

111TH CONGRESS
1ST SESSION

S. 1470

To sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 20, 2009

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

A BILL

To sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Forest Jobs and Recreation Act of 2009”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings; purposes.
- Sec. 3. Definitions.

TITLE I—STEWARDSHIP AND RESTORATION

- Sec. 101. Definitions.
- Sec. 102. Stewardship and restoration projects.
- Sec. 103. Resource advisory committees.
- Sec. 104. Monitoring; reporting.
- Sec. 105. Biomass combined heat and power system projects.
- Sec. 106. Funding.
- Sec. 107. Administration.
- Sec. 108. Termination of authority.

TITLE II—DESIGNATION OF WILDERNESS AND NATIONAL RECREATION AREAS

- Sec. 201. Designation of wilderness and national recreation areas.
- Sec. 202. Administration.
- Sec. 203. Release of Bureau of Land Management study areas.
- Sec. 204. Release of Sapphire and West Pioneer Wilderness study areas.
- Sec. 205. Lost Creek Protection Area.
- Sec. 206. West Big Hole National Recreation Area.
- Sec. 207. West Pioneers Recreation Management Area.
- Sec. 208. Thunderbolt Creek Recreation Area.
- Sec. 209. Three Rivers Special Management Area.
- Sec. 210. Otatsy Recreation Area.

3 **SEC. 2. FINDINGS; PURPOSES.**

4 (a) FINDINGS.—Congress finds that—

5 (1) forest restoration would—

6 (A) improve the habitats of fish and wild-
 7 life, including several species of fish and wildlife
 8 that are threatened or are otherwise of concern;

9 (B) reduce wildfire management costs by
 10 reestablishing natural fire regimes outside of a
 11 wildland-urban interface;

12 (C) improve the protection of property and
 13 homes within the wildland-urban interface; and

1 (D) demonstrate the manner by which—

2 (i) such actions can help achieve eco-
3 logical and watershed health objectives;
4 and

5 (ii) the use of forest restoration by-
6 products can offset treatment costs while
7 benefitting local rural economies; and

8 (2) this Act—

9 (A) encourages the economic, social, and
10 ecological sustainability of the region and near-
11 by communities; and

12 (B) promotes collaboration and recognizes
13 the positive relationship between wilderness,
14 forest restoration activities, and communities by
15 addressing multiple activities across a land-
16 scape, including—

17 (i) the implementation of forest res-
18 toration;

19 (ii) the development of biomass utili-
20 zation systems that include combined heat
21 and power generation; and

22 (iii) the permanent protection of
23 backcountry areas.

24 (b) PURPOSES.—The purposes of this Act are—

1 (1) to sustain the economic development and
2 recreational use of National Forest System land and
3 other public land in Montana;

4 (2) to reduce gridlock and promote local co-
5 operation and collaboration in the management of
6 forest land;

7 (3) to enhance forest diversity and produce
8 wood fiber—

9 (A) to accomplish habitat restoration
10 through the use of stewardship forestry prac-
11 tices; and

12 (B) to generate a more predictable flow of
13 wood products for local communities of the
14 State;

15 (4) to increase fish and wildlife populations and
16 better protect and restore key watersheds and habi-
17 tats;

18 (5) to improve the management of wildland
19 fires;

20 (6) to reduce the size and severity of
21 uncharacteristic fires on forest land to enhance the
22 protection of private land, homes, and communities
23 located adjacent to the affected forest land;

24 (7) to permanently protect and enhance motor-
25 ized recreational opportunities in the Beaverhead-

1 Deerlodge National Forest, the Lolo National For-
 2 est, and the Kootenai National Forest; and

3 (8) to protect and enhance the wild heritage
 4 and backcountry traditions of the State through—

5 (A) the addition of certain land to the Na-
 6 tional Wilderness Preservation System; and

7 (B) the management of other land in a
 8 manner that preserves existing primitive and
 9 semiprimitive recreational activities.

10 **SEC. 3. DEFINITIONS.**

11 In this Act:

12 (1) BEAVERHEAD-DEERLODGE NATIONAL FOR-
 13 EST.—The term “Beaverhead-Deerlodge National
 14 Forest” means the National Forest that is—

15 (A) comprised of—

16 (i) the Beaverhead National Forest;

17 and

18 (ii) the Deerlodge National Forest;

19 and

20 (B) managed by the Secretary concerned
 21 as a single administrative unit.

22 (2) FOREST PLAN.—The term “forest plan”
 23 means a land and resource management plan pre-
 24 pared in accordance with section 6 of the Forest and

1 Rangeland Renewable Resources Planning Act of
2 1974 (16 U.S.C. 1604).

3 (3) GAME CART.—The term “game cart” means
4 a nonmotorized, mechanized tool that is used for the
5 retrieval of wild game.

6 (4) SECRETARY CONCERNED.—The term “Sec-
7 retary concerned” means—

8 (A) the Secretary of Agriculture, acting
9 through the Chief of the Forest Service (includ-
10 ing each contractor of the Forest Service, as
11 appropriate), with respect to National Forest
12 System land; and

13 (B) the Secretary of the Interior, with re-
14 spect to land managed by the Bureau of Land
15 Management (including land held for the ben-
16 efit of an Indian tribe).

17 (5) STATE.—The term “State” means the State
18 of Montana.

19 (6) WILDLAND-URBAN INTERFACE.—The term
20 “wildland-urban interface” has the meaning given
21 the term in section 101 of the Healthy Forests Res-
22 toration Act of 2003 (16 U.S.C. 6511).

TITLE I—STEWARDSHIP AND RESTORATION

3 SEC. 101. DEFINITIONS.

4 In this title:

5 (1) **ACCESS ROAD.**—The term “access road”
6 means a road constructed in conjunction with a
7 landscape-scale restoration project that is—

8 (A) reclaimed, or converted into a rec-
9 reational trail, as soon as practicable, but not
10 later than 5 years, after the date on which the
11 road is constructed; and

12 (B) fully recontoured, including the re-
13 moval of the road prism, landings, and each
14 crossing feature of the road (including any cul-
15 verts and bridges of the road).

16 (2) **AGGREGATE PARCEL.**—The term “aggre-
17 gate parcel” means the cumulative area of land on
18 which a timber harvest activity is conducted.

19 (3) **COOPERATIVE PROJECT.**—The term “coop-
20 erative project” means a project that—

21 (A) is consistent with section 323 of the
22 Department of the Interior and Related Agen-
23 cies Appropriations Act, 1999 (16 U.S.C. 1011
24 note; Public Law 105–277); and

1 (B) authorizes parties to a watershed res-
 2 toration or enhancement agreement to spend
 3 appropriated funds on projects on private or
 4 public land that benefit the resources of Na-
 5 tional Forest System land.

6 (4) FUND.—The term “Fund” means the Col-
 7 laborative Forest Landscape Restoration Fund es-
 8 tablished by section 4003(f) of the Omnibus Public
 9 Land Management Act of 2009 (16 U.S.C. 7303(f)).

10 (5) LANDSCAPE-SCALE.—The term “landscape-
 11 scale” means, with respect to a landscape-scale res-
 12 toration project carried out in a watershed or sub-
 13 watershed, of at least 50,000 acres.

14 (6) LANDSCAPE-SCALE RESTORATION
 15 PROJECT.—

16 (A) IN GENERAL.—The term “landscape-
 17 scale restoration project” means a project that
 18 is—

- 19 (i) planned and carried out—
 20 (I) on a landscape-scale; and
 21 (II) through the use of—
 22 (aa) a stewardship contract;
 23 or
 24 (bb) with respect to the
 25 Seeley Lake Ranger District, any

1 other contracting mechanism that
2 the Secretary concerned deter-
3 mines to be most effective in
4 achieving the goals of this Act;
5 and

6 (ii) carried out in an area comprised
7 primarily of forested National Forest Sys-
8 tem land (but which may also include land
9 under the jurisdiction of the Bureau of
10 Land Management, land under the juris-
11 diction of the Bureau of Indian Affairs, or
12 other Federal, State, tribal, or private
13 land)—

14 (I) through the use of—

15 (aa) a combination of com-
16 mercial and noncommercial vege-
17 tative management techniques,
18 including—

19 (AA) prescribed burn-
20 ing;

21 (BB) tree removal;

22 (CC) the piling and
23 burning of slash; and

24 (DD) any other silvicult-
25 tural techniques that incor-

1 porate ecological restoration
2 goals; and

3 (bb) any other restoration
4 technique (including invasive spe-
5 cies mitigation) or tool that the
6 Secretary concerned determines
7 to be appropriate;

8 (II) to reclaim, or if appropriate
9 convert into recreational trails, roads
10 that are no longer needed or main-
11 tained as of the date of enactment of
12 this Act;

13 (III) to restore fish and wildlife
14 habitat through the use of prescribed
15 burning that is—

16 (aa) carried out to mimic
17 natural fire appropriate to spe-
18 cific forest types; and

19 (bb) allowed to burn beyond
20 harvest units located in close
21 proximity to the habitat;

22 (IV) to replace or resize culverts;

23 (V) to generate revenue for the
24 investment of funds in fish and wild-

1 life restoration and maintenance ini-
 2 tiatives; and

3 (VI) to maintain the infrastruc-
 4 ture of wood products manufacturing
 5 facilities that provide economic sta-
 6 bility to local communities of the
 7 State.

8 (B) INCLUSION.—The term “landscape-
 9 scale restoration project” includes any activity
 10 carried out in a stewardship area in accordance
 11 with this Act.

12 (7) PERMANENT ROAD.—

13 (A) IN GENERAL.—The term “permanent
 14 road” means a road in which the road prism of
 15 the road remains permanently in place following
 16 the construction of the road.

17 (B) EXCLUSIONS.—The term “permanent
 18 road” does not include—

19 (i) an access road; or

20 (ii) a relocated permanent road.

21 (8) RELOCATED PERMANENT ROAD.—The term
 22 “relocated permanent road” means a road that is re-
 23 located to address a resource problem if—

24 (A) the relocated permanent road provides
 25 access to each destination, the access of which

1 was provided by the permanent road that the
2 relocated permanent road replaced; and

3 (B) the replaced road is recontoured, seed-
4 ed, and abandoned.

5 (9) RESTORATION ACTIVITY.—

6 (A) IN GENERAL.—The term “restoration
7 activity” means a stewardship activity that pro-
8 motes—

- 9 (i) ecological health;
10 (ii) habitat restoration;
11 (iii) water quality restoration;
12 (iv) sediment control or reduction;
13 (v) forest stand structure;
14 (vi) endangered species protection; or
15 (vii) adaptation to climate change.

