundred

acres as generally depicted on a map entitled "Glacier Wilderness Proposed", dated March 1975 (revised August 1976), is hereby designated as the "Fitzpatrick Wilderness" and, therefore, as a component of the National Wilderness Preservation System.

(b) In furtherance of the purposes of the Wilderness Act (78 Stat. 890), the following lands are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System: 16 USC 1131 note.

(1) certain lands in the Sierra National Forest in California, which comprise about twenty-two thousand five hundred acres, as generally depicted on a map entitled "Kaiser Wilderness-Proposed", dated August 1976, and shall be known as Kaiser Wilderness;

(2) certain lands in the Mark Twain National Forest in Missouri, which comprise about twelve thousand three hundred and fifteen acres, as generally depicted on a map entitled "Hercules-Glades Wilderness, Proposed", dated March 1976, and shall be known as the Hercules-Glades Wilderness;

DESIGNATION OF WILDERNESS STUDY AREAS WITHIN THE NATIONAL FOREST SYSTEM

SEC. 3. (a) In furtherance of the purposes of the Wilderness Act (78 Stat. 890) and in accordance with the provisions of subsection 3(d) of that Act (78 Stat. 892, 893), relating to public notice, public hearings, and review by State and other agencies, the Secretary of Agriculture shall review, as to its suitability or nonsuitability for preservation as wilderness, each wilderness study area designated by or pursuant to subsection (b) of this section and report his findings to the President. The President shall advise the United States Senate and the House of Representatives of his recommendations with respect to the designation as wilderness of each such area on which the review has been completed, together with a map thereof and a definition of its boundaries. 16 USC 1132 note.

(b) Wilderness study areas to be reviewed pursuant to this section include—

(1) certain lands in the Angeles and San Bernardino National Forests in California, which comprise approximately fifty-two thousand acres, and which are generally depicted on a map entitled "Sheep Mountain Wilderness, Proposed", and dated February 1974. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendations with respect to the designation of the Sheep Mountain Wilderness Study Area as wilderness not later than two years after the date of enactment of this Act;

(2) certain lands in the Mendocino National Forest in California, which comprise approximately thirty-seven thousand acres, and which are generally depicted on a map entitled "Snow Mountain Wilderness Proposed", and dated June 1971. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendations with respect to the designation of the Snow Mountain Wilderness Study Area as wilderness not later than two years after the date of enactment of this Act; Report to President, submittal to Congress.

(3) certain lands in the Mark Twain National Forest in Missouri, which comprise approximately eight thousand five hundred and thirty acres, and which are generally depicted on a map entitled "Bell Mountain Wilderness Study Area", and dated March 1976. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendations with respect to the designation of the Bell Mountain Wilderness Study Area as wilderness not later than five years after the date of enactment of this Act;

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(4) certain lands in the Mark Twain National Forest in Missouri, which comprise approximately six thousand eight hundred and eighty-eight acres, and which are generally depicted on a map entitled "Paddy Creek Wilderness Study Area", and dated March 1976. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendation with respect to the designation of the Paddy Creek Wilderness Study Area as wilderness not later than five years after the date of enactment of this Act;

Report to President, submittal to Congress.

(5) certain lands in the Mark Twain National Forest in Missouri, which comprise approximately eight thousand four hundred and thirty acres, and which are generally depicted on a map entitled "Piney Creek Wilderness Study Area", and dated March 1976. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendation with respect to the designation of the Piney Creek Wilderness Study Area as wilderness not later than five years after the date of enactment of this Act;

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(6) certain lands in the Mark Twain National Forest in Missouri, which comprise approximately four thousand one hundred and seventy acres, and which are generally depicted on a map entitled "Rockpile Mountain Wilderness Study Area", and dated March 1976. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendation with respect to the designation of the Rockpile Mountain Wilderness Study Area as wilderness not later than five years after the date of enactment of this Act;

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(7) certain lands in the Flathead and Lewis and Clark National Forests in Montana, which comprise approximately three hundred ninety-three thousand acres, and which are generally depicted on a map entitled "Great Bear Wilderness-Proposed", and dated November 1975 (revised August 1976). The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendation with respect to the designation of the Great Bear Wilderness Study Area as wilderness not later than nineteen months after the date of enactment of this Act; and in conducting his review, the Secretary of Agriculture, in consultation with the Secretary of the Interior, shall identify any potential utility corridors within or

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contiguous to the study area, review any adverse effects such corridors may have on the wilderness character of such area, determine whether any such corridor is necessary, and, if a determination of necessity is made, select a route and design which will minimize such effects. Nothing in this section shall be construed as prohibiting the siting of any such corridor within the boundaries of any area recommended by the President for wilderness preservation pursuant to this Act or designated as wilderness by the Congress and;

(8) certain lands in the Deer Lodge and Helena National Forests, in Montana, which comprise approximately seventy-seven thousand three hundred and forty-six acres and which are generally depicted on a map entitled "Elkhorn Wilderness Study Area" and dated April 1976. The Secretary shall complete his review and report his findings to the President and the President shall submit to the United States Senate and the House of Representatives his recommendation with respect to the designation of the Elkhorn Wilderness Study area as wilderness not later than two years after the date of enactment of this Act.

Report to President, submittal to Congress.

(c) Nothing herein contained shall limit the President in proposing, as part of his recommendations to Congress, the alteration of existing boundaries of any wilderness study area or recommending the addition to any such area of any contiguous area predominately of wilderness value. Any recommendation of the President to the effect that such area or portion thereof should be designated as "wilderness" shall become effective only if so provided by an Act of Congress.

Administration.

(d) Subject to existing private rights, the wilderness study areas designated by this Act shall, until Congress determines otherwise, be administered by the Secretary of Agriculture so as to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System, except that such management requirement shall not extend beyond a period of four years from the date of submission to the Congress of the President's recommendation concerning the particular study area. Already established uses may be permitted to continue, subject to such restrictions as the Secretary of Agriculture deems desirable, in the manner and degree in which the same was being conducted on the date of enactment of this Act.

ADMINISTRATIVE PROVISIONS

SEC. 4. Except as otherwise provided in this Act, all primitive area classifications of areas herein designated as wilderness are hereby abolished.

Map and description, filing with congressional committees.

SEC. 5. As soon as practicable after this Act takes effect, a map of each wilderness study area and a map and a legal description of each wilderness area shall be filed with the Committees on Interior and Insular Affairs of the United States Senate and House of Representatives, and each such map and description shall have the same force and effect as if included in this Act: *Provided, however*, That correction of clerical and typographical errors in each such legal description and map may be made. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief, Forest Service, Department of Agriculture.

16 USC 1131 note.

SEC. 6. Wilderness areas designated by this Act shall be administered in accordance with the applicable provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this Act, and any reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

Approved October 19, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-1562 accompanying H.R. 15446 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 94-1032 and No. 94-1032 Pt. 2 (Comm. on Interior and Insular Affairs).

CONGRESSIONAL RECORD, Vol. 122 (1976):

July 21, considered and passed Senate.

Sept. 27, considered and passed House, amended, in lieu of H.R. 15446.

Sept. 30, Senate agreed to House amendment.