Public Law 100-184
100th Congress

An Act

Dec. 8, 1987
[H.R. 148]

To designate certain public lands in the State of Michigan as wilderness, and for other purposes.

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

Michigan Wilderness Act of 1987.
National Wilderness Preservation System.
Forests and forest products.

SHORT TITLE

SECTION 1. This Act may be cited as the "Michigan Wilderness Act of 1987".

FINDINGS

SEC. 2. In designating wilderness areas pursuant to this Act, the Congress—

(1) finds, as provided in the Wilderness Act, that such areas—

(A) generally appear to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;

(B) have outstanding opportunities for solitude or a primitive and unconfined type of recreation; and

(C) contain ecological, geological, and other features of scientific, educational, and scenic value; and

Pollution.

(2) considers significant the assurances of the Governor of Michigan that he has no intention of seeking more stringent air quality standards which would impinge on development of lands surrounding wilderness areas designated by this Act.

DESIGNATION OF WILDERNESS AREAS

16 USC 1132 note.

SEC. 3. In furtherance of the purposes of the Wilderness Act of 1964 (16 U.S.C. 1131), the following lands in the State of Michigan are hereby designated as wilderness, and therefore as components of the National Wilderness Preservation System—

(a) subject to valid existing rights and reasonable access to exercise such rights certain lands in the Manistee National Forest, comprising approximately three thousand four hundred and fifty acres as generally depicted on a map entitled "Nordhouse Dunes Wilderness—Proposed", dated November 1987, and which shall be known as the Nordhouse Dunes Wilderness;

(b) certain lands in the Ottawa National Forest, comprising approximately eighteen thousand three hundred and twenty seven acres as generally depicted on a map entitled "Sylvania Wilderness—Proposed", dated November 1987, and which shall be known as the Sylvania Wilderness;

(c) certain lands in the Ottawa National Forest, comprising approximately fourteen thousand five hundred acres as generally depicted on a map entitled "Sturgeon River Gorge

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Wilderness—Proposed", dated November 1987, and which shall be known as the Sturgeon River Gorge Wilderness;

(d) certain lands in the Hiawatha National Forest, comprising approximately four thousand six hundred and forty acres as generally depicted on a map entitled "Rock River Canyon Wilderness—Proposed", dated November 1987, and which shall be known as the Rock River Canyon Wilderness;

(e) certain lands in the Hiawatha National Forest, comprising approximately five thousand five hundred acres as generally depicted on a map entitled "Big Island Lake Wilderness—Proposed", dated November 1987, and which shall be known as the Big Island Lake Wilderness;

(f) certain lands in the Hiawatha National Forest, comprising approximately twelve thousand two hundred and thirty acres as generally depicted on a map entitled "Mackinac Wilderness—Proposed", dated November 1987, and which shall be known as the Mackinac Wilderness;

(g) certain lands in the Hiawatha National Forest, comprising approximately three thousand seven hundred and ninety acres as generally depicted on a map entitled "Horseshoe Bay Wilderness—Proposed", dated November 1987, and shall be known as the Horseshoe Bay Wilderness;

(h) certain lands in the Hiawatha National Forest, comprising approximately three hundred and seventy eight acres as generally depicted on a map entitled "Round Island Wilderness—Proposed", dated November 1987, and which shall be known as the Round Island Wilderness;

(i) certain lands in the Ottawa National Forest, comprising approximately sixteen thousand eight hundred and fifty acres as generally depicted on a map entitled "McCormick Wilderness—Proposed", dated November 1987, and which shall be known as the McCormick Wilderness; and

(j) certain lands in the Hiawatha National Forest, comprising approximately eleven thousand eight hundred and seventy acres as generally depicted on a map entitled "Delirium Wilderness—Proposed", dated November 1987, and which shall be known as the Delirium Wilderness.

DESCRIPTION AND MAPS

SEC. 4. As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file maps and legal descriptions of each wilderness area designated by this title with the Committee on Energy and Natural Resources, United States Senate, and the Committee on Interior and Insular Affairs, House of Representatives, and each such map and legal description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

Public information.

ADMINISTRATION OF WILDERNESS AREAS

SEC. 5. 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

of 1964 governing areas designated by that Act as wilderness areas except that with respect to any area designated in this Act, any reference in such provisions to the effective date of the Wilderness Act of 1964 shall be deemed to be a reference to the effective date of this Act.

RARE II REVIEW

SEC. 6. (a) The Congress finds that—

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

Environmental protection.

(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of Michigan and of the environmental impacts associated with alternative allocations of such areas.

(b) 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 National Forest System lands in the State of Michigan; such statement shall not be subject to judicial review with respect to National Forest System lands in the State of Michigan;

(2) with respect to the National Forest System lands in the State of Michigan 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), 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 the State of Michigan reviewed in such final environmental statement or referenced in subsection (d) and not designated wilderness 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 revision of the initial land management plans;

(4) in the event that revised land management plans in the State of Michigan 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; and

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Michigan for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) 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) The provisions of this section shall also apply to National Forest System roadless lands in the State of Michigan which are less than five thousand acres in size.

NONWILDERNESS ACTIVITIES

SEC. 7. Congress does not intend that designation of wilderness areas in the State of Michigan lead to the creation of protective perimeters or buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within the wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness.

HUNTING, FISHING, AND TRAPPING

SEC. 8. As provided in section 4(d)(7) of the Wilderness Act, nothing in this Act shall be construed as affecting the jurisdiction or responsibilities of the State of Michigan with respect to wildlife and fish in the national forests in Michigan.

INHOLDERS RIGHTS

SEC. 9. As provided in section 5 of the Wilderness Act—

(1) owners of private lands within any area designated by this Act shall be assured the right of adequate access; and

(2) no privately owned lands within any area designated by this Act may be acquired without concurrence of the owner of such lands.

FIRE, INSECTS, AND DISEASE CONTROL

SEC. 10. As provided in section 4(d)(1) of the Wilderness Act, the Secretary may take such measures as may be necessary to control fire, insects, and diseases within any area designated by this Act.

Approved December 8, 1987.

LEGISLATIVE HISTORY—H.R. 148:

HOUSE REPORTS: No. 100-29, Pt. 1 (Comm. on Interior and Insular Affairs) and Pt. 2 (Comm. on Agriculture).
SENATE REPORTS: No. 100-206 (Comm. on Agriculture, Nutrition, and Forestry).
CONGRESSIONAL RECORD, Vol. 133 (1987):
Apr. 7, considered and passed House.
Nov. 19, considered and passed Senate, amended.
Nov. 20, House concurred in Senate amendment.