

111TH CONGRESS  
2D SESSION

# S. 4049

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.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 18, 2010

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

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## 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 2010”.

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

Sec. 1. Short title; table of contents.

#### TITLE I—MONTANA FOREST JOBS AND RESTORATION INITIATIVE

Sec. 101. Purpose.

Sec. 102. Definitions.

Sec. 103. Montana Forest Jobs and Restoration Pilot Initiative.

Sec. 104. Authorized forest and watershed restoration projects.

Sec. 105. Miscellaneous.

#### TITLE II—DESIGNATION OF WILDERNESS AND SPECIAL MANAGEMENT AREAS IN MONTANA

Sec. 201. Purposes.

Sec. 202. Definitions.

Sec. 203. Designation of wilderness areas.

Sec. 204. Administration of wilderness areas.

Sec. 205. Release of Bureau of Land Management study areas.

Sec. 206. Release of Sapphire and West Pioneer Wilderness Study Areas.

Sec. 207. Special management and recreation management areas.

Sec. 208. All-terrain-vehicle study and report.

## 3 **TITLE I—MONTANA FOREST** 4 **JOBS AND RESTORATION INI-** 5 **TIATIVE**

### 6 **SEC. 101. PURPOSE.**

7 The purpose of this title is to establish an initiative—

8 (1) to preserve and create local jobs in rural  
 9 communities that are located in or near National  
 10 Forest System land;

11 (2) to create an immediate, predictable, and in-  
 12 creased flow of wood fiber with commercial value to  
 13 support and maintain locally based infrastructure  
 14 and economies that are necessary for the appro-  
 15 priate management and restoration of National For-  
 16 est System land;

1           (3) to promote cooperation and collaboration in  
2           the management of National Forest System land;

3           (4) to restore and improve the ecological struc-  
4           ture, composition, and function and the natural  
5           processes of priority watersheds within the National  
6           Forest System;

7           (5) to carry out collaborative projects to reduce  
8           the risk of disturbances from fire, insects, and dis-  
9           ease to communities, watersheds, and natural re-  
10          sources through a collaborative process of planning,  
11          prioritizing, and implementing ecological restoration  
12          and hazardous fuel reduction projects; and

13          (6) to collect information from the projects car-  
14          ried out under this title in an effort to better under-  
15          stand the manner in which to improve forest restora-  
16          tion and management activities.

17 **SEC. 102. DEFINITIONS.**

18       In this title:

19           (1) **AUTHORIZED FOREST AND WATERSHED**  
20           **RESTORATION PROJECT.**—The term “authorized for-  
21           est and watershed restoration project” means a col-  
22           lection of activities within a watershed area that are  
23           carried out—

24                   (A) on eligible land; and

25                   (B) to achieve the purposes of this title.

1           (2) DECOMMISSION.—The term “decommis-  
2       sion” means—

3                   (A) to reestablish vegetation on a road or  
4       trail; and

5                   (B) to restore any natural drainage, water-  
6       shed function, or other ecological processes that  
7       are disrupted or adversely impacted by the road  
8       or trail by removing or hydrologically dis-  
9       connecting the road prism.

10          (3) ELIGIBLE LAND.—The term “eligible land”  
11       means—

12                   (A) land within the approximately  
13       1,900,000 acres of land in the Beaverhead-  
14       Deerlodge National Forest designated as “Suit-  
15       able for Timber Production” and “Timber Har-  
16       vest Is Allowed” as generally depicted on the  
17       map entitled “Beaverhead-Deerlodge National  
18       Forest, Revised Forest Plan, Modeled Timber  
19       Harvest Classification” and dated December  
20       10, 2008; and

21                   (B)(i) land within the Three Rivers Ranger  
22       District of the Kootenai National Forest; and

23                   (ii) any land within the adjacent ranger  
24       districts of the Kootenai National Forest that is

1           necessary to achieve the requirements of section  
2           103(b).

3           (4) INFISH.—The term “INFISH” means the  
4           land and resource management plan amendments  
5           made before the date of enactment of this Act arising from the document—

7                   (A) entitled “Inland Native Fish Strategy”;

9                   (B) published by the Department of Agriculture; and

11                   (C) dated July 28, 1995.

12           (5) INITIATIVE.—The term “Initiative” means  
13           the Montana Forest Jobs and Restoration Pilot Initiative established by section 103(a).

15           (6) MECHANICAL TREATMENT.—

16                   (A) IN GENERAL.—The term “mechanical treatment” means an activity that uses a tool  
17                   to remove fiber that has commercial value to  
18                   local markets in the vicinity of the area treated.

20                   (B) INCLUSIONS.—The term “mechanical treatment” includes leaving fiber on the forest  
21                   floor after treatment with a tool, if an option for removal of the fiber is provided.

24                   (C) EXCLUSIONS.—The term “mechanical treatment” excludes prescribed burning.

1           (7) SECRETARY.—The term “Secretary” means  
2       the Secretary of Agriculture, acting through the  
3       Chief of the Forest Service.

4           (8) STEWARDSHIP CONTRACT.—The term  
5       “stewardship contract” means a contract authorized  
6       under section 347 of the Omnibus Consolidated and  
7       Emergency Supplemental Appropriations Act, 1999  
8       (16 U.S.C. 2104 note; Public Law 105–277) to  
9       carry out land management goals that meet local  
10      and rural community needs through a source that is  
11      selected on a best-value basis.

12          (9) WATERSHED AREA.—The term “watershed  
13      area” means 1 or more subwatersheds (also known  
14      as 6th code hydrologic units).

15 **SEC. 103. MONTANA FOREST JOBS AND RESTORATION**  
16 **PILOT INITIATIVE.**

17      (a) ESTABLISHMENT.—There is established the Mon-  
18      tana Forest Jobs and Restoration Pilot Initiative under  
19      which the Secretary shall implement authorized forest and  
20      watershed restoration projects and other land manage-  
21      ment projects on eligible land to achieve—

22           (1) the performance requirements under sub-  
23      section (b); and

24           (2) the purposes of this title.

