

Calendar No. 308

118TH CONGRESS
2D SESSION**S. 2216****[Report No. 118–156]**

To release from wilderness study area designation certain land in the State of Montana, to improve the management of that land, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 10, 2023

Mr. DAINES introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

JANUARY 9, 2024

Reported by Mr. MANCHIN, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To release from wilderness study area designation certain land in the State of Montana, to improve the management of that land, 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 “Montana Sportsmen
5 Conservation Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) under the Montana Wilderness Study Act of
4 1977 (Public Law 95–150; 91 Stat. 1243), 9 wilder-
5 ness study areas comprising a total of 973,000 acres
6 of land in the State of Montana were set aside for
7 the Secretary of Agriculture to evaluate the suit-
8 ability of the wilderness study areas for designation
9 as wilderness, in accordance with the Wilderness Act
10 (16 U.S.C. 1131 et seq.), with the evaluation to be
11 completed not later than 5 years after the date of
12 enactment of the Montana Wilderness Study Act of
13 1977 (Public Law 95–150; 91 Stat. 1243);

14 (2) between 1979 and 1986, the Chief of the
15 Forest Service—

16 (A) completed the studies of the 9 wilder-
17 ness study areas referred to in paragraph (1);
18 and

19 (B) based on those studies, determined
20 that 608,700 acres of the original 973,000
21 acres designated as wilderness study areas by
22 the Montana Wilderness Study Act of 1977
23 (Public Law 95–150; 91 Stat. 1243) were un-
24 suitable for inclusion in the National Wilder-
25 ness Preservation System, including the 81,000

1 acres within the Middle Fork Judith Wilderness
2 Study Area;

3 ~~(3)~~ in 2021, following a 6-year collaborative
4 process, the Forest Service again determined, in the
5 revision of the Helena Lewis and Clark National
6 Forest plan, that the Middle Fork Judith Wilderness
7 Study Area is unsuitable for inclusion in the Na-
8 tional Wilderness Preservation System;

9 ~~(4)~~ under the Federal Land Policy and Man-
10 agement Act of 1976 (~~43~~ U.S.C. 1701 et seq.), ~~38~~
11 wilderness study areas comprising a total of 447,327
12 acres of land in the State of Montana were set aside
13 by the Bureau of Land Management to evaluate the
14 suitability of the wilderness study areas for designa-
15 tion as wilderness, with the evaluation to be com-
16 pleted not later than 15 years after the date of en-
17 actment of that Act;

18 ~~(5)~~ in 1991, the Director of the Bureau of
19 Land Management submitted to the President a rec-
20 ommendation on the suitability for designation of
21 the areas described in paragraph ~~(4)~~, which was sub-
22 sequently submitted to Congress, under which the
23 Director of the Bureau of Land Management deter-
24 mined that 273,828 acres in the State of Montana
25 designated as wilderness study areas by the Federal

1 Land Policy and Management Act of 1976 (43
2 U.S.C. 1701 et seq.) were unsuitable for wilderness
3 designation, including—

4 (A) the 11,380 acres of land within the
5 Hoodoo Mountain Wilderness Study Area; and

6 (B) the 11,580 acres of land within the
7 Wales Creek Wilderness Study Area;

8 (6) in 2020, following a 5-year collaborative
9 process, the Bureau of Land Management, in the re-
10 vision of the Missoula Resource Management Plan—

11 (A) reaffirmed that the Hoodoo Mountain
12 Wilderness Study Area and the Wales Creek
13 Wilderness Study Area were unsuitable for wil-
14 derness designation; and

15 (B) recommended alternative management
16 parameters for the Hoodoo Mountain Wilder-
17 ness Study Area and the Wales Creek Wilder-
18 ness Study Area;

19 (7) despite the recommendations of the Forest
20 Service and the Bureau of Land Management, after
21 the completion of the studies for suitability of the
22 land in the State of Montana designated as wilder-
23 ness study areas under the Montana Wilderness
24 Study Act of 1977 (Public Law 95–150; 91 Stat.

1 ~~1243)~~ and the Federal Land Policy and Manage-
2 ment Act of 1976 (~~43 U.S.C. 1701~~ et seq.)—

3 ~~(A)~~ over 1,100,000 acres of public land in
4 the State of Montana remain as wilderness
5 study areas until Congress acts; and

6 ~~(B)~~ over 700,000 acres of public land in
7 the State of Montana currently designated as
8 wilderness study areas have been determined
9 unsuitable for wilderness management;

10 ~~(8)~~ if the wilderness study area designation was
11 removed from each of the Middle Fork Judith Wil-
12 derness Study Area, the Hoodoo Mountain Wilder-
13 ness Study Area, and the Wales Creek Wilderness
14 Study Area, land managers would be able to better
15 conserve and manage the areas in accordance with
16 applicable land and resource management plans that
17 retain certain protections for the areas, while pro-
18 viding for—

19 ~~(A)~~ enhanced sportsmen opportunities in
20 the backcountry of Montana;

21 ~~(B)~~ improved public access; and

22 ~~(C)~~ the conduct of wildlife habitat and
23 wildfire mitigation projects;

24 ~~(9)~~ the applicable land and resource manage-
25 ment plans referred to in paragraph ~~(8)~~ were devel-

oped through a multi-year, collaborative process supported by—

(A) resource needs and conditions; and

(B) the best available science; and

(10) following release, the respective land management agencies shall continue managing the areas described in paragraph (8)—

(A) in accordance with applicable environmental and administrative laws; and

(B) based on local input, multiple-use and sustained yield principles, and land management objectives.

**SEC. 3. RELEASE AND IMPROVED MANAGEMENT OF LAND
COMPRISING CERTAIN WILDERNESS STUDY
AREAS.**

**SEC. 2. RELEASE AND IMPROVED MANAGEMENT OF LAND
COMPRISING CERTAIN WILDERNESS STUDY
AREAS.**

(a) MIDDLE FORK JUDITH WILDERNESS STUDY AREA.—The approximately 81,000 acres of land comprising the Middle Fork Judith Wilderness Study Area—

(1) shall no longer be subject to section 3(a) of the Montana Wilderness Study Act of 1977 (Public Law 95–150; 91 Stat. 1244); and

1 (2) shall be managed in accordance with the ap-
2 plicable land and resource management plan most
3 recently adopted under section 6 of the Forest and
4 Rangeland Renewable Resources Planning Act of
5 1974 (16 U.S.C. 1604).

6 (b) HOODOO MOUNTAIN WILDERNESS STUDY AREA
7 AND WALES CREEK WILDERNESS STUDY AREA.—The ap-
8 proximately 11,380 acres of land comprising the Hoodoo
9 Mountain Wilderness Study Area and the approximately
10 11,580 acres of land comprising the Wales Creek Wilder-
11 ness Study Area—

12 (1) shall no longer be subject to section 603(c)
13 of the Federal Land Policy and Management Act of
14 1976 (43 U.S.C. 1782(c)); and

15 (2) shall be managed in accordance with the ap-
16 plicable land management plans adopted under sec-
17 tion 202 of that Act (43 U.S.C. 1712).

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