16 (B) INCLUSIONS.—The term “restoration
17 activity” includes—

- 18 (i) road relocation and closures;
19 (ii) culvert and bridge replacements;
20 (iii) stream restoration and bank sta-
21 bilization;
22 (iv) invasive species management;
23 (v) trail head and campground im-
24 provements;

- 1 (vi) understory removal and vegeta-
2 tion treatments;
3 (vii) tree planting;
4 (viii) precommercial thinning;
5 (ix) commercial timber harvesting;
6 (x) prescribed burning;
7 (xi) trail reclamation and relocation;
8 and
9 (xii) other stewardship activities that
10 incorporate ecological restoration strategies
11 determined by the Secretary concerned.

12 (10) SEELEY LAKE RANGER DISTRICT.—The
13 term “Seeley Lake Ranger District” means the
14 Seeley Lake Ranger District in the Lolo National
15 Forest.

16 (11) STEWARDSHIP AREA.—The term “steward-
17 ship area” means—

18 (A) with respect to the Beaverhead-
19 Deerlodge National Forest, a parcel of land
20 that is designated as “Suitable for Timber Pro-
21 duction and Timber Harvest Is Allowed” as de-
22 picted on the map entitled “Beaverhead-
23 Deerlodge National Forest, Revised Forest
24 Plan, Modeled Timber Harvest Classification”

1 of approximately 1,900,000 acres and dated
2 December 10, 2008;

3 (B) with respect to the Seeley Lake Rang-
4 er District, a parcel of land that is—

5 (i) selected by the Secretary con-
6 cerned;

7 (ii) consistent with the forest plan;

8 (iii) suitable for timber production; or

9 (iv) eligible for timber harvest activi-
10 ties; and

11 (C) with respect to the Three Rivers Rang-
12 er District, a parcel of land that is—

13 (i) selected by the Secretary con-
14 cerned;

15 (ii) consistent with the forest plan;

16 (iii) suitable for timber production; or

17 (iv) eligible for timber harvest activi-
18 ties.

19 (12) STEWARDSHIP CONTRACT.—The term
20 “stewardship contract” means a contract that—

21 (A) is authorized under section 332 of the
22 Department of the Interior and Related Agen-
23 cies Appropriations Act, 2002 (16 U.S.C. 2104
24 note; Public Law 107–63); and

25 (B) is entered into by 2 or more parties—

1 (i) to carry out vegetation treatment,
2 including mechanical treatment using com-
3 mercial timber harvest of vegetation—

4 (I) to reduce fire and insect
5 risks;

6 (II) to restore impaired water-
7 sheds;

8 (III) to enhance fish and wildlife
9 habitats; or

10 (IV) to reduce road densities;

11 and

12 (ii) under which a party shall—

13 (I) offset the value of goods (in-
14 cluding timber for services);

15 (II) retain and reinvest receipts
16 resulting from the landscape-scale res-
17 toration project that is the subject of
18 the contract in the same or a different
19 landscape-scale restoration project
20 that is located in a stewardship area;

21 (III) designate timber for cutting
22 by description or prescription; and

23 (IV) enter into a multiyear con-
24 tract, the period of which shall not ex-
25 ceed 10 years.

1 (13) THREE RIVERS RANGER DISTRICT.—The
 2 term “Three Rivers Ranger District” means the
 3 Three Rivers Ranger District in the Kootenai Na-
 4 tional Forest.

5 (14) VEGETATIVE MANAGEMENT.—The term
 6 “vegetative management” means any restoration ac-
 7 tivity involving vegetation.

8 **SEC. 102. STEWARDSHIP AND RESTORATION PROJECTS.**

9 (a) DUTY OF SECRETARY CONCERNED.—

10 (1) SELECTION.—In accordance with paragraph
 11 (2), the Secretary concerned shall select areas on
 12 which to carry out landscape-scale restoration
 13 projects under subsection (b), consistent with laws
 14 (including regulations) and forest plans and appro-
 15 priate to forest types.

16 (2) PRIORITY.—In selecting areas on which to
 17 carry out landscape-scale restoration projects under
 18 subsection (b), the Secretary concerned, in coordina-
 19 tion with applicable advisory committees or local col-
 20 laborative groups, shall give priority to areas—

21 (A) on the Beaverhead-Deerlodge National
 22 Forest in which—

23 (i) the road densities of which exceed
 24 1.5 miles per square mile of land;

1 (ii) the habitat connectivity of which
2 are compromised as a result of past timber
3 harvest patterns on the parcels of land;
4 and

5 (iii) that contain forests that are at
6 high risk from insect epidemics or high-se-
7 verity wildfires, as determined by the Sec-
8 retary concerned; or

9 (B) on the Seeley Lake Ranger District
10 and the Three Rivers Ranger District, in
11 which—

12 (i) portions of a project contain a
13 road density that exceeds the objectives of
14 Grizzly Bear Management Units; and

15 (ii) a reduction in road density would
16 benefit affected wildlife.

17 (b) PLANNING; IMPLEMENTATION.—

18 (1) IN GENERAL.—Not later than 1 year after
19 the date of enactment of this Act and annually
20 thereafter, in accordance with paragraph (2), the
21 Secretary concerned shall plan, and issue a record of
22 decision for, 1 or more landscape-scale restoration
23 projects that shall be implemented on parcels of land
24 selected by the Secretary concerned under subsection

25 (a).

1 (2) REQUIREMENTS.—

2 (A) ROAD AND MOTORIZED TRAIL DEN-
3 SITY.—

4 (i) IN GENERAL.—As determined in
5 accordance with clause (ii), each landscape-
6 scale restoration project carried out under
7 this subsection shall not, with respect to
8 the stewardship area that is the subject
9 of—

10 (I) a project located in the Bea-
11 verhead-Deerlodge National Forest,
12 result in a road and motorized trail
13 density in excess of 1.5 miles per
14 square mile; or

15 (II) a project located within the
16 Grizzly Bear Management Units on
17 the Seeley Lake Ranger District and
18 the Three Rivers Ranger District, ex-
19 ceed the road density objectives of the
20 Grizzly Bear management plans.

21 (ii) CALCULATION.—In determining
22 compliance with the requirement described
23 in clause (i), the road and motorized trail
24 density of a stewardship area that is the
25 subject of a landscape-scale restoration

1 project implemented under this subsection
2 shall be determined—

3 (I) on the date on which the
4 project is completed; and

5 (II) through a measurement
6 taken in accordance with the project
7 scale.

8 (iii) ENHANCED RECREATIONAL TRAIL
9 OPPORTUNITIES.—The Secretary con-
10 cerned, in consultation with each interested
11 party, may develop a plan to provide en-
12 hanced recreational trail opportunities as
13 part of a landscape-scale restoration
14 project—

15 (I) to convert reclaimed roads
16 into recreational trails in a manner
17 consistent with this section;

18 (II) to provide enhanced motor-
19 ized and nonmotorized recreational
20 trail opportunities;

21 (III) to increase trail
22 connectivity; and

23 (IV) to promote recreational op-
24 portunities in—

- 1 (aa) the Beaverhead-
2 Deerlodge National Forest;
3 (bb) the Seeley Lake Ranger
4 District; and
5 (cc) the Three Rivers Rang-
6 er District.

7 (B) RESTRICTION RELATING TO PERMA-
8 NENT ROADS.—In carrying out a landscape-
9 scale restoration project, the Secretary con-
10 cerned shall not construct any permanent road
11 on an area that is the subject of the project.

12 (C) INLAND NATIVE FISH STRATEGY.—
13 Each landscape-scale restoration project shall
14 be carried out in accordance with each standard
15 described in the inland native fish strategy re-
16 lating to the conservation and management of
17 riparian habitat.

18 (D) FOREST MANAGEMENT.—On the ag-
19 gregate parcel of land that is the subject of the
20 stewardship areas selected by the Secretary
21 concerned under subsection (a), the Secretary
22 concerned shall—

- 23 (i) produce commercial wood products
24 and accomplish landscape-scale restoration
25 objectives;

1 (ii) carry out activities to reduce the
2 risk and severity of uncharacteristic
3 wildland fire and insect infestations;

4 (iii) manage vegetation through tim-
5 ber harvest activities in a manner to en-
6 sure that the timber harvest activities are
7 limited to stewardship areas;

8 (iv) use prescribed burning and other
9 silvicultural techniques to mimic mixed se-
10 verity, natural fires when appropriate to
11 the forest type that is the subject of the
12 prescribed burning or other silvicultural
13 technique;

14 (v) when a commercial timber harvest
15 activity is used to implement the vegeta-
16 tion management of the aggregate parcel,
17 design the commercial timber harvest ac-
18 tivity—

19 (I) to reduce the long-term risk
20 and severity of fire and insect infesta-
21 tions;

22 (II) to maintain and restore
23 healthy sustainable forests;

1 (III) to generate revenue to rein-
2 vest in fish and wildlife habitat main-
3 tenance and restoration; and

4 (IV) to maintain the infrastruc-
5 ture of wood products manufacturing
6 facilities that provide economic sta-
7 bility to communities located in close
8 proximity to the aggregate parcel; and

9 (vi) subject to paragraph
10 (6)(C)(ii)(III), to produce commercial wood
11 products and accomplish landscape-scale
12 restoration objectives—

13 (I) with respect to the steward-
14 ship area located in the Beaverhead-
15 Deerlodge National Forest—

16 (aa) during the 2-year pe-
17 riod beginning on the date of en-
18 actment of this Act, mechanically
19 treat timber on not less than
20 14,000 acres of the stewardship
21 area, during which, to the max-
22 imum extent practicable, the Sec-
23 retary concerned shall mechani-
24 cally treat timber on approxi-
25 mately 7,000 acres of the stew-

1 stewardship area during each year of
2 the period;

3 (bb) not later than 5 years
4 after the date of enactment of
5 this Act, mechanically treat tim-
6 ber on not less than 35,000 acres
7 of the stewardship area; and

8 (cc) not later than 10 years
9 after the date of enactment of
10 this Act, mechanically treat tim-
11 ber on a minimum of 70,000
12 acres of the stewardship area;

13 (II) with respect to the steward-
14 ship area located in the Three Rivers
15 Ranger District—

16 (aa) during the 2-year pe-
17 riod beginning on the date of en-
18 actment of this Act, mechanically
19 treat timber on not less than
20 6,000 acres of the stewardship
21 area;

22 (bb) not later than 5 years
23 after the date of enactment of
24 this Act, mechanically treat tim-

1 ber on not less than 15,000 acres
2 of the stewardship area; and

3 (cc) not later than 10 years
4 after the date of enactment of
5 this Act, mechanically treat tim-
6 ber on not less than 30,000 acres
7 of the stewardship area; and

8 (III) with respect to the steward-
9 ship area located in the Seeley Lake
10 Ranger District, carry out projects de-
11 scribed in paragraph (3).

12 (3) PROJECTS.—

13 (A) COOPERATIVE PROJECTS.—The Sec-
14 retary concerned may plan and carry out coop-
15 erative projects on Federal and non-Federal
16 land in the Seeley Lake Ranger District for the
17 protection, restoration, or enhancement of fish
18 or wildlife habitat or other resource objectives
19 on the land if the projects will benefit resources
20 on Federal land.

