To establish the Rocky Mountain Front Conservation Management Area, to designate certain Federal land as wilderness, and to improve the management of noxious weeds in the Lewis and Clark National Forest, and for other purposes.

IN THE SENATE OF THE UNITED STATES

February 14, 2013

Mr. Baucus (for himself and Mr. Tester) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish the Rocky Mountain Front Conservation Management Area, to designate certain Federal land as wilderness, and to improve the management of noxious weeds in the Lewis and Clark National Forest, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Rocky Mountain Front
5 Heritage Act of 2013”.

6 SEC. 2. DEFINITIONS.

7 In this Act:
(1) **Conservation Management Area.**—The term “Conservation Management Area” means the Rocky Mountain Front Conservation Management Area established by section 3(a)(1).

(2) **Decommission.**—The term “decommission” means—

(A) to reestablish vegetation on a road; and

(B) to restore any natural drainage, watershed function, or other ecological processes that are disrupted or adversely impacted by the road by removing or hydrologically disconnecting the road prism.

(3) **District.**—The term “district” means the Rocky Mountain Ranger District of the Lewis and Clark National Forest.

(4) **Map.**—The term “map” means the map entitled “Rocky Mountain Front Heritage Act” and dated October 27, 2011.

(5) **Nonmotorized Recreation Trail.**—The term “nonmotorized recreation trail” means a trail designed for hiking, bicycling, or equestrian use.

(6) **Secretary.**—The term “Secretary” means—
(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(7) STATE.—The term “State” means the State of Montana.

SEC. 3. ROCKY MOUNTAIN FRONT CONSERVATION MANAGEMENT AREA.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—There is established the Rocky Mountain Front Conservation Management Area in the State.

(2) AREA INCLUDED.—The Conservation Management Area shall consist of approximately 195,073 acres of Federal land managed by the Forest Service and 13,087 acres of Federal land managed by the Bureau of Land Management in the State, as generally depicted on the map.

(3) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land that is located in the Conservation Management Area and is acquired by the United States from a willing seller shall—
(A) become part of the Conservation Management Area; and

(B) be managed in accordance with—

(i) in the case of land managed by the Forest Service—

(I) the Act of March 1, 1911 (commonly known as the “Weeks Law”) (16 U.S.C. 552 et seq.); and

(II) any laws (including regulations) applicable to the National Forest System;


(iii) this section; and

(iv) any other applicable law (including regulations).

(b) PURPOSES.—The purposes of the Conservation Management Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the recreational, scenic, historical, cultural, fish, wildlife, roadless, and ecological values of the Conservation Management Area.

(c) MANAGEMENT.—
(1) IN GENERAL.—The Secretary shall manage the Conservation Management Area—

(A) in a manner that conserves, protects, and enhances the resources of the Conservation Management Area; and

(B) in accordance with—

(i) the laws (including regulations) and rules applicable to the National Forest System for land managed by the Forest Service;


(iii) this section; and

(iv) any other applicable law (including regulations).

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Conservation Management Area that the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES.—
(i) IN GENERAL.—The use of motorized vehicles in the Conservation Management Area shall be permitted only on existing roads, trails, and areas designated for use by such vehicles as of the date of enactment of this Act.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary roads shall be constructed within the Conservation Management Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) rerouting or closing an existing road or trail to protect natural resources from degradation, as determined to be appropriate by the Secretary;

(II) constructing a temporary road on which motorized vehicles are permitted as part of a vegetation management project in any portion of the Conservation Management Area located not more than 1/4 mile from the Teton Road, South Teton Road,
Sun River Road, Beaver Willow Road,
or Benchmark Road;

(III) authorizing the use of motorized vehicles for administrative purposes (including noxious weed eradication or grazing management);
or

(IV) responding to an emergency.

(iv) DECOMMISSIONING OF TEMPORARY ROADS.—The Secretary shall de-commission any temporary road constructed under clause (iii)(II) not later than 3 years after the date on which the applicable vegetation management project is completed.

(C) GRAZING.—The Secretary shall permit grazing within the Conservation Management Area, if established on the date of enactment of this Act—

(i) subject to—

(I) such reasonable regulations, policies, and practices as the Secretary determines appropriate; and

(II) all applicable laws; and

(ii) in a manner consistent with—
(I) the purposes described in subsection (b); and

(II) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(D) VEGETATION MANAGEMENT.—Nothing in this Act prevents the Secretary from conducting vegetation management projects within the Conservation Management Area—

(i) subject to—

(I) such reasonable regulations, policies, and practices as the Secretary determines appropriate; and

(II) all applicable laws (including regulations); and

(ii) in a manner consistent with the purposes described in subsection (b).

