

## MISCELLANEOUS SPECIAL PROVISIONS Basis in the Wilderness Act

Section 4(c) exempts the “Prohibition of Certain Uses” with the following phrase:

(c) Except as specifically provided for in this Act, and subject to existing private rights...

As mentioned in the *Outline* for this Toolbox, for the provisions provided for in:

Section 4(d)(1) (fire portion) -- see the FIRE MANAGEMENT Toolbox

Sections 4(d)(2) and 4(d)(3) -- see the MINERALS Toolbox

Section 4(d)(d)(2) -- see the GRAZING Toolbox

Section 4(d)(6) -- see the COMMERCIAL SERVICES (OUTFITTER AND GUIDE) Toolbox

Section 4(d)(8) -- see the FISH AND WILDLIFE MANAGEMENT Toolbox

Section 5 -- see the INHOLDINGS ACCESS Toolbox.

The Wilderness Act also enumerates other “Special Provisions” that may be applicable to you:

(4)(d)(1): Within wilderness areas designated by this Act the use of aircraft or motorboats, where these uses have already become established, may be permitted to continue subject to such restrictions as the Secretary of Agriculture deems desirable....

(4)(d)(4): Within wilderness areas in the national forests designated by this Act, (1) the President may, within a specific area and in accordance with such regulations as he may deem desirable, authorize prospecting for water resources, the establishment and maintenance of reservoirs, water-conservation works, power projects, transmission lines, and other facilities needed in the public interest, including the road construction and maintenance essential to development and use thereof, upon his determination that such use or uses in the specific area will better serve the interests of the United States and the people thereof than will its denial....

(4)(d)(7): Nothing in this Act shall constitute an express or implied claim or denial on the part of the Federal Government as to exemption from State water laws.

**In addition, other laws may have bearing on special provisions in your wilderness.**

Some of these laws have little to do with wilderness; others may be significantly -- or even solely -- concerned with wilderness designation and management. It is not possible for this Toolbox to track all the laws which might have bearing on the over-700 wilderness areas in the National Wilderness Preservation System.