

**Illinois Wilderness Act**

101st CONGRESS

2d Session

**H. R. 5428**

**IN THE SENATE OF THE UNITED STATES**

**October 12 (legislative day OCTOBER 2), 1990**

Received; read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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**AN ACT**

To designate certain public lands in the State of Illinois 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,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the `Illinois Wilderness Act of 1990'.

**SEC. 2. FINDINGS.**

In designating wilderness areas in the Shawnee National Forest pursuant to this Act, the Congress finds, as provided in the Wilderness Act, that such areas--

- (1) generally appear to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable;
- (2) have outstanding opportunities for solitude or a primitive and unconfined type of recreation; and
- (3) contain ecological, geological, and other features of scientific, educational, and scenic value.

**SEC. 3. 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 Shawnee National Forest in the State of Illinois are hereby designated as wilderness and therefore as components of the National Wilderness Preservation System--

- (1) certain lands comprising approximately 5,918 acres, as generally depicted on a map entitled `Bald Knob Wilderness--Proposed', dated July 1990, and which shall be known as the Bald Knob Wilderness;

- (2) certain lands comprising approximately 2,866 acres, as generally depicted on a map entitled 'Bay Creek Wilderness--Proposed', dated July 1990, and which shall be known as the Bay Creek Wilderness;
- (3) certain lands comprising approximately 3,723 acres, as generally depicted on a map entitled 'Burden Falls Wilderness--Proposed', dated July 1990, and which shall be known as Burden Falls Wilderness;
- (4) certain lands comprising approximately 4,730 acres, as generally depicted on a map entitled 'Clear Springs Wilderness--Proposed', dated July 1990, and which shall be known as the Clear Springs Wilderness;
- (5) certain lands comprising approximately 3,293 acres, as generally depicted on a map entitled 'Garden of the Gods Wilderness--Proposed', dated July 1990, and which shall be known as the Garden of the Gods Wilderness;
- (6) certain lands comprising approximately 4,796 acres, as generally depicted on a map entitled 'Lusk Creek Wilderness--Proposed', dated July 1990, and which shall be known as the Lusk Creek Wilderness; and
- (7) certain lands comprising approximately 940 acres, as generally depicted on a map entitled 'Panther Den Wilderness--Proposed', dated July 1990, and which shall be known as Panther Den Wilderness.

#### **SEC. 4. DESCRIPTION AND MAPS.**

As soon as practicable after the enactment of this Act, the Secretary of Agriculture (hereafter in this Act referred to as the 'Secretary') shall file maps and legal descriptions of each wilderness area designated by this Act with the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committees on Agriculture and Interior and Insular Affairs of the House of Representatives. Each such map and legal description shall have the same force and effect as if included in this Act, except 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.

#### **SEC. 5. ADMINISTRATION OF WILDERNESS AREAS.**

Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary in accordance with the provisions of the Wilderness Act, 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.

#### **SEC. 6. ADJACENT AREAS.**

Congress does not intend that designation of wilderness areas in the State of Illinois 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 areas.

## **SEC. 7. HUNTING, FISHING, AND TRAPPING.**

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 Illinois with respect to wildlife and fish in the national forests in Illinois.

## **SEC. 8. FIRE, INSECTS, AND DISEASE CONTROL.**

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.

## **SEC. 9. CEMETERY ACCESS.**

The Secretary shall permit relatives and descendants of those interred in cemeteries located within the wilderness areas designated by this Act, and those accompanying such relatives and descendants, to access and maintain such cemeteries. The Secretary shall regulate such appropriate access and maintenance to minimize any detrimental effects on the wilderness resource or any uses incompatible with the provisions of the Wilderness Act.

## **SEC. 10. DESIGNATION OF SPECIAL MANAGEMENT AREAS.**

(a) AREA DESIGNATIONS- (1) Mining and prospecting for fluorspar and associated minerals shall be permitted in the lands in the Shawnee National Forest described in paragraph (2) in accordance with this section and other applicable law. These lands shall also be managed, to the extent practicable, to preserve their potential for future inclusion in the National Wilderness Preservation System.

(2) The lands described in this paragraph are--

(A) certain lands comprising approximately 2,042 acres as generally depicted on a map entitled 'East Fork Area--Proposed', dated July 1990, and which shall be known as the East Fork Area; and

(B) certain lands comprising approximately 722 acres as generally depicted on a map entitled 'Eagle Creek Area--Proposed', dated July 1990, and which shall be known as the Eagle Creek Area.

(b) TIME LIMITATION- Prospecting for fluorspar and associated minerals in the lands described in subsection (a)(2) may be allowed for a period of not more than 8 years beginning on the date of enactment of this Act. If significant deposits of fluorspar and associated minerals are found to exist in parts or all of such lands, then mining for those minerals may be allowed for a 20-year period beginning on the date of enactment of this Act.

(c) MINERAL RIGHTS- Nothing in this section shall be construed to change in any way the process by which mining and prospecting permits and rights are granted on National Forest System lands.

(d) CESSATION OF CERTAIN USES- Twenty years following the date of enactment of this Act (or 8 years following enactment if no prospecting for fluorspar and associated minerals has been done, as determined by the Secretary), such lands described in subsection (a)(2) shall be designated as wilderness and components of the National Wilderness Preservation System, in furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.).

Passed the House of Representatives October 10, 1990.

Attest:

DONNALD K. ANDERSON,

Clerk.

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