1 (b) PERFORMANCE REQUIREMENTS.—Subject to  
 2 subsection (g), on the eligible land, the Secretary shall  
 3 place under contract for the mechanical treatment of vege-  
 4 tation—

5 (1) on the Beaverhead-Deerlodge National For-  
 6 est, a minimum of 5,000 acres annually until the  
 7 date on which a total of 70,000 acres in the Na-  
 8 tional Forest have been placed under contract; and

9 (2) on the Kootenai National Forest—

10 (A) 2,000 acres during the first year after  
 11 the date of enactment of this Act;

12 (B) 2,500 acres during the second year  
 13 after the date of enactment of this Act; and

14 (C) 3,000 acres during each subsequent  
 15 year until the date on which a total of 30,000  
 16 acres in the National Forest have been placed  
 17 under contract.

18 (c) COLLABORATION.—

19 (1) IN GENERAL.—For each National Forest  
 20 within the Initiative, the Secretary shall identify 1 or  
 21 more collaborative groups or resource advisory com-  
 22 mittees that support the achievement of the pur-  
 23 poses of this title.

24 (2) COMPOSITION.—A collaborative group or re-  
 25 source advisory committee identified under para-

1 graph (1) shall include multiple interested persons  
2 representing diverse interests in forest and water-  
3 shed management.

4 (3) CONSULTATION.—The Secretary shall con-  
5 sult with a collaborative group or resource advisory  
6 committee identified under paragraph (1) in the de-  
7 velopment and implementation of each authorized  
8 forest and watershed restoration project carried out  
9 under the Initiative.

10 (4) EXPANSION.—The Secretary shall seek to  
11 expand the public participation and diversity of in-  
12 terests involved in the implementation of the Initia-  
13 tive in each National Forest participating in the Ini-  
14 tiative.

15 (d) ADMINISTRATIVE REVIEW.—

16 (1) IN GENERAL.—The administrative review  
17 provisions of section 105 of the Healthy Forests  
18 Restoration Act of 2003 (16 U.S.C. 6515) shall  
19 apply to any administrative review of authorized for-  
20 est and watershed restoration projects carried out  
21 under this title.

22 (2) PROPOSED DECISION.—The Secretary shall  
23 provide notice of, and distribute, a proposed admin-  
24 istrative decision with the environmental assessment



1 or final environmental impact statement for any  
2 project subject to review under paragraph (1).

3 (3) INDEPENDENT MEDIATOR.—If 1 or more of  
4 the parties to a special administrative review process  
5 under paragraph (1) requests a mediator to help fa-  
6 cilitate the process, an independent mediator may be  
7 used for the administrative review process.

8 (e) JUDICIAL REVIEW.—Any judicial proceeding aris-  
9 ing from an authorized forest and watershed restoration  
10 project shall be conducted in accordance with section 106  
11 of the Healthy Forests Restoration Act of 2003 (16  
12 U.S.C. 6516).

13 (f) REPORTS.—

14 (1) ANNUAL SUMMARY.—The Secretary shall  
15 provide to the appropriate committees of Congress  
16 an annual summary of the progress of the Initiative  
17 toward accomplishing the purposes of this title, in-  
18 cluding the performance requirements established  
19 under subsection (b).

20 (2) PROGRESS REPORT.—

21 (A) IN GENERAL.—Not later than 5 years  
22 after the date of enactment of this Act and  
23 every 5 years thereafter, the Secretary shall  
24 submit to the appropriate committees of Con-  
25 gress a report that assesses the progress of the

1 Initiative toward accomplishing the purposes of  
2 this title.

3 (B) INCLUSIONS.—The report under sub-  
4 paragraph (A) shall include an analysis, with  
5 respect to the Initiative, of—

6 (i) fire and fuel dynamics, including  
7 changes in—

8 (I) condition and class; and

9 (II) fuel levels and distribution;

10 (ii) biodiversity, including the selec-  
11 tion of plant, terrestrial animals, and  
12 aquatic organisms;

13 (iii) soil and water, including soil  
14 movement, water quality, stream flows,  
15 and soil productivity;

16 (iv) economic effects, including job  
17 creation, labor income, and energy; and

18 (v) social implications, including land  
19 management practices, aesthetics, and atti-  
20 tudes towards land use.

21 (C) DATA ANALYSIS.—In preparing the re-  
22 port under this paragraph, the Secretary may  
23 consult with regional institutions of higher edu-  
24 cation and institutions with the capacity to co-

1           ordinate, analyze, and archive the data collected  
2           as a result of monitoring under the Initiative.

3       (g) EFFECT ON OTHER FUNDS.—Amounts expended  
4 under the Initiative shall not reduce the allocations of ap-  
5 propriated funds to the Secretary for use in other regions  
6 of the Forest Service or other States.

7       (h) EXPANSION OF INITIATIVE.—

8           (1) IN GENERAL.—The Secretary may elect to  
9 include the Seeley Ranger District of the Lolo Na-  
10 tional Forest in the Initiative, if—

11               (A) the Seeley Ranger District no longer  
12 receives funding under section 4003(b)(1)(B) of  
13 the Omnibus Public Land Management Act of  
14 2009 (16 U.S.C. 7303(b)(1)(B)); and

15               (B) a local collaborative group for the Dis-  
16 trict requests inclusion in the Initiative.

17       (2) REQUIREMENTS.—On the election by the  
18 Secretary to include the Seeley Ranger District in  
19 the Initiative, the requirements of the Initiative  
20 under this title shall apply to the District.

21       (i) TERMINATION DATE.—

22           (1) IN GENERAL.—The Initiative shall termi-  
23 nate on the later of—

24               (A) the date that is 15 years after the date  
25 of enactment of this Act; or

1 (B) the date on which the Secretary deter-  
 2 mines that the performance requirements under  
 3 subsection (b) have been achieved.