21 (B) COMMUNITY PROJECTS.—The Sec-
22 retary concerned may appoint the Seeley Lake
23 Ranger District Ranger of the Lolo National
24 Forest and the Lincoln District Ranger of the
25 Helena National Forest—

1 (i) to serve in an official capacity on
2 the Board of Directors of the Blackfoot
3 Challenge; and

4 (ii) to participate in—

5 (I) a Blackfoot Community
6 Project; and

7 (II) the Seeley Lake Coordinated
8 Forest Management Project.

9 (4) RESTORATION ACTIVITIES.—

10 (A) IN GENERAL.—The Secretary con-
11 cerned may provide grants to pay the Federal
12 share of the cost of restoration activities in the
13 Seeley Lake Ranger District.

14 (B) NON-FEDERAL SHARE.—

15 (i) IN GENERAL.—The Secretary con-
16 cerned shall allow non-Federal matching
17 contributions to cover the cost of restora-
18 tion activities under this paragraph.

19 (ii) FORM.—Non-Federal contribu-
20 tions may be in the form of cash or an in-
21 kind contribution.

22 (5) DISPOSITION OF APPEAL.—Notwithstanding
23 section 322(d)(1)(B) of the Department of the Inte-
24 rior and Related Agencies Appropriations Act, 1993
25 (16 U.S.C. 1612 note; Public Law 102–381), each

1 meeting between a designated Forest Service em-
2 ployee and an individual who files an appeal of a
3 landscape-scale restoration project carried out under
4 this section shall—

5 (A) take place not later than 30 days after
6 the closing date for filing an appeal;

7 (B) occur in person at a location agreed to
8 by the appellant and the Forest Service that is
9 in the vicinity of the land affected by the deci-
10 sion; and

11 (C) at the option of the Secretary con-
12 cerned, include other individuals involved in
13 monitoring of the landscape-scale restoration
14 project (including the applicable project advi-
15 sory committee or local collaborative group) to
16 provide input to the Forest Service regarding
17 the final decision of the Forest Service.

18 (6) COMPLIANCE WITH NATIONAL ENVIRON-
19 MENTAL POLICY ACT OF 1969.—

20 (A) COMPLIANCE.—

21 (i) IN GENERAL.—Each landscape-
22 scale restoration project carried out under
23 this section shall be carried out in accord-
24 ance with the National Environmental Pol-
25 icy Act of 1969 (42 U.S.C. 4321 et seq.).

1 (ii) DUTY OF SECRETARY CON-
2 CERNED.—To comply with the National
3 Environmental Policy Act of 1969 (42
4 U.S.C. 4321 et seq.) under clause (i), the
5 Secretary concerned shall prepare 1 envi-
6 ronmental impact statement that covers all
7 components of the landscape-scale restora-
8 tion project that is the subject of the envi-
9 ronmental impact statement to ensure that
10 any additional analysis will not be re-
11 quired.

12 (iii) NUMBER OF REQUIRED ENVIRON-
13 MENTAL IMPACT STATEMENTS.—Except as
14 provided in subparagraph (C), with respect
15 to an approved landscape-scale restoration
16 project under this section, any environ-
17 mental impact statement in addition to an
18 environmental impact statement described
19 in clause (ii) shall not be required to im-
20 plement the approved landscape-scale res-
21 toration project.

22 (B) IMPLEMENTATION OF LANDSCAPE-
23 SCALE RESTORATION PROJECT.—Upon the later
24 of the completion of an environmental impact
25 statement for a landscape-scale restoration

1 project under subparagraph (A), and the
2 issuance of a record of decision for the land-
3 scape-scale restoration project under paragraph
4 (1), the Secretary concerned shall implement
5 the landscape-scale restoration project.

6 (C) ADDITIONAL ENVIRONMENTAL ANAL-
7 YSIS.—

8 (i) IN GENERAL.—The Secretary con-
9 cerned may, after consultation with re-
10 source advisory committees or local col-
11 laborative groups, and based on a moni-
12 toring of the applicable landscape-scale
13 restoration project, conduct additional en-
14 vironmental analyses on the landscape-
15 scale restoration project after activities
16 have begun, if the Secretary concerned de-
17 termines that changes to the original docu-
18 ment would help to better accomplish the
19 purposes of this Act.

20 (ii) MODIFICATIONS TO ENVIRON-
21 MENTAL IMPACT STATEMENTS.—

22 (I) IN GENERAL.—Any modifica-
23 tion to an environmental impact state-
24 ment regarding a landscape-scale res-
25 toration project under this section

1 shall be subject to valid existing
2 rights.

3 (II) CONTINUATION OF LAND-
4 SCAPE-SCALE RESTORATION
5 PROJECT.—The implementation of a
6 landscape-scale restoration project
7 that is the subject of 1 or more modi-
8 fications under this clause shall con-
9 tinue until the date on which the 1 or
10 more modifications are approved by,
11 as appropriate—

12 (aa) an appropriate United
13 States district court; or

14 (bb) the Secretary con-
15 cerned.

16 (III) MECHANICAL TREAT-
17 MENT.—If any acreage scheduled to
18 be mechanically treated through a
19 landscape-scale restoration project
20 under paragraph (2)(D)(vi) is elimi-
21 nated from the landscape-scale res-
22 toration project through a modifica-
23 tion under this clause, the Secretary
24 concerned may not include the acre-
25 age in calculating the applicable acre-

1 age total required to be mechanically
2 treated under paragraph (2)(D)(vi).

3 (D) CONSULTATION.—The Secretary con-
4 cerned shall consult with resource advisory com-
5 mittees or local collaborative groups before any
6 environmental analysis is conducted to reduce
7 conflict and expedite project implementation.

8 (7) ECOLOGICAL RESTORATION TREATMENTS.—
9 An ecological restoration treatment selected by the
10 Secretary concerned under the Collaborative Forest
11 Landscape Restoration Program in accordance with
12 section 4003 of the Omnibus Public Land Manage-
13 ment Act of 2009 (16 U.S.C. 7303) shall qualify as
14 a landscape-scale restoration project under this sec-
15 tion.

16 (8) PRIORITY REGARDING DESIGN OF LAND-
17 SCAPE-SCALE RESTORATION PROJECTS.—In plan-
18 ning a landscape-scale restoration project under this
19 subsection, the Secretary concerned shall give pri-
20 ority to any proposal that is designed—

21 (A) to benefit local communities through
22 the creation or establishment of employment or
23 training opportunities through the conduct of
24 the landscape-scale restoration project;

1 (B) to ensure that wood and other by-
2 products of the landscape-scale restoration
3 project—

4 (i) are processed in the State; and

5 (ii) contribute to the development or
6 retention of value-added products for an
7 existing or emerging market;

8 (C) to establish partnerships with State,
9 local, and private nonprofit youth groups; and

10 (D) to result in ecological benefits to the
11 landscape.

12 (9) RECEIPTS.—

13 (A) ESTABLISHMENT.—There is estab-
14 lished in the Treasury of the United States an
15 account (referred to in this paragraph as the
16 “Account”) consisting of such amounts as are
17 appropriated to the Account under subpara-
18 graph (B).

19 (B) TRANSFERS TO ACCOUNT.—There are
20 appropriated to the Account, out of funds of the
21 Treasury not otherwise appropriated, amounts
22 equivalent to amounts collected as receipts
23 under this section.

24 (C) EXPENDITURES FROM ACCOUNT.—On
25 request by the Secretary concerned, the Sec-

1 retary of the Treasury shall transfer from the
2 Account to the Secretary concerned such
3 amounts as the Secretary concerned determines
4 are necessary to carry out this section.

5 (D) TRANSFERS OF AMOUNTS.—

6 (i) IN GENERAL.—The amounts re-
7 quired to be transferred to the Fund under
8 this paragraph shall be transferred at least
9 monthly from the general fund of the
10 Treasury to the Fund on the basis of esti-
11 mates made by the Secretary of the Treas-
12 ury.

13 (ii) ADJUSTMENTS.—Proper adjust-
14 ment shall be made in amounts subse-
15 quently transferred to the extent prior esti-
16 mates were in excess of or less than the
17 amounts required to be transferred.

18 (10) EFFECT ON OTHER PROJECTS.—Nothing
19 in this section affects the authority of the Secretary
20 concerned with respect to the conduct of any other
21 project of the Secretary concerned on a stewardship
22 area that is not carried out pursuant to this title.

23 (11) EXISTING LANDSCAPE-SCALE RESTORA-
24 TION PROJECTS.—Landscape-scale restoration
25 projects for which the Secretary concerned has, as of

1 the date of enactment of this Act, initiated the prep-
2 aration of an environmental impact statement or
3 similar analysis in accordance with the National En-
4 vironmental Policy Act of 1969 (42 U.S.C. 4321 et
5 seq.) may be carried out in accordance with applica-
6 ble law (including regulations).

7 (12) EFFECT.—Except as otherwise provided in
8 this Act, the Secretary concerned shall manage, in
9 accordance with each applicable law (including regu-
10 lations)—

11 (A) the Beaverhead-Deerlodge National
12 Forest;

13 (B) the Seeley Lake Ranger District; and

14 (C) the Three Rivers Ranger District.

15 **SEC. 103. RESOURCE ADVISORY COMMITTEES.**

16 (a) ESTABLISHMENT; SELECTION FOR USE.—

17 (1) ESTABLISHMENT OF RESOURCE ADVISORY
18 COMMITTEES.—Subject to paragraph (2), in accord-
19 ance with section 205 of the Secure Rural Schools
20 and Community Self-Determination Act of 2000 (16
21 U.S.C. 7125), the Secretary concerned shall estab-
22 lish—

23 (A) a resource advisory committee for the
24 Beaverhead-Deerlodge National Forest; and

1 (B) a resource advisory committee for the
2 Three Rivers Ranger District.

3 (2) SELECTION OF EXISTING ADVISORY COM-
4 MITTEE.—In establishing a resource advisory com-
5 mittee for each entity described in paragraph (1),
6 the Secretary concerned may select an advisory com-
7 mittee in existence as of the date of enactment of
8 this Act if the Secretary concerned determines that
9 the advisory committee—

10 (A) is capable of carrying out the applica-
11 ble requirements of this Act; and

12 (B) meets each requirement described in
13 section 205 of the Secure Rural Schools and
14 Community Self-Determination Act of 2000 (16
15 U.S.C. 7125).

16 (b) DUTIES.—

17 (1) ESTABLISHMENT OF ADVISORY COMMIT-
18 TEES.—

19 (A) IN GENERAL.—Each resource advisory
20 committee established under subsection (a)(1)
21 shall establish an advisory committee for each
22 landscape-scale restoration project implemented
23 by the Secretary concerned under section
24 102(b) to assist the Secretary concerned in de-
25 termining the location for, completing the de-

1 sign of, and implementing each landscape-scale
2 restoration project under the jurisdiction of the
3 advisory committee.

