

national scenic and wildlife area, except that the Secretary may use evenaged management practices in order to promote public safety, mitigate the effects of fire, insects, and disease, or if such practices result in irregular cuts behind geographic barriers blocking the view from the Talimena Drive and the Holson Valley Road. (Pub. L. 100-499, § 10, Oct. 18, 1988, 102 Stat. 2496.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

§ 460vv-9. Beech Creek National Scenic Area

(a) Designation

In order to protect and enhance certain scenery and wildlife within the Ouachita National Forest, Oklahoma, certain lands within such national forest, as generally depicted on a map entitled “Beech Creek National Scenic Area—Proposed”, dated March 1988, are hereby designated as the “Beech Creek National Scenic Area” (hereinafter in this subchapter referred to as the “national scenic area”).

(b) Map and description

The Secretary of Agriculture (hereinafter in this section referred to as the “Secretary”) shall, as soon as practicable after October 18, 1988, file a map and a legal description of the national scenic area with the Committee on Interior and Insular Affairs and the Committee on Agriculture of the United States House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the United States Senate. Each such map and legal description shall have the same force and effect as if included in this subchapter; except that correction of clerical and typographical errors in such legal description and map may be made. The 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.

(c) Administration

The Secretary shall administer the national scenic area in accordance with the laws, rules, and regulations applicable to the national forests in such manner as will best further the purposes of this section, as set forth in subsection (a). Timber management practices within the area shall promote a mixed hardwood and conifer forest with species and age class diversity approximating natural succession and with significant mast production and den trees for wildlife. Unevenaged management shall be the timber management practice in the area, except that the Secretary is authorized to use evenaged management practices in order to promote public safety or to mitigate the effects of fire, insects, and disease.

(Pub. L. 100-499, § 11, Oct. 18, 1988, 102 Stat. 2496.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Interior and Insular Affairs of the House of Representatives changed to Committee on

Natural Resources of the House of Representatives on Jan. 5, 1993, by House Resolution No. 5, One Hundred Third Congress.

§ 460vv-10. Nomenclature

The wilderness areas, the national recreation area, the national scenic and wildlife area, the national scenic area, and the botanical areas designated in this subchapter shall be referred to as the “Winding Stair Mountain National Recreation and Wilderness Area”.

(Pub. L. 100-499, § 12, Oct. 18, 1988, 102 Stat. 2497.)

§ 460vv-11. Timber management report

The Secretary of Agriculture shall submit to the Committee on Natural Resources and the Committee on Agriculture of the United States House of Representatives and the Committee on Energy and Natural Resources and the Committee on Agriculture, Nutrition, and Forestry of the United States Senate a report on the timber management program on those lands of the Ouachita National Forest located in Le Flore County, Oklahoma, each year after October 18, 1988, for a period of 20 years. Each such report shall include information on timber management practices, sale preparation, harvest levels, reforestation, forest pest and damage problems, multiple use mitigation practices, including wildlife enhancement, recreation, protection of scenery, vegetation conversion, roads, and vegetative cover along streams, roads and trails. The report shall also include an economic impact statement of the Ouachita National Forest in Le Flore County, Oklahoma, on the timber industry and the tourism and recreation industry.

(Pub. L. 100-499, § 13, Oct. 18, 1988, 102 Stat. 2497; Pub. L. 103-437, § 6(d)(20), Nov. 2, 1994, 108 Stat. 4584.)

Editorial Notes

AMENDMENTS

1994—Pub. L. 103-437 substituted “Natural Resources” for “Interior and Insular Affairs” after “Committee on”.

§ 460vv-12. Advisory committee

Pursuant to chapter 10 of title 5, no later than 90 days after October 18, 1988, the Secretary is directed to establish an advisory committee for Ouachita National Forest lands in Le Flore County, Oklahoma. The Committee’s purpose shall be advisory in nature and the Committee shall provide information and recommendations to the Secretary regarding the operation of the Ouachita National Forest in Le Flore County. The Committee shall be composed of representatives from the local area in which the Ouachita National Forest is located equally divided among conservation, timber, fish and wildlife, tourism and recreation, and economic development interests.

(Pub. L. 100-499, § 14, Oct. 18, 1988, 102 Stat. 2497; Pub. L. 117-286, § 4(a)(91), Dec. 27, 2022, 136 Stat. 4315.)

Editorial Notes**AMENDMENTS**

2022—Pub. L. 117-286 substituted “chapter 10 of title 5,” for “the Federal Advisory Committee Act (Public Law 92-463).”