4 (2) EFFECT.—Nothing in this subsection af-  
 5 fects a valid contract in effect on the termination  
 6 date under paragraph (1).

7 **SEC. 104. AUTHORIZED FOREST AND WATERSHED RES-**  
 8 **TORATION PROJECTS.**

9 (a) IMPLEMENTATION.—

10 (1) IN GENERAL.—The Secretary shall annually  
 11 implement 1 or more authorized forest and water-  
 12 shed restoration projects on the eligible land.

13 (2) LANDSCAPE-SCALE PROJECTS.—The Sec-  
 14 retary shall implement in 1 or more watershed areas  
 15 authorized forest and watershed restoration projects  
 16 that provide landscape-scale work with the goal of  
 17 minimizing entries into the watershed.

18 (3) STEWARDSHIP CONTRACTS.—

19 (A) IN GENERAL.—To the maximum ex-  
 20 tent practicable, the Secretary shall enter into  
 21 stewardship contracts or agreements to carry  
 22 out authorized forest and watershed restoration  
 23 projects.

24 (B) STEWARDSHIP CONTRACT PRIOR-  
 25 ITIES.—In developing a stewardship contract

1 under subparagraph (A), the Secretary shall,  
2 after consultation with the relevant collabo-  
3 rative groups or resource advisory committees  
4 identified under section 103(c)(1), prioritize  
5 areas consistent with the priorities described in  
6 paragraph (4).

7 (4) PRIORITY.—Consistent with the purposes of  
8 this title, the Secretary shall give priority to carrying  
9 out authorized forest and watershed restoration  
10 projects in areas—

11 (A) in which the road density exceeds 1.5  
12 miles per square mile;

13 (B) in the wildland-urban interface (as de-  
14 fined in section 101 of the Healthy Forests  
15 Restoration Act of 2003 (16 U.S.C. 6511)) that  
16 are at risk of wildfire that threatens public in-  
17 frastructure or private property;

18 (C) in which fish and wildlife habitat  
19 connectivity is compromised as a result of past  
20 management practices; and

21 (D) that contain forests that are at risk  
22 from insect epidemics or high-severity wildfires.

23 (5) ENVIRONMENTAL REVIEW.—An environ-  
24 mental review of authorized forest and watershed  
25 restoration projects shall be carried out in accord-

1       ance with section 104 of the Healthy Forests Res-  
2       toration Act of 2003 (16 U.S.C. 6515), except  
3       that—

4               (A) the review shall also address—

5                   (i) the activities necessary to meet the  
6                   purposes and requirements of this title;  
7                   and

8                   (ii) the site-specific impacts of an au-  
9                   thorized forest and watershed restoration  
10                  project;

11               (B) on signing of a record of decision or  
12       finding of no significant impact for the author-  
13       ized forest and watershed restoration project,  
14       the Secretary shall implement the authorized  
15       forest and watershed restoration project; and

16               (C) if the Secretary or a court determines  
17       that additional review is warranted due to sig-  
18       nificant new circumstances after implementa-  
19       tion of an authorized forest and watershed res-  
20       toration project has begun, the additional anal-  
21       ysis shall not interrupt the implementation of  
22       the activities that are not subject to the addi-  
23       tional review, in accordance with the National  
24       Environmental Policy Act of 1969 (42 U.S.C.  
25       4321 et seq.).

1 (b) PROJECT REQUIREMENTS.—

2 (1) RIPARIAN HABITAT PROTECTION.—

3 (A) IN GENERAL.—Except as provided in  
4 subparagraph (B), the Secretary shall comply  
5 with INFISH in carrying out each authorized  
6 forest and watershed restoration project.

7 (B) MODIFICATIONS.—The Secretary may  
8 modify INFISH if the Secretary determines,  
9 after taking into consideration the best avail-  
10 able science, that the modifications would meet  
11 or exceed the intent and goals of INFISH.

12 (2) ROADS.—In carrying out any authorized  
13 forest and watershed restoration project under this  
14 title, the Secretary shall—

15 (A) not construct any permanent road, un-  
16 less—

17 (i) the Secretary determines that the  
18 road is a justifiable realignment of a per-  
19 manent road to restore or improve the eco-  
20 logical structure, composition, and function  
21 and the natural processes of the affected  
22 forest or watershed; and

23 (ii) the replaced road bed is decom-  
24 missioned by removing the road prism; and

1 (B) decommission any temporary road con-  
2 structed to carry out the land management  
3 project by the conclusion of the contract.

4 (3) ROAD DENSITY.—

5 (A) IN GENERAL.—Except as provided in  
6 subparagraph (B), the Secretary, at the conclu-  
7 sion of an authorized forest and watershed res-  
8 toration project, shall achieve a road density  
9 maximum of 1.5 linear miles per square mile,  
10 averaged over the watershed area.

11 (B) EXCEPTIONS.—Notwithstanding sub-  
12 paragraph (A), the maximum road density pro-  
13 vided in an applicable land management plan  
14 shall apply if—

15 (i) the applicable land management  
16 plan requires a road density maximum that  
17 is less than that required under subpara-  
18 graph (A); or

19 (ii) the authorized forest and water-  
20 shed restoration project is carried out in  
21 an area governed by an interagency grizzly  
22 bear conservation plan.

23 (C) METHOD.—The road density estab-  
24 lished under subparagraph (A) may be accom-  
25 plished through a combination of decommis-



1           sioning and year-round permanent closure, ex-  
2           cept that the Secretary shall prioritize for de-  
3           commissioning any roads adversely affecting  
4           water quality or fish habitat.

5           (4) VEGETATION MANAGEMENT.—The Sec-  
6           retary shall design authorized forest and watershed  
7           restoration projects to produce commercial and non-  
8           commercial wood products, consistent with the pur-  
9           poses of this title.