4 (B) COMPOSITION.—Each advisory com-
5 mittee established by a resource advisory com-
6 mittee under subparagraph (A) shall be com-
7 prised of representatives from—

8 (i) industrial, recreational, conserva-
9 tion, and livestock organizations; and

10 (ii) applicable local collaborative forest
11 management groups.

12 (2) GUIDANCE.—Each resource advisory com-
13 mittee shall advise each entity under the jurisdiction
14 of the resource advisory committee on issues relating
15 to the disbursement of excess receipts that result
16 from the completion of each landscape-scale restora-
17 tion project implemented by the Secretary concerned
18 under section 102(b), as appropriate.

19 **SEC. 104. MONITORING; REPORTING.**

20 (a) REPORTS.—Not later than 5 years after the date
21 of enactment of this Act and every 5 years thereafter, the
22 Secretary concerned shall submit to the appropriate com-
23 mittees of Congress a report on the implementation of
24 landscape-scale restoration projects under this title.

1 (b) CONTENTS.—Each report required under sub-
2 section (a) shall, for the entity covered by the report—

3 (1) assess the effectiveness of stewardship con-
4 tracts in meeting vegetative management goals and
5 funding restoration goals;

6 (2) provide information on—

7 (A) the number of landscape-scale restora-
8 tion projects designed, implemented, and com-
9 pleted;

10 (B) the cost effectiveness of each land-
11 scape-scale restoration project, including the
12 costs of planning and environmental analysis
13 and the benefits resulting from restoration ac-
14 tivities; and

15 (C) the number of acres treated and res-
16 toration projects accomplished;

17 (3) evaluate whether the use of stewardship
18 contracts and the participation of local collaborative
19 groups and other forms of public involvement have
20 reduced the number of administrative appeals and
21 legal challenges or otherwise impacted the outcome
22 of appeals and litigation;

23 (4) make recommendations on legislative or ad-
24 ministrative actions that might better achieve the

1 goals and purposes of the restoration efforts carried
2 out by the Secretary concerned;

3 (5) identify any additional resources and au-
4 thorities that are necessary to implement fully the
5 initiatives carried out by the Secretary concerned
6 under this title;

7 (6) evaluate the effectiveness of restoration ac-
8 tivities on ecological health; and

9 (7) consider and implement adaptive manage-
10 ment tools to improve management under this Act,
11 including impacts of climate change on the effective-
12 ness of restoration activities.

13 **SEC. 105. BIOMASS COMBINED HEAT AND POWER SYSTEM**
14 **PROJECTS.**

15 (a) USE OF FUNDS.—The Secretary concerned may
16 use funds made available under section 106(a) and other
17 funds available to the Secretary concerned for fiscal year
18 2010, to pay the Federal share of the cost of installation
19 of combined heat and power biomass systems that can use
20 materials made available from the landscape-scale restora-
21 tion projects carried out under this title.

22 (b) BIOMASS STUDY.—

23 (1) STUDY.—As soon as practicable after the
24 date of enactment of this Act, the Secretary con-
25 cerned shall conduct a study—

1 (A) to examine the feasibility of the sus-
2 tainable development of biomass supplies and
3 combined heat and power energy generation in
4 the areas covered by this title; and

5 (B) to develop a means by which to facili-
6 tate and encourage the use of biomass recov-
7 ered from forest land as an energy source to re-
8 duce the risk of severe wildfire to—

- 9 (i) communities;
10 (ii) infrastructure; and
11 (iii) water supplies.

12 (2) PLAN.—Not later than 18 months after the
13 date of enactment of this Act, the Secretary con-
14 cerned shall propose a plan that is based on the re-
15 sults of the study carried out under paragraph (1).

16 **SEC. 106. FUNDING.**

17 (a) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated such sums as are nec-
19 essary to carry out this title.

20 (b) FUND.—In addition to funds made available
21 under subsection (a), the Secretary concerned may use
22 such amounts in the Fund as are necessary to carry out
23 this title.

24 (c) COST-EFFECTIVE PLANNING AND IMPLEMENTA-
25 TION.—In planning and implementing landscape-scale res-

1 toration projects under this title, the Secretary concerned
2 shall use the most cost-effective means available.

3 (d) REPROGRAMMING.—Subject to the relevant re-
4 programming guidelines of the Committee on Appropria-
5 tions of the Senate and the Committee on Appropriations
6 of the House of Representatives, funds specifically pro-
7 vided to the Forest Service by the Secretary concerned to
8 implement resource management activities according to
9 this title may be made available.

10 (e) UNOBLIGATED BALANCES.—Subject to normal
11 reprogramming guidelines, the forest supervisors of the
12 Beaverhead-Deerlodge National Forest, the Lolo National
13 Forest, and the Kootenai National Forest may allocate
14 and use all accounts that contain year-end excess funds,
15 and all other available excess funds, for the administration
16 and management of the National Forest under the juris-
17 diction of the forest supervisor to implement projects to
18 achieve the goals and objectives of this title.

19 (f) LANDSCAPE-SCALE RESTORATION PROJECTS.—

20 (1) IN GENERAL.—Subject to paragraph (2),
21 the Secretary concerned may retain any receipts de-
22 rived from the implementation of landscape-scale
23 restoration projects under this title for use in plan-
24 ning and implementing additional landscape-scale
25 restoration projects.

1 (2) LIMITATION.—

2 (A) IN GENERAL.—Except as provided in
3 subparagraph (B), funds generated by a land-
4 scape-scale restoration project under this title
5 may not be expended by the Secretary con-
6 cerned on a landscape-scale restoration project
7 carried out on an administrative unit of a Na-
8 tional Forest other than the administrative unit
9 on which the landscape-scale restoration project
10 that is the source of the funds is carried out.

11 (B) EXCEPTION.—Funds generated by a
12 landscape-scale restoration project under this
13 title in the Beaverhead-Deerlodge National For-
14 est may be expended by the Secretary con-
15 cerned on a landscape-scale restoration project
16 carried out in any other administrative unit of
17 a National Forest.

18 (g) ADMINISTRATION.—Of the amounts available to
19 carry out this title for each fiscal year, the Secretary con-
20 cerned shall ensure that—

21 (1) not more than 10 percent is used or allo-
22 cated for general administration, planning, or other
23 overhead; and

24 (2) not less than 10 percent is used to carry
25 out projects authorized under this title.

1 **SEC. 107. ADMINISTRATION.**

2 Except as otherwise provided in this title, the Sec-
3 retary concerned shall administer the Beaverhead-
4 Deerlodge National Forest, the Seeley Lake Ranger Dis-
5 trict, and the Three Rivers Ranger District in accordance
6 with applicable laws (including regulations).

7 **SEC. 108. TERMINATION OF AUTHORITY.**

8 (a) IN GENERAL.—Subject to subsection (b), the au-
9 thority of the Secretary concerned to plan and implement
10 landscape-scale restoration projects under this title shall
11 terminate on the later of—

12 (1) the date that is 15 years after the date of
13 enactment of this Act; or

14 (2)(A) in the case of the Beaverhead-Deerlodge
15 National Forest, the date on which 70,000 acres of
16 land in the Beaverhead-Deerlodge National Forest
17 have been mechanically treated in accordance with
18 section 102(b)(2)(D)(vi)(I); or

19 (B) in the case of the Three Rivers Ranger Dis-
20 trict, the date on which 30,000 acres of land in the
21 Three Rivers Ranger District have been mechani-
22 cally treated in accordance with section
23 102(b)(2)(D)(vi)(II).

24 (b) CONTRACTS.—The termination of the authority
25 of the Secretary concerned under subsection (a) shall not

1 affect any contract entered into by the Secretary con-
 2 cerned to carry out this title.

3 **TITLE II—DESIGNATION OF WIL-**
 4 **DERNESS AND NATIONAL**
 5 **RECREATION AREAS**

6 **SEC. 201. DESIGNATION OF WILDERNESS AND NATIONAL**
 7 **RECREATION AREAS.**

8 (a) BEAVERHEAD-DEERLODGE NATIONAL FOR-
 9 EST.—In accordance with, and in furtherance of the pur-
 10 poses of, the Wilderness Act (16 U.S.C. 1131 et seq.), the
 11 following areas in the State are designated as wilderness
 12 areas and as components of the National Wilderness Pres-
 13 ervation System:

14 (1) ANACONDA PINTLAR WILDERNESS ADDI-
 15 TIONS.—Certain land in the Beaverhead-Deerlodge
 16 National Forest, comprising approximately 56,680
 17 acres, as generally depicted on the map entitled
 18 “Anaconda-Pintlar Proposed Wilderness Additions”
 19 and dated July 16, 2009, is incorporated in, and
 20 shall be considered to be a part of, the Anaconda-
 21 Pintlar Wilderness.

22 (2) DOLUS LAKES WILDERNESS.—Certain land
 23 in the Beaverhead-Deerlodge National Forest, com-
 24 prising approximately 9,367 acres, as generally de-
 25 picted on the map entitled “Dolus Lakes Proposed

1 Wilderness” and dated July 16, 2009, to be known
2 as the “Dolus Lakes Wilderness”.

3 (3) EAST PIONEERS WILDERNESS.—Certain
4 land in the Beaverhead-Deerlodge National Forest,
5 comprising approximately 76,775 acres, as generally
6 depicted on the map entitled “East Pioneers Pro-
7 posed Wilderness” and dated July 16, 2009, to be
8 known as the “East Pioneers Wilderness”.

9 (4) ELECTRIC PEAK WILDERNESS.—Certain
10 land in the Beaverhead-Deerlodge National Forest,
11 comprising approximately 4,653 acres, as generally
12 depicted on the map entitled “Electric Peak Pro-
13 posed Wilderness” and dated July 16, 2009, to be
14 known as the “Electric Peak Wilderness”.

15 (5) LEE METCALF WILDERNESS ADDITIONS.—
16 Certain land in the Beaverhead-Deerlodge National
17 Forest, comprising approximately 18,950 acres, as
18 generally depicted on the map entitled “Lee Metcalf
19 Proposed Wilderness Additions” and dated July 16,
20 2009, is incorporated in, and shall be considered to
21 be a part of, the Lee Metcalf Wilderness.

22 (6) HIGHLANDS WILDERNESS.—Certain land in
23 the Beaverhead-Deerlodge National Forest, com-
24 prising approximately 20,392 acres, as generally de-
25 picted on the map entitled “Highlands Proposed

1 Wilderness” and dated July 16, 2009, to be known
2 as the “Highlands Wilderness”.

3 (7) ITALIAN PEAKS WILDERNESS.—Certain
4 land in the Beaverhead-Deerlodge National Forest,
5 comprising approximately 29,508 acres, as generally
6 depicted on the map entitled “Italian Peaks Pro-
7 posed Wilderness” and dated July 16, 2009, to be
8 known as the “Italian Peaks Wilderness”.