SEC. 4. DESIGNATION OF WILDERNESS ADDITIONS.

(a) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following Federal land in the State is designated as wilderness and as additions
to existing components of the National Wilderness Preservation System:

(1) **Bob Marshall Wilderness.**—Certain land in the Lewis and Clark National Forest, comprising approximately 50,401 acres, as generally depicted on the map, which shall be added to and administered as part of the Bob Marshall Wilderness designated under section 3 of the Wilderness Act (16 U.S.C. 1132).

(2) **Scapegoat Wilderness.**—Certain land in the Lewis and Clark National Forest, comprising approximately 16,711 acres, as generally depicted on the map, which shall be added to and administered as part of the Scapegoat Wilderness designated by the first section of Public Law 92–395 (16 U.S.C. 1132 note).

(b) **Management of Wilderness Additions.**—Subject to valid existing rights, the land designated as wilderness additions by subsection (a) shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be deemed to be a reference to the date of the enactment of this Act.

(c) **Livestock.**—The grazing of livestock and the maintenance of existing facilities relating to grazing in the
wilderness additions designated by this section, if established before the date of enactment of this Act, shall be permitted to continue in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(d) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), within the wilderness additions designated by this section, the Secretary may take any measures that the Secretary determines to be necessary to control fire, insects, and diseases, including, as the Secretary determines appropriate, the coordination of those activities with a State or local agency.

(e) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—The designation of a wilderness addition by this section shall not create any protective perimeter or buffer zone around the wilderness area.

(2) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness addition des-
ignated by this section shall not preclude the con-
duct of those activities or uses outside the boundary
of the wilderness area.

SEC. 5. MAPS AND LEGAL DESCRIPTIONS.

(a) In General.—As soon as practicable after the
date of enactment of this Act, the Secretary shall prepare
maps and legal descriptions of the Conservation Manage-
ment Area and the wilderness additions designated by sec-
tions 3 and 4, respectively.

(b) Force of Law.—The maps and legal descrip-
tions prepared under subsection (a) shall have the same
force and effect as if included in this Act, except that the
Secretary may correct typographical errors in the map and
legal descriptions.

(c) Public Availability.—The maps and legal de-
scriptions prepared under subsection (a) shall be on file
and available for public inspection in the appropriate of-
ices of the Forest Service and Bureau of Land Manage-
ment.

SEC. 6. NOXIOUS WEEP MANAGEMENT.

(a) In General.—Not later than 1 year after the
date of enactment of this Act, the Secretary of Agriculture
shall prepare a comprehensive management strategy for
preventing, controlling, and eradicating noxious weeds in
the district.
(b) CONTENTS.—The management strategy shall—

(1) include recommendations to protect wildlife, forage, and other natural resources in the district from noxious weeds;

(2) identify opportunities to coordinate noxious weed prevention, control, and eradication efforts in the district with State and local agencies, Indian tribes, nonprofit organizations, and others;

(3) identify existing resources for preventing, controlling, and eradicating noxious weeds in the district;

(4) identify additional resources that are appropriate to effectively prevent, control, or eradicate noxious weeds in the district; and

(5) identify opportunities to coordinate with county weed districts in Glacier, Pondera, Teton, and Lewis and Clark Counties in the State to apply for grants and enter into agreements for noxious weed control and eradication projects under the Noxious Weed Control and Eradication Act of 2004 (7 U.S.C. 7781 et seq.).

(c) CONSULTATION.—In developing the management strategy required under subsection (a), the Secretary shall consult with—

(1) the Secretary of the Interior;
(2) appropriate State, tribal, and local governmental entities; and

(3) members of the public.

SEC. 7. NONMOTORIZED RECREATION OPPORTUNITIES.

Not later than 2 years after the date of enactment of this Act, the Secretary of Agriculture, in consultation with interested parties, shall conduct a study to improve nonmotorized recreation trail opportunities (including mountain bicycling) on land not designated as wilderness within the district.

SEC. 8. MANAGEMENT OF FISH AND WILDLIFE; HUNTING AND FISHING.

Nothing in this Act affects the jurisdiction of the State with respect to fish and wildlife management (including the regulation of hunting and fishing) on public land in the State.

SEC. 9. OVERFLIGHTS.

(a) Jurisdiction of the Federal Aviation Administration.—Nothing in this Act affects the jurisdiction of the Federal Aviation Administration with respect to the airspace above the wilderness or the Conservation Management Area.

(b) Benchmark Airstrip.—Nothing in this Act affects the continued use, maintenance, and repair of the Benchmark (3U7) airstrip.
SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.