10 **SEC. 105. MISCELLANEOUS.**

11           (a) IN GENERAL.—Except as otherwise provided in  
12           this title, the Secretary shall administer the National For-  
13           ests subject to the Initiative in accordance with applicable  
14           law.

15           (b) AGENCY PARTICIPATION.—The Secretary may, in  
16           accordance with applicable law, permit the Seeley Lake  
17           District Ranger of the Lolo National Forest and the Lin-  
18           coln District Ranger of the Helena National Forest to  
19           serve in the official capacities of the districts on the Board  
20           of Directors of the Blackfoot Challenge.

21           (c) BIOMASS.—To help improve forest restoration ac-  
22           tivities by using and creating markets for small-diameter  
23           material and low-valued trees removed from forest restora-  
24           tion activities in the State, the Secretary may provide  
25           grants through the Woody Biomass Utilization Grant Pro-

1 gram or any other biomass program in accordance with  
 2 applicable law.

3 **TITLE II—DESIGNATION OF WIL-**  
 4 **DERNESS AND SPECIAL MAN-**  
 5 **AGEMENT AREAS IN MON-**  
 6 **TANA**

7 **SEC. 201. PURPOSES.**

8 The purposes of this title are—

9 (1) to protect and enhance motorized rec-  
 10 reational opportunities in the Beaverhead-Deerlodge  
 11 National Forest, the Lolo National Forest, and the  
 12 Kootenai National Forest; and

13 (2) to protect and enhance the wild heritage  
 14 and backcountry traditions of the State through—

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

17 (B) the management of other land in a  
 18 manner that preserves existing primitive and  
 19 semi-primitive recreational activities.

20 **SEC. 202. DEFINITIONS.**

21 In this title:

22 (1) BEAVERHEAD-DEERLODGE NATIONAL FOR-  
 23 EST.—The term “Beaverhead-Deerlodge National  
 24 Forest” means the National Forest that is—

25 (A) comprised of—

1 (i) the Beaverhead National Forest;

2 and

3 (ii) the Deerlodge National Forest;

4 and

5 (B) managed by the Secretary concerned  
6 as a single administrative unit.

7 (2) FOREST PLAN.—The term “forest plan”  
8 means a land and resource management plan pre-  
9 pared in accordance with section 6 of the Forest and  
10 Rangeland Renewable Resources Planning Act of  
11 1974 (16 U.S.C. 1604).

12 (3) SECRETARY CONCERNED.—The term “Sec-  
13 retary concerned” means—

14 (A) the Secretary of Agriculture, acting  
15 through the Chief of the Forest Service, with  
16 respect to National Forest System land; and

17 (B) the Secretary of the Interior, with re-  
18 spect to land managed by the Bureau of Land  
19 Management (including land held for the ben-  
20 efit of an Indian tribe).

21 (4) STATE.—The term “State” means the State  
22 of Montana.

23 **SEC. 203. DESIGNATION OF WILDERNESS AREAS.**

24 (a) LAND ADMINISTERED BY THE FOREST SERV-  
25 ICE.—In furtherance of the purposes of the Wilderness

1 Act (16 U.S.C. 1131 et seq.), the following areas in the  
2 State are designated as wilderness areas and as compo-  
3 nents of the National Wilderness Preservation System:

4 (1) ANACONDA PINTLAR WILDERNESS ADDI-  
5 TIONS.—Certain land in the Beaverhead-Deerlodge  
6 National Forest, comprising approximately 65,407  
7 acres, as generally depicted on the map entitled  
8 “Anaconda-Pintlar Wilderness Additions” and dated  
9 September 13, 2010, is incorporated in, and shall be  
10 considered to be a part of, the Anaconda-Pintlar  
11 Wilderness.

12 (2) BOB MARSHALL WILDERNESS ADDITIONS.—  
13 Certain land in the Lolo National Forest, comprising  
14 approximately 40,072 acres generally depicted as the  
15 “North Fork Blackfoot-Monture Creek Wilderness  
16 Addition (Bob Marshall Addition)” and approxi-  
17 mately 7,792 acres generally depicted as the “Griz-  
18 zly Basin of the Swan Range Wilderness Addition”  
19 on the map entitled “Bob Marshall, Mission Moun-  
20 tains and Scapegoat Wilderness Additions and  
21 Otatsy Recreation Management Area” and dated  
22 September 13, 2010, is incorporated in, and shall be  
23 considered to be a part of, the Bob Marshall Wilder-  
24 ness designated by Public Law 92–395 (86 Stat.  
25 578).

1           (3) DOLUS LAKES WILDERNESS.—Certain land  
2           in the Beaverhead-Deerlodge National Forest, com-  
3           prising approximately 9,407 acres, as generally de-  
4           picted on the map entitled “Dolus Lakes Wilder-  
5           ness” and dated September 13, 2010, which shall be  
6           known as the “Dolus Lakes Wilderness”.

7           (4) EAST PIONEERS WILDERNESS.—Certain  
8           land in the Beaverhead-Deerlodge National Forest,  
9           comprising approximately 77,438 acres, as generally  
10          depicted on the map entitled “East Pioneers Wilder-  
11          ness” and dated September 13, 2010, which shall be  
12          known as the “East Pioneers Wilderness”.

13          (5) ELECTRIC PEAK WILDERNESS.—Certain  
14          land in the Beaverhead-Deerlodge National Forest,  
15          comprising approximately 5,670 acres, as generally  
16          depicted on the map entitled “Electric Peak Wilder-  
17          ness and Thunderbolt Creek Recreation Manage-  
18          ment Area” and dated September 13, 2010, which  
19          shall be known as the “Electric Peak Wilderness”.