9 (8) LIMA PEAKS WILDERNESS.—Certain land in
10 the Beaverhead-Deerlodge National Forest, com-
11 prising approximately 35,120 acres, as generally de-
12 picted on the map entitled “Lima Peaks Proposed
13 Wilderness” and dated July 16, 2009, to be known
14 as the “Lima Peaks Wilderness”.

15 (9) LOST CABIN WILDERNESS.—Certain land in
16 the Beaverhead-Deerlodge National Forest, com-
17 prising approximately 5,223 acres, as generally de-
18 picted on the map entitled “Lost Cabin Lake Pro-
19 posed Wilderness” and dated July 16, 2009, to be
20 known as the “Lost Cabin Wilderness”.

21 (10) MOUNT JEFFERSON WILDERNESS.—Cer-
22 tain land in the Beaverhead-Deerlodge National For-
23 est, comprising approximately 4,465 acres, as gen-
24 erally depicted on the map entitled “Mount Jeffer-

1 son Proposed Wilderness” and dated July 16, 2009,
2 to be known as the “Mount Jefferson Wilderness”.

3 (11) QUIGG PEAK WILDERNESS.—Certain land
4 in the Beaverhead-Deerlodge National Forest, com-
5 prising approximately 8,388 acres, as generally de-
6 picted on the map entitled “Quigg Peak Proposed
7 Wilderness” and dated July 16, 2009, to be known
8 as the “Quigg Peak Wilderness”.

9 (12) SAPPHIRES WILDERNESS.—Certain land in
10 the Beaverhead-Deerlodge National Forest, com-
11 prising approximately 53,327 acres, as generally de-
12 picted on the map entitled “Sapphires Proposed Wil-
13 derness” and dated July 16, 2009, to be known as
14 the “Sapphires Wilderness”.

15 (13) SNOWCREST WILDERNESS.—Certain land
16 in the Beaverhead-Deerlodge National Forest, com-
17 prising approximately 89,798 acres, as generally de-
18 picted on the map entitled “Snowcrest Proposed
19 Wilderness” and dated July 16, 2009, to be known
20 as the “Snowcrest Wilderness”.

21 (14) STONY MOUNTAIN WILDERNESS.—Certain
22 land in the Beaverhead-Deerlodge National Forest,
23 comprising approximately 14,261 acres, as generally
24 depicted on the map entitled “Stony Mountain Pro-

1 posed Wilderness” and dated July 16, 2009, to be
2 known as the “Stony Mountain Wilderness”.

3 (15) WEST BIG HOLE WILDERNESS.—Certain
4 land in the Beaverhead-Deerlodge National Forest,
5 comprising approximately 44,084 acres, as generally
6 depicted on the map entitled “West Big Hole Pro-
7 posed Wilderness” and dated July 16, 2009, to be
8 known as the “West Big Hole Wilderness”.

9 (16) WEST PIONEERS WILDERNESS.—Certain
10 land in the Beaverhead-Deerlodge National Forest,
11 comprising approximately 25,742 acres, as generally
12 depicted on the map entitled “West Pioneers Pro-
13 posed Wilderness” and dated July 16, 2009, to be
14 known as the “West Pioneers Wilderness”.

15 (b) LOLO NATIONAL FOREST.—In furtherance of the
16 purposes of the Wilderness Act (16 U.S.C. 1131 et seq.),
17 the following land is designated as wilderness and as com-
18 ponents of the National Wilderness Preservation System:

19 (1) BOB MARSHALL AND SCAPEGOAT WILDER-
20 NESS ADDITIONS.—Certain land in the Lolo Na-
21 tional Forest, which comprises approximately 71,378
22 acres, as generally depicted as the “North Fork
23 Blackfoot-Monture Creek Wilderness Addition” on
24 the map entitled “Location of the Seeley Lake Wil-
25 derness Additions and the Otatsy National Recre-

1 ation Area” and dated July 16, 2009, which is in-
2 corporated in, and shall be considered part of, the
3 Bob Marshall and Scapegoat Wilderness designated
4 by Public Law 92–395 (86 Stat. 578).

5 (2) BOB MARSHALL WILDERNESS ADDITION.—
6 Certain land in the Lolo National Forest, which
7 comprises approximately 7,599 acres, as generally
8 depicted as the “Grizzly Basin of the Swan Range
9 Wilderness Addition” on the map entitled “Location
10 of the Seeley Lake Wilderness Additions and the
11 Otatsy National Recreation Area” and dated July
12 16, 2009, which is incorporated in, and shall be con-
13 sidered part of, the Bob Marshall Wilderness des-
14 ignated under the Wilderness Act (16 U.S.C. 1131
15 et seq.).

16 (3) MISSION MOUNTAINS WILDERNESS ADDI-
17 TION.—Certain land in the Lolo National Forest,
18 which comprises approximately 4,501 acres, as gen-
19 erally depicted as the “West Fork Clearwater Wil-
20 derness Addition” on the map entitled “Location of
21 the Seeley Lake Wilderness Additions and the
22 Otatsy National Recreation Area” and dated July
23 16, 2009, which is incorporated in, and shall be con-
24 sidered part of, the Mission Mountains Wilderness
25 designated by Public Law 93–632 (88 Stat. 2153).

1 (c) KOOTENAI NATIONAL FOREST.—In furtherance
2 of the purposes of the Wilderness Act (16 U.S.C. 1131
3 et seq.), certain land in the Kootenai National Forest,
4 which comprises approximately 29,869 acres, as generally
5 depicted as the “Roderick Wilderness Area” on the map
6 entitled “Three Rivers Special Management Area and
7 Roderick Wilderness” and dated July 16, 2009, is—

8 (1) designated as wilderness and as a compo-
9 nent of the National Wilderness Preservation Sys-
10 tem; and

11 (2) to be known as the “Roderick Wilderness”.

12 (d) DILLON FIELD OFFICE.—In accordance with,
13 and in furtherance of the purposes of, the Wilderness Act
14 (16 U.S.C. 1131 et seq.), the following areas of Bureau
15 of Land Management land in the State are designated as
16 wilderness areas and as components of the National Wil-
17 derness Preservation System:

18 (1) BLACKTAIL MOUNTAINS WILDERNESS.—
19 Certain land under the jurisdiction of the Dillon
20 Field Office, comprising approximately 10,667 acres,
21 as generally depicted on the map entitled “Blacktail
22 Mountains Proposed Wilderness” and dated June
23 29, 2009, to be known as the “Blacktail Mountains
24 Wilderness”.

1 (2) CENTENNIAL MOUNTAINS WILDERNESS.—
2 Certain land under the jurisdiction of the Dillon
3 Field Office, comprising approximately 23,256 acres,
4 as generally depicted on the map entitled “Centen-
5 nial Mountains Proposed Wilderness” and dated
6 June 29, 2009, to be known as the “Centennial
7 Mountains Wilderness”.

8 (3) FARLIN CREEK WILDERNESS.—Certain land
9 under the jurisdiction of the Dillon Field Office,
10 comprising approximately 661 acres, as generally de-
11 picted on the map entitled “Farlin Creek Proposed
12 Wilderness” and dated June 29, 2009, to be known
13 as the “Farlin Creek Wilderness”.

14 (4) RUBY MOUNTAINS WILDERNESS.—Certain
15 land under the jurisdiction of the Dillon Field Of-
16 fice, comprising approximately 15,504 acres, as gen-
17 erally depicted on the map entitled “Ruby Moun-
18 tains Proposed Wilderness” and dated June 29,
19 2009, to be known as the “Ruby Mountains Wilder-
20 ness”.

21 (e) BUTTE FIELD OFFICE.—

22 (1) IN GENERAL.—In accordance with, and in
23 furtherance of the purposes of, the Wilderness Act
24 (16 U.S.C. 1131 et seq.), the area of Bureau of
25 Land Management land in the State described in

1 paragraph (2) is designated as a wilderness area and
2 as a component of the National Wilderness Preser-
3 vation System.

4 (2) HUMBUG SPIRES WILDERNESS.—Certain
5 land under the jurisdiction of the Butte Field Office,
6 comprising approximately 8,892 acres, as generally
7 depicted on the map entitled “Humbug Spires Pro-
8 posed Wilderness” and dated June 29, 2009, to be
9 known as the “Humbug Spires Wilderness”.

10 **SEC. 202. ADMINISTRATION.**

11 (a) MANAGEMENT.—Subject to valid existing rights,
12 each area designated as wilderness by section 201 shall
13 be administered by the Secretary concerned in accordance
14 with the Wilderness Act (16 U.S.C. 1131 et seq.), except
15 that any reference in that Act to the effective date shall
16 be considered to be a reference to the date of enactment
17 of this Act.

18 (b) MAP; LEGAL DESCRIPTION.—

19 (1) IN GENERAL.—As soon as practicable after
20 the date of enactment of this Act, the Secretary con-
21 cerned shall file a map and a legal description of
22 each wilderness area designated by section 201
23 with—

24 (A) the Committee on Natural Resources
25 of the House of Representatives; and

1 (B) the Committee on Energy and Natural
2 Resources of the Senate.

3 (2) FORCE OF LAW.—A map and legal descrip-
4 tion filed under paragraph (1) shall have the same
5 force and effect as if included in this title, except
6 that the Secretary concerned may correct errors in
7 the map and legal description.

8 (3) PUBLIC AVAILABILITY.—Each map and
9 legal description filed under paragraph (1) shall be
10 filed and made available for public inspection in the
11 appropriate office of the Secretary concerned.

12 (c) INCORPORATION OF ACQUIRED LAND AND INTER-
13 ESTS.—Any land within the boundary of a wilderness area
14 designated by section 201 that is acquired by the Federal
15 Government shall—

16 (1) become part of the wilderness area in which
17 the land is located; and

18 (2) be managed in accordance with—

19 (A) this title;

20 (B) the Wilderness Act (16 U.S.C. 1131 et
21 seq.); and

22 (C) any other applicable law (including
23 regulations).

1 (d) WITHDRAWAL.—Subject to valid existing rights,
2 each parcel of Federal land designated as a wilderness
3 area by section 201 is withdrawn from—

4 (1) all forms of entry, appropriation, or disposal
5 under the public land laws;

6 (2) location, entry, and patent under the mining
7 laws; and

8 (3) operation of the mineral leasing, mineral
9 materials and geothermal leasing laws.

10 (e) FIRE, INSECT, AND DISEASE MANAGEMENT AC-
11 TIVITIES.—

12 (1) IN GENERAL.—The Secretary concerned
13 may take such measures in each wilderness area des-
14 ignated by section 201 as the Secretary concerned
15 determines to be necessary for the control and pre-
16 vention of fire, insects, and diseases, in accordance
17 with—

18 (A) section 4(d)(1) of the Wilderness Act
19 (16 U.S.C. 1133(d)(1)); and

20 (B) House Report No. 98–40.

21 (2) REVIEW.—Not later than 1 year after the
22 date of enactment of this Act, the Secretary con-
23 cerned shall review each policy in existence as of
24 that date that is applicable to each wilderness area
25 designated by section 201 to ensure that each au-

1 thorized approval procedure for any fire manage-
2 ment measure provides a timely and efficient re-
3 sponse to fire emergencies in the wilderness area.