Statutory Notes and Related Subsidiaries**TERMINATION OF ADVISORY COMMITTEES**

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided for by law. See section 1013 of Title 5, Government Organization and Employees.

§ 460vv-13. Planning**(a) Forest management plan**

The Secretary shall amend the Ouachita National Forest land and resource management plan to include provisions regarding the wilderness areas, the botanical areas, the national recreation area, the national scenic and wildlife area, and the national scenic area designated by this subchapter. The amendment shall further the purposes for these areas as specified in this subchapter and shall be developed in accordance with the provisions of the National Forest Management Act, including provisions for public involvement. The Secretary shall consult with the local advisory committee established under section 460vv-12 of this title regarding the development and implementation of the amendment required under this subsection.

(b) Tourism and recreation

The plan shall include a section with provisions to promote tourism and recreation in ways consistent with the purposes for which the wilderness areas, the botanical areas, the national recreation area, the national scenic and wildlife area and the national scenic area are designated.

(c) Local advisory group

No later than 90 days after October 18, 1988, the Secretary shall designate a special advisory group from the local area in which the Ouachita National Forest is located to assist in the preparation of the tourism and recreation section of the amendment as required under subsection (b). The Secretary shall request the group to submit to the Secretary, within 12 months after its designation as an advisory group, a draft for such section. No later than 90 days after receiving such draft, the Secretary shall make any revisions and provide them to the group for review. The Secretary shall allow at least 60 days for the group to submit to the Secretary its comments on the revisions. The Secretary shall attempt to resolve any differences prior to his approval or disapproval of the amendment to the forest plan.

(d) Authorization of appropriations

There are hereby authorized to be appropriated not to exceed \$15,000,000 for tourism and recreation improvements related to the Winding

Stair Mountain National Recreation and Wilderness Area in Ouachita National Forest in Le Flore County, Oklahoma.

(e) Implementation

The Secretary is authorized and encouraged to seek local nonprofit entities and the private sector for development of tourism and recreation initiatives in implementing the tourism and recreation section of the plan.

(Pub. L. 100-499, § 15, Oct. 18, 1988, 102 Stat. 2498.)

Editorial Notes**REFERENCES IN TEXT**

The National Forest Management Act, referred to in subsec. (a), probably means the National Forest Management Act of 1976, Pub. L. 94-588, Oct. 22, 1976, 90 Stat. 2949, which enacted sections 472a, 521b, 1600, and 1611 to 1614 of this title, amended sections 500, 515, 516, 518, 576b, and 1601 to 1610 of this title, repealed sections 476, 513, and 514 of this title, and enacted provisions set out as notes under sections 476, 513, 528, 594-2, and 1600 of this title. For complete classification of this Act to the Code, see Short Title of 1976 Amendment note set out under section 1600 of this title and Tables.

Statutory Notes and Related Subsidiaries**TERMINATION OF ADVISORY GROUPS**

Advisory groups established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a group established by the President or an officer of the Federal Government, such group is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a group established by the Congress, its duration is otherwise provided for by law. See sections 1001(2) and 1013 of Title 5, Government Organization and Employees.

§ 460vv-14. Fire, insect, and disease

Nothing in this subchapter shall preclude the Secretary of Agriculture from carrying out such measures in the recreation area, the national scenic and wildlife area, the national scenic area, or in the botanical areas established by this subchapter as the Secretary, in his discretion, deems necessary in the event of fire, or infestation of insects or disease or for public health and safety. As provided in section 1133(d)(1) of this title, the Secretary may take such measures as may be necessary to control fire, insects, and diseases within the wilderness areas designated by this subchapter.

(Pub. L. 100-499, § 16, Oct. 18, 1988, 102 Stat. 2498.)

§ 460vv-15. Grazing

Subject to such limitations, conditions, or regulations as he may prescribe, the Secretary of Agriculture shall permit grazing on lands within the Ouachita National Forest, Le Flore County, Oklahoma.

(Pub. L. 100-499, § 17, Oct. 18, 1988, 102 Stat. 2499.)

§ 460vv-16. Fishing and wildlife

Nothing in this subchapter shall be construed as affecting the jurisdiction or responsibilities of the State with respect to wildlife and fish in the areas designated by this subchapter.

(Pub. L. 100-499, § 18, Oct. 18, 1988, 102 Stat. 2499.)