

Public Law 99-490
99th Congress

An Act

To designate certain lands in the Cherokee National Forest in the State of Tennessee as wilderness areas, and for other purposes.

Oct. 16, 1986
[H.R. 5166]

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 “Tennessee Wilderness Act of 1986”.

SEC. 2. DESIGNATION OF WILDERNESS AREAS.

In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following lands in the Cherokee National Forest in the State of Tennessee are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) certain lands which comprise approximately 6,665 acres, as generally depicted on a map entitled “Pond Mountain Wilderness—Proposed and Pond Mountain Addition Wilderness—Proposed”, dated July 15, 1986, and which shall be known as the Pond Mountain Wilderness;

Tennessee
Wilderness Act
of 1986.
National
Wilderness
Preservation
System.
National Forest
System.

16 USC 1132
note.

(2) certain lands which comprise approximately 6,251 acres, as generally depicted on a map entitled “Big Laurel Branch Wilderness—Proposed”, dated July 15, 1986, and which shall be known as the Big Laurel Branch Wilderness;

16 USC 1132
note.

(3) certain lands which comprise approximately 4,700 acres, as generally depicted on a map entitled “Unaka Mountain Wilderness—Proposed”, dated July 15, 1986, and which shall be known as the Unaka Mountain Wilderness;

16 USC 1132
note.

(4) certain lands which comprise approximately 8,319 acres, as generally depicted on a map entitled “Sampson Mountain Wilderness—Proposed”, dated July 15, 1986, and which shall be known as the Sampson Mountain Wilderness;

16 USC 1132
note.

(5) certain lands which comprise approximately 4,800 acres, as generally depicted on a map entitled “Little Frog Mountain Wilderness—Proposed”, dated July 15, 1986, and which shall be known as the Little Frog Mountain Wilderness; and

16 USC 1132
note.

(6) certain lands which comprise approximately 3,000 acres, as generally depicted on a map entitled “Big Frog Extension Wilderness—Proposed”, dated July 15, 1986, and which shall be combined with the now existing Big Frog Wilderness and known as the Big Frog Wilderness.

SEC. 3. MAPS AND DESCRIPTIONS.

As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture shall file a map and legal description of each wilderness area designated by this Act with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the United States House of Representatives and with the Committee on Agriculture, Nutrition, and Forestry of the United States Senate.

Public
information.

Each such map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in each such map and description may be made by the Secretary. Each such map and description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

SEC. 4. ADMINISTRATION OF WILDERNESS.

16 USC 1131
note.

(a) **IN GENERAL.**—Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

SEC. 5. EFFECT OF RARE II.

Conservation.

(a) **FINDINGS.**—The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) the Congress has made its own review and examination of National Forest System roadless area in Johnson, Carter, Sullivan, Unicoi, Washington, Greene, Cocke, and McMinn Counties, Tennessee, and of the environmental impacts associated with alternative allocations of such areas.

(b) **REVIEW AND RELEASE.**—On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to the National Forest System lands other than in Johnson, Carter, Sullivan, Unicoi, Washington, Greene, Cocke, and McMinn Counties, Tennessee, such statement shall not be subject to judicial review with respect to National Forest lands in Johnson, Carter, Sullivan, Unicoi, Washington, Greene, Monroe, Polk, McMinn, and Cocke Counties, Tennessee;

(2) with respect to the National Forest System lands in Johnson, Carter, Sullivan, Unicoi, Washington, Greene, Cocke, and McMinn Counties, Tennessee, which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d), except those lands designated for wilderness study upon enactment of this Act, that review and evaluation or reference shall be deemed for the purposes of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time, the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(3) areas in Johnson, Carter, Sullivan, Unicoi, Washington, Greene, Monroe, Polk, McMinn, and Cocke Counties, Tennessee,

16 USC 1600
note.

reviewed in such final environmental statement or referenced in subsection (d) and not designated as wilderness or for wilderness study upon enactment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976: *Provided*, That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during the revision of the initial land management plans; and

16 USC 1604.

(4) in the event that revised land management plans in Johnson, Carter, Sullivan, Unicoi, Washington, Greene, Monroe, Polk, McMinn, and Cocke Counties, Tennessee, are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law.

(c) **REVISION.**—As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term “revision” shall not include an “amendment” to a plan.

(d) **CERTAIN AREAS LESS THAN 5,000 ACRES IN SIZE.**—The provisions of this section shall also apply to National Forest System roadless lands in Johnson, Carter, Sullivan, Unicoi, Washington, Greene, Monroe, Polk, McMinn, and Cocke Counties, Tennessee, which are less than 5,000 acres in size.

SEC. 6. TERMINATION OF WILDERNESS STUDY.

The designations of the Little Frog Wilderness Study Area and the Big Frog Study Area pursuant to section 6 of the Act of October 30, 1984 (98 Stat. 3090), are terminated, and the Secretary of Agriculture shall have no further obligation to study such areas for wilderness.

Approved October 16, 1986.

LEGISLATIVE HISTORY—H.R. 5166:

HOUSE REPORTS: No. 99-853, Pt. 1 (Comm. on Interior and Insular Affairs).

CONGRESSIONAL RECORD, Vol. 132 (1986):

Sept. 22, considered and passed House.

Oct. 3, considered and passed Senate.