4 (f) ACCESS TO PRIVATE PROPERTY.—In accordance
5 with section 5(a) of the Wilderness Act (16 U.S.C.
6 1134(a)), the Secretary concerned shall provide each
7 owner of private property located in a wilderness area des-
8 ignated by section 201 adequate access to the private
9 property to ensure the reasonable use and enjoyment of
10 the property by the owner.

11 (g) SNOW SENSORS AND STREAM GAUGES.—Nothing
12 in this title prevents the installation or maintenance of
13 hydrological, meteorological, or climatological instrumen-
14 tation in each wilderness area designated by section 201
15 if the Secretary concerned determines that the installation
16 or maintenance of the instrumentation is appropriate to
17 further the scientific, educational, or conservation pur-
18 poses of the wilderness areas.

19 (h) MILITARY ACTIVITIES.—

20 (1) IN GENERAL.—With respect to each wilder-
21 ness area designated by section 201, nothing in this
22 title precludes or restricts—

23 (A) low-level overflights of military air-
24 craft;

1 (B) the designation of new units of special
2 airspace; or

3 (C) the use or establishment of military
4 flight training routes over the wilderness areas.

5 (2) HIGHLANDS WILDERNESS AREA.—Nothing
6 in this title precludes or restricts the authority of
7 the Secretary concerned to enter into agreements
8 with the Secretary of Defense or the Montana Na-
9 tional Guard to permit limited and scheduled land-
10 ings of aircraft in the Highlands Wilderness Area.

11 (i) GRAZING.—The grazing of livestock (including the
12 maintenance of any facility in existence as of the date of
13 enactment of this Act that is used in connection with the
14 grazing of livestock) in each wilderness area designated
15 by section 201 shall be administered in accordance with—

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

18 (2) the guidelines set forth in Appendix A of
19 House Report 101–405.

20 (j) FISH AND WILDLIFE MANAGEMENT.—

21 (1) IN GENERAL.—In furtherance of the pur-
22 poses and principles of the management activities
23 under the Wilderness Act (16 U.S.C. 1131 et seq.),
24 the Secretary concerned may carry out management
25 activities to maintain or restore fish and wildlife

1 populations (including activities to maintain and re-
2 store fish and wildlife habitats to support the popu-
3 lations) in any wilderness area designated by section
4 201 if the activities are—

5 (A) consistent with applicable wilderness
6 management plans; and

7 (B) carried out in accordance with applica-
8 ble guidelines and policies.

9 (2) STATE MANAGEMENT; RECREATIONAL
10 USE.—Nothing in this Act—

11 (A) affects the authority, jurisdiction, or
12 responsibility of the State to manage, control,
13 or regulate fish and resident wildlife under
14 State law (including regulations), including the
15 regulation of hunting, fishing, trapping, and
16 recreational shooting on public land managed
17 by—

18 (i) the Forest Service; or

19 (ii) the Bureau of Land Management;

20 or

21 (B) affects access for any recreational ac-
22 tivity allowed by any law (including regula-
23 tions), including—

24 (i) hunting;

25 (ii) fishing;

1 (iii) trapping; and

2 (iv) recreational shooting.

3 (k) ADJACENT MANAGEMENT.—

4 (1) IN GENERAL.—Nothing in this title creates
5 any protective perimeter or buffer zone around any
6 wilderness area designated by section 201.

7 (2) NONWILDERNESS ACTIVITIES.—The fact
8 that a nonwilderness activity or use can be seen or
9 heard from an area within a wilderness area des-
10 ignated by section 201 shall not preclude the con-
11 duct of the activity or use outside the boundary of
12 the wilderness area.

13 (l) MEMORANDUMS OF UNDERSTANDING.—Not later
14 than 1 year after the date of enactment of this Act, the
15 Secretary concerned shall offer to enter into a memo-
16 randum of understanding with each law enforcement,
17 emergency medical responder, and search and rescue orga-
18 nization of each political subdivision of the State, the ju-
19 risdiction of which includes any wilderness area designated
20 by section 201, to ensure that each organization is author-
21 ized to enter each wilderness area to conduct emergency
22 operations.

23 (m) OUTFITTER AND GUIDE ACTIVITIES.—Outfitter
24 and guide activities conducted under permits of the Forest
25 Service in effect on the date of enactment of this Act in

1 any wilderness area designated by section 201 shall be
2 considered to have met all requirements for necessary
3 analysis for the permits.

4 (n) EFFECT.—

5 (1) EAST PIONEERS WILDERNESS AREA.—With
6 respect to the East Pioneers Wilderness Area, noth-
7 ing in this title affects the right of any owner of 1
8 or more water impoundment structures to customary
9 and usual access to the 1 or more water impound-
10 ment structures, including—

11 (A) necessary motorized use over and
12 along roads and trails in existence as of the
13 date of enactment of this Act to the 1 or more
14 water impoundment structures; and

15 (B) the right to operate and maintain the
16 1 or more water impoundment structures.

17 (2) HIGHLANDS WILDERNESS AREA.—With re-
18 spect to the Highlands Wilderness Area, nothing in
19 this title affects—

20 (A) the customary and usual access of
21 Beaverhead County to operate and maintain the
22 communication site located on Table Mountain
23 under a special use permit issued by the Forest
24 Service; and

1 (B) the water supply pipeline in existence
2 as of the date of enactment of this Act for the
3 city of Butte (including the surrounding com-
4 munity of the city of Butte)—

5 (i) including the right of the city of
6 Butte of ingress and egress with respect to
7 the water supply pipeline; and

8 (ii) which may be operated, main-
9 tained, and upgraded by the city of Butte,
10 subject to reasonable requirements to pro-
11 tect the wilderness values of the Highlands
12 Wilderness Area.

13 (3) SNOWCREST WILDERNESS AREA.—With re-
14 spect to the Snowcrest Wilderness Area, nothing in
15 this title affects—

16 (A) motorized access to water infrastruc-
17 ture for cattle, which—

18 (i) was constructed—

19 (I) to protect the Ruby River;

20 and

21 (II) to preserve historic access

22 for other ranching activities; and

23 (ii) shall continue under the permit
24 system in existence as of the date of enact-
25 ment of this Act; and

1 (B) subject to reasonable requirements to
2 protect the wilderness values of the Snowcrest
3 Wilderness Area, historical motorized access to
4 trail sheep.

5 **SEC. 203. RELEASE OF BUREAU OF LAND MANAGEMENT**
6 **STUDY AREAS.**

7 (a) FINDING.—Congress finds that, for purposes of
8 section 603 of the Federal Land Policy and Management
9 Act of 1976 (43 U.S.C. 1782), any portion of a wilderness
10 study area described in subsection (b) that is not des-
11 ignated as a wilderness area by section 201 or any other
12 Act enacted before the date of enactment of this Act has
13 been adequately studied for wilderness.

14 (b) DESCRIPTION OF STUDY AREAS.—The study
15 areas referred to in subsection (a) are—

16 (1) the Axolotl Lakes Wilderness Study Area;

17 (2) the Bell and Limekiln Canyons Wilderness
18 Study Area;

19 (3) the Blacktail Mountains Wilderness Study
20 Area;

21 (4) the Centennial Mountains Wilderness Study
22 Area;

23 (5) the East Fork Blacktail Wilderness Study
24 Area;

25 (6) the Farlin Creek Wilderness Study Area;

1 (7) the Henneberry Ridge Wilderness Study
2 Area;

3 (8) the Hidden Pasture Wilderness Study Area;

4 (9) the Humbug Spires Wilderness Study Area;

5 and

6 (10) the Ruby Mountains Wilderness Study
7 Area.

8 (c) RELEASE.—Any study area described in sub-
9 section (b) that is not designated as a wilderness area by
10 section 201—

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

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

17 **SEC. 204. RELEASE OF SAPPHIRE AND WEST PIONEER WIL-**
18 **DERNESS STUDY AREAS.**

19 (a) FINDINGS.—Congress finds that—

20 (1) for purposes of section 603 of the Federal
21 Land Policy and Management Act of 1976 (43
22 U.S.C. 1782), any portion of a wilderness study area
23 described in subsection (b) that is not designated as
24 a wilderness area by section 201 or any other Act

1 enacted before the date of enactment of this Act has
2 been adequately studied for wilderness;

3 (2) the studies conducted under section 2 of the
4 Montana Wilderness Study Act of 1977 (Public Law
5 95–150; 91 Stat. 1243) regarding each study area
6 described in subsection (b) are adequate for the con-
7 sideration of the suitability of each study area for
8 inclusion as a component of the National Wilderness
9 Preservation System; and

10 (3) the Secretary of Agriculture is not re-
11 quired—

12 (A) to review the wilderness option for
13 each study area described in subsection (b)
14 prior to the revision of the forest plan required
15 for each land that comprises each study area in
16 accordance with the Forest and Rangeland Re-
17 newable Resources Planning Act of 1974 (16
18 U.S.C. 1600 et seq.); and

19 (B) to manage each study area described
20 in subsection (b) to ensure the suitability of
21 each study area for designation as a component
22 of the National Wilderness Preservation System
23 pending revision of the forest plan that com-
24 prises the study area.

1 (b) DESCRIPTION OF STUDY AREAS.—The study
2 areas referred to in subsection (a) are—

3 (1) the portion of the Sapphire Wilderness
4 Study Area that is—

5 (A) located within the Beaverhead-
6 Deerlodge National Forest, as described in sec-
7 tion 2(4) of the Montana Wilderness Study Act
8 of 1977 (Public Law 95–150; 91 Stat. 1243);
9 and

10 (B) not designated as a wilderness area by
11 section 201; and

12 (2) the portion of the West Pioneer Wilderness
13 Study Area, as described in section 2(1) of the Mon-
14 tana Wilderness Study Act of 1977 (Public Law 95–
15 150; 91 Stat. 1243), that is not designated as a wil-
16 derness area by section 201.

17 **SEC. 205. LOST CREEK PROTECTION AREA.**

18 (a) DESIGNATION.—Certain Federal land located in
19 the Beaverhead-Deerlodge National Forest, comprising
20 approximately 15,134 acres, as generally depicted on the
21 map entitled “Lost Creek Protection Area” and dated
22 July 16, 2009, is designated as the “Lost Creek Protec-
23 tion Area”.

24 (b) ADMINISTRATION.—The Secretary concerned
25 shall administer the protection area in accordance with

1 this section and any laws (including regulations) relating
2 to the National Forest System.

3 (c) WITHDRAWAL.—Subject to valid existing rights,
4 the Federal land designated as the protection area is with-
5 drawn from—

6 (1) all forms of entry, appropriation, or disposal
7 under the public land laws;

8 (2) location, entry, and patent under the mining
9 laws; and

10 (3) operation of the mineral leasing, mineral
11 materials, and geothermal leasing laws.