20          (6) HIGHLANDS WILDERNESS.—Certain land in  
21          the Beaverhead-Deerlodge National Forest, com-  
22          prising approximately 15,659 acres, as generally de-  
23          picted on the map entitled “Highlands Wilderness  
24          Area and Special Management Area” and dated

1 September 13, 2010, which shall be known as the  
2 “Highlands Wilderness”.

3 (7) ITALIAN PEAKS WILDERNESS.—Certain  
4 land in the Beaverhead-Deerlodge National Forest,  
5 comprising approximately 29,677 acres, as generally  
6 depicted on the map entitled “Italian Peaks Wilder-  
7 ness” and dated September 13, 2010, which shall be  
8 known as the “Italian Peaks Wilderness”.

9 (8) LEE METCALF WILDERNESS ADDITIONS.—  
10 Certain land in the Beaverhead-Deerlodge National  
11 Forest, comprising approximately 17,201 acres, as  
12 generally depicted on the map entitled “Lee Metcalf  
13 Wilderness Additions” and dated September 13,  
14 2010, is incorporated in, and shall be considered to  
15 be a part of, the Lee Metcalf Wilderness.

16 (9) LIMA PEAKS WILDERNESS.—Certain land in  
17 the Beaverhead-Deerlodge National Forest, com-  
18 prising approximately 35,012 acres, as generally de-  
19 picted on the map entitled “Lima Peaks Wilderness”  
20 and dated September 13, 2010, which shall be  
21 known as the “Lima Peaks Wilderness”.

22 (10) MISSION MOUNTAINS WILDERNESS ADDI-  
23 TION.—Certain land in the Lolo National Forest,  
24 which comprises approximately 4,460 acres, as gen-  
25 erally depicted as the “West Fork Clearwater Wil-

1        derness Addition” on the map entitled “Bob Mar-  
2        shall, Mission Mountains and Scapegoat Wilderness  
3        Additions and Otatsy Recreation Management Area”  
4        and dated September 13, 2010, is incorporated in,  
5        and shall be considered to be a part of, the Mission  
6        Mountains Wilderness designated by Public Law 93–  
7        632 (88 Stat. 2153).

8            (11) MOUNT JEFFERSON WILDERNESS.—Cer-  
9        tain land in the Beaverhead-Deerlodge National For-  
10      est, comprising approximately 4,465 acres, as gen-  
11      erally depicted on the map entitled “Mount Jeffer-  
12      son Wilderness” and dated September 13, 2010,  
13      which shall be known as the “Mount Jefferson Wil-  
14      derness”.

15           (12) QUIGG PEAK WILDERNESS.—Certain land  
16      in the Beaverhead-Deerlodge National Forest, com-  
17      prising approximately 8,275 acres, as generally de-  
18      picted on the map entitled “Quigg Peak Wilderness”  
19      and dated September 13, 2010, which shall be  
20      known as the “Quigg Peak Wilderness”.

21           (13) RODERICK WILDERNESS.—Certain land in  
22      the Kootenai National Forest, which comprises ap-  
23      proximately 29,467 acres, as generally depicted as  
24      the “Roderick Wilderness Area” on the map entitled  
25      “Roderick Wilderness and Special Management Area

1 and Three Rivers Special Management Area” and  
2 dated September 13, 2010, which shall be known as  
3 the “Roderick Wilderness”.

4 (14) SAPPHIRES WILDERNESS.—Certain land in  
5 the Beaverhead-Deerlodge National Forest, com-  
6 prising approximately 43,101 acres, as generally de-  
7 picted on the map entitled “Sapphires Wilderness”  
8 and dated September 13, 2010, which shall be  
9 known as the “Sapphires Wilderness”.

10 (15) SCAPEGOAT WILDERNESS ADDITIONS.—  
11 Certain land in the Lolo National Forest, which  
12 comprises approximately 30,967 acres, as generally  
13 depicted as the “North Fork Blackfoot-Monture  
14 Creek Wilderness Addition (Scapegoat Addition)” on  
15 the map entitled “Bob Marshall, Mission Mountains  
16 and Scapegoat Wilderness Additions and Otatsy  
17 Recreation Management Area” and dated September  
18 13, 2010, is incorporated in, and shall be considered  
19 to be a part of, the Bob Marshall Wilderness des-  
20 ignated by Public Law 92–395 (86 Stat. 578).

21 (16) SNOWCREST WILDERNESS.—Certain land  
22 in the Beaverhead-Deerlodge National Forest, com-  
23 prising approximately 91,561 acres, as generally de-  
24 picted on the map entitled “Snowcrest Wilderness”



1 and dated September 13, 2010, which shall be  
2 known as the “Snowcrest Wilderness”.

3 (17) STONY MOUNTAIN WILDERNESS.—Certain  
4 land in the Beaverhead-Deerlodge National Forest,  
5 comprising approximately 14,213 acres, as generally  
6 depicted on the map entitled “Stony Mountain Wil-  
7 derness” and dated September 13, 2010, which shall  
8 be known as the “Stony Mountain Wilderness”.

9 (18) WEST BIG HOLE WILDERNESS.—Certain  
10 land in the Beaverhead-Deerlodge National Forest,  
11 comprising approximately 44,156 acres, as generally  
12 depicted on the map entitled “West Big Hole Wil-  
13 derness and Recreation Management Area” and  
14 dated September 13, 2010, which shall be known as  
15 the “West Big Hole Wilderness”.

16 (19) WEST PIONEERS WILDERNESS.—Certain  
17 land in the Beaverhead-Deerlodge National Forest,  
18 comprising approximately 26,560 acres, as generally  
19 depicted on the map entitled “West Pioneers Wilder-  
20 ness and Recreation Management Area” and dated  
21 September 13, 2010, which shall be known as the  
22 “West Pioneers Wilderness”.

23 (b) LAND ADMINISTERED BY THE BUREAU OF LAND  
24 MANAGEMENT.—In furtherance of the purposes of the  
25 Wilderness Act (16 U.S.C. 1131 et seq.), the following

1 areas in the State are designated as wilderness areas and  
2 as components of the National Wilderness Preservation  
3 System:

4           (1) BLACKTAIL MOUNTAINS WILDERNESS.—  
5       Certain public land administered by the Bureau of  
6       Land Management, comprising approximately  
7       10,675 acres, as generally depicted on the map enti-  
8       tled “Blacktail Mountains Wilderness” and dated  
9       July 27, 2010, which shall be known as the  
10      “Blacktail Mountains Wilderness”.

11          (2) CENTENNIAL MOUNTAINS WILDERNESS.—  
12      Certain public land administered by the Bureau of  
13      Land Management, comprising approximately  
14      23,700 acres, as generally depicted on the map enti-  
15      tled “Centennial Mountains Wilderness” and dated  
16      July 27, 2010, which shall be known as the “Cen-  
17      tennial Mountains Wilderness”.

18          (3) RUBY MOUNTAINS WILDERNESS.—Certain  
19      public land administered by the Bureau of Land  
20      Management, comprising approximately 16,300  
21      acres, as generally depicted on the map entitled  
22      “Ruby Mountains Wilderness” and dated July 27,  
23      2010, which shall be known as the “Ruby Mountains  
24      Wilderness”.

1           (4) EAST FORK BLACKTAIL WILDERNESS.—Cer-  
2       tain public land administered by the Bureau of Land  
3       Management, comprising approximately 6,125 acres,  
4       as generally depicted on the map entitled “East  
5       Fork Blacktail Wilderness” and dated July 27,  
6       2010, which shall be known as the “East Fork  
7       Blacktail Wilderness”.

8           (5) HUMBUG SPIRES WILDERNESS.—Certain  
9       public land administered by the Bureau of Land  
10      Management, comprising approximately 8,900 acres,  
11      as generally depicted on the map entitled “Humbug  
12      Spires Wilderness” and dated July 27, 2010, which  
13      shall be known as the “Humbug Spires Wilderness”.

14      (c) TRANSFER OF ADMINISTRATIVE JURISDIC-  
15      TION.—Administrative jurisdiction over certain public  
16      land administered by the Bureau of Land Management,  
17      comprising approximately 663 acres, as generally known  
18      as “Farlin Creek Administrative Transfer” depicted on  
19      the map entitled “East Pioneers Wilderness” and dated  
20      September 13, 2010, is transferred to the Secretary of Ag-  
21      riculture, and is incorporated in, and shall be considered  
22      to be a part of, the East Pioneers Wilderness designated  
23      by subsection (a)(3).

1 **SEC. 204. ADMINISTRATION OF WILDERNESS AREAS.**

2 (a) MANAGEMENT.—Subject to valid existing rights,  
3 each area designated as wilderness by section 203 shall  
4 be administered by the Secretary concerned in accordance  
5 with the Wilderness Act (16 U.S.C. 1131 et seq.), except  
6 that—

7 (1) any reference in that Act to the effective  
8 date shall be considered to be a reference to the date  
9 of enactment of this Act; and

10 (2) with respect to public land administered by  
11 the Bureau of Land Management, any reference in  
12 that Act to the Secretary of Agriculture shall be con-  
13 sidered to be a reference to the Secretary of the In-  
14 terior.

15 (b) MAPS AND LEGAL DESCRIPTIONS.—

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

21 (A) the Committee on Energy and Natural  
22 Resources of the Senate; and

23 (B) the Committee on Natural Resources  
24 of the House of Representatives.

25 (2) FORCE OF LAW.—The maps and legal de-  
26 scriptions filed under paragraph (1) shall have the

1 same force and effect as if included in this title, ex-  
2 cept that the Secretary concerned may correct typo-  
3 graphical errors in the maps and legal descriptions.

4 (3) PUBLIC AVAILABILITY.—Each map and  
5 legal description filed under paragraph (1) shall be  
6 on file and available for public inspection in the ap-  
7 propriate offices of the Forest Service and the Bu-  
8 reau of Land Management.

9 (c) INCORPORATION OF ACQUIRED LAND AND INTER-  
10 ESTS.—Any land within the boundary of a wilderness area  
11 designated by section 203 that is acquired by the United  
12 States shall—

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

15 (2) be managed in accordance with this section,  
16 the Wilderness Act (16 U.S.C. 1131 et seq.), and  
17 any other applicable law.

18 (d) WITHDRAWAL.—Subject to valid existing rights,  
19 the Federal land designated as wilderness by section 203  
20 is withdrawn from all forms of—

21 (1) entry, appropriation, or disposal under the  
22 public land laws;

23 (2) location, entry, and patent under the mining  
24 laws; and

1           (3) disposition under all laws pertaining to min-  
2           eral and geothermal leasing or mineral materials.

3           (e) FIRE, INSECTS, AND DISEASES.—In accordance  
4 with section 4(d)(1) of the Wilderness Act (16 U.S.C.  
5 1133(d)(1)), within the wilderness areas designated by  
6 section 203, the Secretary concerned may take such meas-  
7 ures as are necessary to control fire, insects, and diseases,  
8 subject to such terms and conditions as the Secretary con-  
9 cerned determines to be appropriate.

10          (f) ACCESS TO PRIVATE PROPERTY.—In accordance  
11 with section 5(a) of the Wilderness Act (16 U.S.C.  
12 1134(a)), the Secretary concerned shall provide any owner  
13 of private property within the boundary of a wilderness  
14 area designated by section 203 adequate access to the  
15 property.

16          (g) FISH AND WILDLIFE.—

17           (1) IN GENERAL.—Nothing in this title affects  
18 the jurisdiction or responsibilities of the State with  
19 respect to fish and wildlife, including the regulation  
20 of hunting, fishing, and trapping.