12 (d) DEVELOPMENT RESTRICTIONS.—After the date
13 of enactment of this Act, no developed campground, road,
14 or trail may be constructed in the protection area.

15 (e) TIMBER HARVESTING.—

16 (1) IN GENERAL.—Except as provided in para-
17 graph (2), timber harvesting shall not be permitted
18 within the protection area.

19 (2) MAINTENANCE OF PROTECTION AREA.—
20 Timber harvesting may be permitted in the protec-
21 tion area to the extent allowed under section 4(d)(1)
22 of the Wilderness Act (16 U.S.C. 1133(d)(1)) for
23 purposes relating to the necessary control of fire, in-
24 sects, and diseases, and for public safety.

25 (f) SNOWMOBILES.—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 the use of snowmobiles shall be permitted within the
3 protection area only—

4 (A) on designated trails and routes in ex-
5 istence as of July 16, 2009;

6 (B) during periods of adequate snow cover,
7 as determined by the forest plan in effect as of
8 the date of enactment of this Act.

9 (2) RESOURCE PROTECTION OR PUBLIC SAFE-
10 TY.—Nothing in this subsection precludes the Sec-
11 retary concerned from closing any trail or route
12 from use for the purposes of resource protection or
13 public safety.

14 (3) MECHANIZED, NONMOTORIZED VEHICLES.—
15 The use of mechanized, nonmotorized vehicles shall
16 be permitted within the protection area.

17 (4) LAND-BASED MOTORIZED VEHICLES.—The
18 use of land-based motorized vehicles shall be prohib-
19 ited within the protection area.

20 (g) MANAGEMENT PLAN.—

21 (1) IN GENERAL.—The Secretary concerned
22 shall include a management plan for the protection
23 area in the first revision of the forest plan of the
24 Beaverhead-Deerlodge National Forest that is car-

1 ried out by the Secretary concerned after the date
2 of enactment of this Act.

3 (2) REQUIREMENT FOR PUBLIC COMMENT.—In
4 developing a management plan for the protection
5 area under paragraph (1), the Secretary concerned
6 shall provide public notice and an opportunity for
7 comment.

8 **SEC. 206. WEST BIG HOLE NATIONAL RECREATION AREA.**

9 (a) PURPOSE.—The purpose of this section is to des-
10 ignate the West Big Hole National Recreation Area—

11 (1) to ensure the preservation and protection of
12 the natural, scenic, historic, pastoral, and fish and
13 wildlife values of the National Recreation Area; and

14 (2) to provide for the enhancement of the rec-
15 reational values of the National Recreation Area.

16 (b) DEFINITIONS.—In this section:

17 (1) MAP.—The term “map” means the map en-
18 titled “West Big Hole Proposed Wilderness” and
19 dated July 16, 2009.

20 (2) NATIONAL RECREATION AREA.—The term
21 “National Recreation Area” means the West Big
22 Hole National Recreation Area that is—

23 (A) comprised of certain land that is—

24 (i) located in the Beaverhead-
25 Deerlodge National Forest;

1 (ii) comprised of approximately
2 94,237 acres; and

3 (iii) generally depicted on the map;
4 and

5 (B) designated by subsection (c).

6 (c) DESIGNATION.—Each parcel of land depicted on
7 the map is designated as the National Recreation Area.

8 (d) ADMINISTRATION.—

9 (1) IN GENERAL.—The Secretary concerned
10 shall administer the National Recreation Area—

11 (A) in accordance with any laws (including
12 regulations) relating to the National Forest
13 System; and

14 (B) in a manner to ensure most effec-
15 tively—

16 (i) the protection and conservation of
17 fish and wildlife located in the National
18 Recreation Area;

19 (ii) the conservation and development
20 of scenic, natural historic, pastoral, and
21 other values that—

22 (I) contribute to, and are avail-
23 able for, public recreation; and

1 (II) represent the economic and
2 social history of the American West;
3 and
4 (iii) the proper management, utiliza-
5 tion, and disposal of natural resources lo-
6 cated in the National Recreation Area (in-
7 cluding timber, grazing, and mineral re-
8 sources) to the extent that the use of the
9 resources would not substantially impair
10 the purposes of the National Recreation
11 Area.

12 (2) ACQUISITION AUTHORITY.—

13 (A) IN GENERAL.—Subject to subpara-
14 graph (B), in accordance with applicable laws
15 (including regulations), the Secretary concerned
16 may acquire from willing sellers, or through a
17 voluntary donation or exchange, any land or in-
18 terest in land (including any mineral interest or
19 scenic easement) that is located in the National
20 Recreation Area that the Secretary concerned
21 determines is necessary to carry out this sec-
22 tion.

23 (B) LIMITATION.—No land or interest in
24 land may be acquired by the Secretary con-

1 cerned under subparagraph (A) through con-
2 demnation.

3 (3) HUNTING; FISHING.—The Secretary con-
4 cerned shall allow individuals to hunt, trap, and fish
5 within the National Recreation Area in accordance
6 with each applicable law (including regulations) of—

7 (A) the Federal Government; and

8 (B) the State.

9 (4) GRAZING.—The grazing of livestock in the
10 National Recreation Area, if authorized before the
11 date of enactment of this Act, shall be permitted to
12 continue in accordance with—

13 (A) section 4(d)(4) of the Wilderness Act
14 (16 U.S.C. 1133(d)(4)); and

15 (B) the guidelines set forth in Appendix A
16 of House Report 101–405.

17 (e) OFF-ROAD RECREATION.—

18 (1) IN GENERAL.—Subject to any forest plan or
19 travel management plan, except for administrative
20 purposes or to respond to an emergency, motorized
21 travel shall be permitted within the National Recre-
22 ation Area only on approved, designated trails and
23 routes.

1 (2) MECHANIZED, NONMOTORIZED VEHICLES.—

2 The use of mechanized, nonmotorized vehicles shall
3 be permitted within the National Recreation Area.

4 (f) AVAILABILITY OF MAP.—The map shall be filed
5 and made available for public inspection in the appropriate
6 office of the Secretary concerned.

7 **SEC. 207. WEST PIONEERS RECREATION MANAGEMENT**
8 **AREA.**

9 (a) DEFINITIONS.—In this section:

10 (1) MAP.—The term “map” means the map en-
11 titled “West Pioneers Proposed Wilderness” and
12 dated July 16, 2009.

13 (2) RECREATION MANAGEMENT AREA.—The
14 term “recreation management area” means the West
15 Pioneers Recreation Management Area that is—

16 (A) comprised of certain land in the Bea-
17 verhead-Deerlodge National Forest that is—

18 (i) comprised of approximately
19 129,252 acres; and

20 (ii) generally depicted on the map;
21 and

22 (B) established by subsection (b).

23 (b) ESTABLISHMENT.—To conserve, protect, and en-
24 hance the scenic, wildlife, recreational, and other natural
25 resource values of the West Pioneers area of the State,

1 there is established the West Pioneers Recreation Manage-
2 ment Area.

3 (c) ADMINISTRATION.—

4 (1) IN GENERAL.—The Secretary concerned
5 shall administer the recreation management area in
6 accordance with this section and any laws (including
7 regulations) relating to the National Forest System.

8 (2) GRAZING.—Nothing in this section pro-
9 hibits, or affects the administration of, the grazing
10 of livestock on land within the boundaries of the
11 recreation management area.

12 (d) WITHDRAWAL.—Subject to valid existing rights,
13 the recreation management area is withdrawn from—

14 (1) all forms of entry, appropriation, or disposal
15 under the public land laws;

16 (2) location, entry, and patent under the mining
17 laws; and

18 (3) operation of the mineral leasing, mineral
19 materials, and geothermal leasing laws.

20 (e) TIMBER HARVESTING.—

21 (1) IN GENERAL.—Except as provided in para-
22 graph (2), timber harvesting shall not be permitted
23 within the recreation management area.

24 (2) MAINTENANCE OF RECREATION MANAGE-
25 MENT AREA.—Timber harvesting may be permitted

1 in the recreation management area to the extent al-
2 lowed under section 4(d)(1) of the Wilderness Act
3 (16 U.S.C. 1133(d)(1)) for purposes relating to the
4 necessary control of fire, insects, and diseases, and
5 for public safety.

6 (f) DEVELOPMENT LIMITATIONS.—Effective on the
7 date of enactment of this Act, no permanent campground,
8 or road or trail, may be constructed in the recreation man-
9 agement area.

10 (g) OFF-ROAD RECREATION.—

11 (1) IN GENERAL.—Except for administrative
12 purposes or to respond to an emergency, the use of
13 mechanized and motorized travel shall be permitted
14 within the recreation management area only on ap-
15 proved, designated trails and routes in existence as
16 of the date of enactment of this Act.

17 (2) MAP.—Not later than 1 year after the date
18 of enactment of this Act, the Secretary concerned
19 shall prepare and make available to the public a map
20 that depicts each trail and route described in para-
21 graph (1).

22 (3) EFFECT.—Nothing in this subsection pre-
23 cludes the Secretary concerned from closing from
24 public use any trail or route described in paragraph
25 (1)—

1 (A) to protect a natural resource; or

2 (B) to help ensure public safety.

3 **SEC. 208. THUNDERBOLT CREEK RECREATION AREA.**

4 (a) DESIGNATION.—Certain Federal land located in
5 the Beaverhead-Deerlodge National Forest, comprising
6 approximately 22,037 acres, as generally depicted on the
7 map entitled “Electric Peak Proposed Wilderness” and
8 dated July 16, 2009, is designated as the “Thunderbolt
9 Creek Recreation Area”.

10 (b) ADMINISTRATION.—The Secretary concerned
11 shall administer the recreation area in accordance with
12 this section and any laws (including regulations) relating
13 to the National Forest System.

14 (c) WITHDRAWAL.—Subject to valid existing rights,
15 the Federal land designated as the recreation area is with-
16 drawn from—

17 (1) all forms of entry, appropriation, or disposal
18 under the public land laws;

19 (2) location, entry, and patent under the mining
20 laws; and

21 (3) operation of the mineral leasing, mineral
22 materials, and geothermal leasing laws.

23 (d) DEVELOPMENT RESTRICTIONS.—Effective on or
24 after the date of enactment of this Act, no developed

1 campground or road may be constructed in the recreation
2 area.

3 (e) TIMBER HARVESTING.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), timber harvesting shall not be permitted
6 within the recreation area.

7 (2) MAINTENANCE OF RECREATION AREA.—

8 Timber harvesting may be permitted in the recre-
9 ation area to the extent allowed under section
10 4(d)(1) of the Wilderness Act (16 U.S.C.
11 1133(d)(1)) for purposes relating to the necessary
12 control of fire, insects, and diseases, and for public
13 safety.

14 (f) VEHICLES.—

15 (1) MOTORIZED VEHICLES.—

16 (A) IN GENERAL.—Except as provided in
17 subparagraph (B), motorized travel shall be
18 permitted within the recreation area only on
19 those established trails and routes existing as of
20 the date of enactment of this Act, on which mo-
21 torized travel was permitted as of that date.

22 (B) OTHER TRAILS AND ROUTES.—Other
23 trails and routes may be used when necessary
24 for administrative purposes or to respond to an
25 emergency.

1 (C) IDENTIFICATION AND MAP.—Not later
2 than 1 year after the date of enactment of this
3 Act, the Secretary concerned shall—

4 (i) identify routes and trails described
5 in subparagraph (A); and

6 (ii) prepare and make available to the
7 public a map showing the routes and trails.

8 (D) RESOURCE PROTECTION OR PUBLIC
9 SAFETY.—Nothing in this subsection precludes
10 the Secretary concerned from closing any trail
11 or route from use for the purposes of resource
12 protection or public safety.

13 (2) MECHANIZED, NONMOTORIZED VEHICLES.—
14 The use of mechanized, nonmotorized vehicles shall
15 be permitted within the recreation area.

16 (g) MANAGEMENT PLAN.—

17 (1) IN GENERAL.—The Secretary concerned
18 shall include a management plan for the recreation
19 area in the first revision of the forest plan of the
20 Beaverhead-Deerlodge National Forest that is car-
21 ried out by the Secretary concerned after the date
22 of enactment of this Act.

23 (2) REQUIREMENT FOR PUBLIC COMMENT.—In
24 developing a management plan for the recreation
25 area under paragraph (1), the Secretary concerned

1 shall provide public notice and an opportunity for
2 comment.

3 **SEC. 209. THREE RIVERS SPECIAL MANAGEMENT AREA.**

4 (a) DEFINITIONS.—In this section:

5 (1) MAP.—The term “map” means the map en-
6 titled “Three Rivers Special Management Area and
7 Roderick Wilderness” and dated July 16, 2009.

8 (2) SPECIAL MANAGEMENT AREA.—The term
9 “special management area” means the Three Rivers
10 Special Management Area that is—

11 (A) comprised of certain land in the
12 Kootenai National Forest that is—

13 (i) comprised of approximately 74,274
14 acres; and

15 (ii) generally depicted on the map;
16 and

17 (B) established by subsection (b).

18 (b) ESTABLISHMENT.—To conserve, protect, and en-
19 hance the scenic, wildlife, recreational, backcountry herit-
20 age, and other natural resource values of the Three Rivers
21 Management Area of the State, there is established the
22 Three Rivers Special Management Area.

23 (c) ADMINISTRATION.—

24 (1) IN GENERAL.—The Secretary concerned
25 shall administer the special management area in ac-

1 cordance with this section and any laws (including
2 regulations) relating to the National Forest System.

3 (2) GRAZING.—Nothing in this section pro-
4 hibits, or affects the administration of, the grazing
5 of livestock on land within the boundaries of the spe-
6 cial management area.

7 (d) WITHDRAWAL.—Subject to valid existing rights,
8 the special management area is withdrawn from—

9 (1) all forms of entry, appropriation, or disposal
10 under the public land laws;

11 (2) location, entry, and patent under the mining
12 laws; and

13 (3) operation of the mineral leasing, mineral
14 materials, and geothermal leasing laws.

15 (e) SNOWMOBILE RECREATION.—

16 (1) IN GENERAL.—Except as provided in para-
17 graph (2), the use of snowmobiles shall be permitted
18 within the special management area only in the
19 areas designated as the “NW Peaks Snowmobile
20 Area” and the “Mount Henry Snowmobile Area”, as
21 generally depicted on the map.

22 (2) EFFECT.—Nothing in this subsection pre-
23 cludes the Secretary concerned from closing from
24 public use any trail located in an area described in
25 paragraph (1)—

1 (A) to protect a natural resource; or

2 (B) to help ensure public safety.

3 (f) TIMBER HARVESTING.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), timber harvesting shall not be permitted
6 within the special management area.

7 (2) MAINTENANCE OF SPECIAL MANAGEMENT
8 AREA.—Timber harvesting may be permitted in the
9 special management area to the extent allowed under
10 section 4(d)(1) of the Wilderness Act (16 U.S.C.
11 1133(d)(1)) for purposes relating to the necessary
12 control of fire, insects, and diseases, and for public
13 safety.

14 (g) DEVELOPMENT LIMITATION.—Effective on the
15 date of enactment of this Act, no permanent campground
16 may be constructed in the special management area.

17 (h) OFF-ROAD RECREATION.—

18 (1) IN GENERAL.—Except for administrative
19 purposes or to respond to an emergency, the use of
20 mechanized and motorized travel shall be prohibited
21 within the special management area in the areas
22 designated as “NW Peaks Backcountry”, “Murphy
23 Mountain Backcountry”, “Mount Henry
24 Backcountry”, and “Roderick Backcountry”, as gen-
25 erally depicted on the map.

1 (2) MAP.—Not later than 1 year after the date
2 of enactment of this Act, the Secretary concerned
3 shall prepare and make available to the public a map
4 that depicts each area described in paragraph (1).

5 (3) EFFECT.—Nothing in this subsection pre-
6 cludes the Secretary concerned from closing from
7 public use any trail or route located in the special
8 management area—

9 (A) to protect a natural resource; or

10 (B) to help ensure public safety.

11 (i) HUNTING; FISHING.—The Secretary concerned
12 shall allow individuals to hunt, trap, and fish within the
13 special management area in accordance with each applica-
14 ble law (including regulations) of—

15 (1) the Federal Government; and

16 (2) the State.

17 (j) GAME CARTS.—Nothing in this section prohibits
18 the use of game carts in areas of the special management
19 area allowed as of the date of enactment of this Act.

20 (k) FIREWOOD.—The collection of firewood (includ-
21 ing the use of chainsaws) shall be allowed in certain areas
22 within the special management area, as determined by the
23 Secretary concerned in consultation with the resource ad-
24 visory committee.

25 (l) ALL-TERRAIN VEHICLE STUDY.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of enactment of this Act, the Secretary con-
3 cerned shall study and report on—

4 (A) the opportunities for expanded all-ter-
5 rain vehicles routes and trails across the Three
6 Rivers District and adjacent areas on the
7 Kootenai National Forest;

8 (B) the interconnectedness of routes on
9 private or State land; and

10 (C) the opportunities for expanded access
11 points to existing trails.

12 (2) CONSULTATION.—The study shall be con-
13 ducted in consultation with—

14 (A) the resource advisory committee for
15 the Three Rivers District;

16 (B) local collaborative land management
17 organizations;

18 (C) representatives from motorized user
19 groups; and

20 (D) any other interested party.

21 **SEC. 210. OTATSY RECREATION AREA.**

22 (a) DEFINITIONS.—In this section:

23 (1) MAP.—The term “map” means the map en-
24 titled “Location of the Seeley Lake Wilderness Addi-

1 tions and Otatsy National Recreation Area” and
2 dated July 16, 2009.

3 (2) RECREATION AREA.—The term “recreation
4 area” means the Otatsy Recreation Area that is—

5 (A) established by subsection (b)(1);

6 (B) comprised of—

7 (i) certain land located in the Seeley
8 Lake Ranger District of the Lolo National
9 Forest; and

10 (ii) approximately 1,271 acres; and

11 (C) generally depicted on the map.

12 (b) RECREATION AREA.—

13 (1) ESTABLISHMENT.—To conserve, protect,
14 and enhance the scenic, wildlife, recreational,
15 backcountry heritage, and other natural resource
16 values of the Blackfoot watershed, there is estab-
17 lished the Otatsy Recreation Area.

18 (2) ADMINISTRATION.—

19 (A) IN GENERAL.—The Secretary con-
20 cerned shall administer the recreation area in
21 accordance with this section and any laws (in-
22 cluding regulations) relating to the National
23 Forest System.

24 (B) AUTHORIZED USES.—The Secretary
25 concerned shall only allow uses of the recreation

1 area that the Secretary concerned determines
2 will further the purposes of the recreation area,
3 as described in paragraph (1).

4 (C) GRAZING.—Nothing in this subsection
5 prohibits, or affects the administration of, the
6 grazing of livestock on land within the bound-
7 aries of the recreation area.

8 (3) SNOWMOBILE RECREATION.—

9 (A) IN GENERAL.—Except as provided in
10 subparagraph (B), and subject to any forest
11 plan, the use of snowmobiles shall be permitted
12 in areas located within the recreation area, as
13 designated by the Secretary concerned in the
14 map described in paragraph (7).

15 (B) EFFECT.—Nothing in this subsection
16 precludes the Secretary concerned from closing
17 from public use any trail located in the recre-
18 ation area—

- 19 (i) to protect a natural resource;
20 (ii) to help ensure public safety;
21 (iii) for administrative purposes; or
22 (iv) to respond to an emergency.

23 (4) MANAGEMENT PLAN.—

24 (A) IN GENERAL.—Not later than 3 years
25 after the date of enactment of this Act, the Sec-

1 retary concerned shall prepare, and may peri-
2 odically amend, a comprehensive management
3 plan for the recreation area.

4 (B) REQUIREMENTS.—In preparing the
5 management plan under subparagraph (A), the
6 Secretary concerned shall—

7 (i) design the management plan—

8 (I) to fulfill the purposes of the
9 recreation area; and

10 (II) to ensure the sound manage-
11 ment and enforcement of the recre-
12 ation area; and

13 (ii) carry out a public process to de-
14 velop the management plan to provide
15 for—

16 (I) adequate signage;

17 (II) a public education program
18 on allowable usage areas; and

19 (III) a monitoring and enforce-
20 ment strategy.

21 (5) ENFORCEMENT PRIORITY.—The Secretary
22 concerned shall prioritize the conduct of enforcement
23 activities in the recreation area—

24 (A) to prohibit the degradation of the nat-
25 ural resources of the recreation area; and

1 (B) to prevent entry of motorized vehicles
2 into adjacent wilderness areas and portions of
3 public land that are closed to motorized vehi-
4 cles.

5 (6) NOTICE OF OPEN ROUTES.—The Secretary
6 concerned shall ensure that visitors to the recreation
7 area have access to adequate notice relating to the
8 open routes within the recreation area through—

9 (A) the provision of appropriate signage
10 within the recreation area; and

11 (B) the distribution of maps, safety edu-
12 cation materials, and any other information
13 that the Secretary concerned determines to be
14 appropriate.

15 (7) MAP.—Not later than 1 year after the date
16 of enactment of this Act, the Secretary concerned
17 shall prepare and make available to the public a map
18 that depicts each area described in paragraph
19 (3)(A).

20 (8) WITHDRAWAL.—Subject to valid existing
21 rights, the Federal land designated as the recreation
22 area is withdrawn from—

23 (A) all forms of entry, appropriation, or
24 disposal under the public land laws;

1 (B) location, entry, and patent under the
2 mining laws; and

3 (C) disposition under all laws pertaining to
4 mineral and geothermal leasing or mineral ma-
5 terials.

○