21           (2) MANAGEMENT ACTIVITIES.—In furtherance  
22 of the purposes and principles of the Wilderness Act  
23 (16 U.S.C. 1131 et seq.), the Secretary concerned  
24 may carry out management activities to maintain or  
25 restore fish and wildlife populations (including ac-

1       activities to maintain and restore fish and wildlife  
2       habitats to support the populations) in a wilderness  
3       area designated by section 203 if the activities are—

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

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

8       (h) SNOW SENSORS AND STREAM GAUGES.—Nothing  
9       in this title prevents the installation or maintenance of  
10      hydrological, meteorological, or climatological instrumen-  
11      tation in a wilderness area designated by section 203 if  
12      the Secretary concerned determines that the installation  
13      or maintenance of the instrumentation is necessary to fur-  
14      ther the scientific, educational, or conservation purposes  
15      of the wilderness area.

16      (i) LIVESTOCK.—Within the wilderness areas, the  
17      grazing of livestock in which grazing is established before  
18      the date of enactment of this Act shall be allowed to con-  
19      tinue, subject to such reasonable regulations, policies, and  
20      practices as the Secretary concerned determines to be nec-  
21      essary, in accordance with—

22              (1) section 4(d)(4) of the Wilderness Act (16  
23      U.S.C. 1131(d)(4));

24              (2) with respect to wilderness areas adminis-  
25      tered by the Secretary of Agriculture, the guidelines

1 described in House Report 96–617 of the 96th Con-  
2 gress; and

3 (3) with respect to wilderness areas adminis-  
4 tered by the Secretary of the Interior, the guidelines  
5 described in Appendix A of House Report 101–405  
6 of the 101st Congress.

7 (j) OUTFITTING AND GUIDE ACTIVITIES.—

8 (1) IN GENERAL.—In accordance with section  
9 4(d)(5) of the Wilderness Act (16 U.S.C.  
10 1133(d)(5)), commercial services (including author-  
11 ized outfitting and guide activities) within the wil-  
12 derness areas designated by section 203 are author-  
13 ized to the extent necessary for activities that are  
14 proper for realizing the recreational or other wilder-  
15 ness purposes of the wilderness areas.

16 (2) EFFECT.—Nothing in this title requires the  
17 Secretary concerned to modify permits in effect as of  
18 the date of enactment of this Act to provide outfit-  
19 ting and guide services within the areas designated  
20 as wilderness by section 203, if the Secretary con-  
21 cerned determines that the activities are consistent  
22 with administration of the areas as wilderness.

23 (k) ADJACENT MANAGEMENT.—

24 (1) IN GENERAL.—The designation of a wilder-  
25 ness area by section 203 shall not create any protec-



1        tive perimeter or buffer zone around the wilderness  
2        area.

3            (2) NONWILDERNESS ACTIVITIES.—The fact  
4        that nonwilderness activities or uses can be seen or  
5        heard from areas within a wilderness area des-  
6        ignated by section 203 shall not preclude the con-  
7        duct of the activities or uses outside the boundary  
8        of the wilderness area.

9        (1) WATER IMPOUNDMENT STRUCTURES.—

10           (1) IN GENERAL.—The Secretary concerned  
11        may issue a special use authorization to an owner of  
12        a water storage, transport, or diversion facility lo-  
13        cated within the areas designated as wilderness by  
14        section 203 for the continued operation, mainte-  
15        nance, and reconstruction of the facility if—

16                (A) the facility was in existence before the  
17                date of the designation of the wilderness area;  
18                and

19                (B) the Secretary concerned determines  
20                that—

21                        (i) the facility has been in substan-  
22                        tially continuous use to deliver water for  
23                        the beneficial use on the non-Federal land  
24                        of the owner since the date of the designa-  
25                        tion of the wilderness area;

1 (ii) the owner of the facility holds a  
 2 valid water right for use of the water  
 3 under State law, with a priority date that  
 4 predates the date of the designation of the  
 5 wilderness area; and

6 (iii) it is not practicable or feasible to  
 7 relocate the facility to land outside the  
 8 boundary of the wilderness and continue  
 9 the beneficial use of water on the non-Fed-  
 10 eral land recognized under State law.

11 (2) USE OF MOTORIZED EQUIPMENT AND  
 12 MECHANIZED TRANSPORT.—The special use author-  
 13 ization under paragraph (1) may allow for the use  
 14 of motorized equipment and mechanized transport if  
 15 the Secretary concerned determines, after con-  
 16 ducting a minimum tool analysis, that the use of  
 17 nonmotorized equipment and nonmechanized trans-  
 18 port is impracticable or infeasible.

19 (3) TERMS AND CONDITIONS.—The Secretary  
 20 concerned may include such terms and conditions in  
 21 the special use authorization under paragraph (1) as  
 22 the Secretary concerned determines appropriate to  
 23 protect the wilderness values of the area.

24 (m) SNOWCREST WILDERNESS AREA.—With respect  
 25 to the Snowcrest Wilderness Area—

1           (1) the continuation of reasonable motorized ac-  
2           cess to maintain water infrastructure for cattle that  
3           was constructed to protect fluvial Arctic Grayling  
4           and other aquatic species in the Ruby River may  
5           continue—

6                   (A) subject to a permit; and

7                   (B) in accordance with—

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

10                           (ii) the guidelines described in House  
11                           Report 96–617 of the 96th Congress; and

12           (2) the trailing of sheep across the Snowcrest  
13           Wilderness area to reach existing grazing allotments  
14           in the Gravelly Mountains may be continued for the  
15           tenure of the allotments—

16                   (A) subject to—

17                           (i) a permit; and

18                           (ii) a determination by the Secretary  
19                           of Agriculture (acting through the Forest  
20                           Supervisor) that the use of nonmechanized  
21                           transport is impracticable or infeasible;  
22                           and

23                   (B) to the maximum extent practicable, in  
24           accordance with the guidelines described in  
25           House Report 96–617 of the 96th Congress.

1 **SEC. 205. RELEASE OF BUREAU OF LAND MANAGEMENT**

2 **STUDY AREAS.**

3 (a) FINDING.—Congress finds that, for purposes of  
4 section 603 of the Federal Land Policy and Management  
5 Act of 1976 (43 U.S.C. 1782), any portion of a wilderness  
6 study area described in subsection (b) that is not des-  
7 ignated as a wilderness area by section 203 or any other  
8 Act enacted before the date of enactment of this Act has  
9 been adequately studied for wilderness.

10 (b) DESCRIPTION OF STUDY AREAS.—The study  
11 areas referred to in subsection (a) on the Beaverhead  
12 Deerlodge national forest are—

13 (1) the Axolotl Lakes Wilderness Study Area;

14 (2) the Bell and Limekiln Canyons Wilderness  
15 Study Area;

16 (3) the Blacktail Mountains Wilderness Study  
17 Area;

18 (4) the Centennial Mountains Wilderness Study  
19 Area;

20 (5) the Farlin Creek Wilderness Study Area;

21 (6) the Henneberry Ridge Wilderness Study  
22 Area;

23 (7) the Hidden Pasture Wilderness Study Area;

24 (8) the Humbug Spires Wilderness Study Area;

25 and

1           (9) the Ruby Mountains Wilderness Study  
2       Area.

3       (c) RELEASE.—Any study area described in sub-  
4 section (b) that is not designated as a wilderness area by  
5 section 203—

6           (1) is no longer subject to section 603(c) of the  
7       Federal Land Policy and Management Act of 1976  
8       (43 U.S.C. 1782(c)); and

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

12   **SEC. 206. RELEASE OF SAPPHIRE AND WEST PIONEER WIL-**  
13                   **DERNESS STUDY AREAS.**

14       (a) FINDINGS.—Congress finds that—

15           (1) the studies conducted under section 2 of the  
16       Montana Wilderness Study Act of 1977 (Public Law  
17       95–150; 91 Stat. 1243) regarding each study area  
18       described in subsection (b) are adequate for the con-  
19       sideration of the suitability of each study area for  
20       inclusion as a component of the National Wilderness  
21       Preservation System; and

22           (2) the Secretary of Agriculture is not re-  
23       quired—

24           (A) to review the wilderness option for  
25       each study area described in subsection (b)

1 prior to the revision of the forest plan required  
 2 for each land that comprises each study area in  
 3 accordance with the Forest and Rangeland Re-  
 4 newable Resources Planning Act of 1974 (16  
 5 U.S.C. 1600 et seq.); and

6 (B) to manage the portion of each study  
 7 area described in subsection (b) that is not des-  
 8 ignated as wilderness by section 203 to ensure  
 9 the suitability of the area for designation as a  
 10 component of the National Wilderness Preser-  
 11 vation System pending revision of the applicable  
 12 forest plan.

13 (b) DESCRIPTION OF STUDY AREAS.—The study  
 14 areas referred to in subsection (a) are those portions of  
 15 the following wilderness study areas which are not des-  
 16 ignated as wilderness by section 203:

17 (1) The Sapphire Wilderness Study Area, as de-  
 18 scribed in section 2(4) of the Montana Wilderness  
 19 Study Act of 1977 (Public Law 95–150; 91 Stat.  
 20 1243).

21 (2) The West Pioneer Wilderness Study Area,  
 22 as described in section 2(1) of the Montana Wilder-  
 23 ness Study Act of 1977 (Public Law 95–150; 91  
 24 Stat. 1243).

1 **SEC. 207. SPECIAL MANAGEMENT AND RECREATION MAN-**  
2 **AGEMENT AREAS.**

3 (a) DESIGNATION.—To conserve, protect, and en-  
4 hance the scenic, fish and wildlife, recreational,  
5 backcountry heritage, and other natural resource values  
6 of the areas, the following areas in the State are des-  
7 ignated for special management by the Secretary con-  
8 cerned in accordance with this section:

9 (1) HIGHLANDS SPECIAL MANAGEMENT  
10 AREA.—Certain Federal land in the Beaverhead-  
11 Deerlodge National Forest, comprising approxi-  
12 mately 5,011 acres, as generally depicted on the  
13 map entitled “Highlands Wilderness Area and Spe-  
14 cial Management Area” and dated September 13,  
15 2010, which is designated as the “Highlands Special  
16 Management Area”.

17 (2) LOST CREEK RECREATION MANAGEMENT  
18 AREA.—Certain Federal land in the Beaverhead-  
19 Deerlodge National Forest, comprising approxi-  
20 mately 14,589 acres, as generally depicted on the  
21 map entitled “Lost Creek Recreation Management  
22 Area” and dated September 13, 2010, which is des-  
23 ignated as the “Lost Creek Recreation Management  
24 Area”.

25 (3) OTATSY RECREATION MANAGEMENT  
26 AREA.—Certain Federal land in the Lolo National

1 Forest, comprising approximately 1,859 acres, as  
2 generally depicted on the map entitled “Bob Mar-  
3 shall, Mission Mountains and Scapegoat Wilderness  
4 Additions and Otatsy Recreation Management Area”  
5 and dated September 13, 2010, which is designated  
6 as the “Otatsy Recreation Management Area”.

7 (4) RODERICK SPECIAL MANAGEMENT AREA.—  
8 Certain Federal land in the Kootenai National For-  
9 est, comprising approximately 3,715 acres, as gen-  
10 erally depicted on the map entitled “Roderick Wil-  
11 derness and Special Management Area and Three  
12 Rivers Special Management Area” and dated Sep-  
13 tember 13, 2010, which is designated as the “Rod-  
14 erick Special Management Area”.

15 (5) THREE RIVERS SPECIAL MANAGEMENT  
16 AREA.—Certain Federal land in the Kootenai Na-  
17 tional Forest, comprising approximately 71,994  
18 acres, as generally depicted on the map entitled  
19 “Roderick Wilderness and Special Management Area  
20 and Three Rivers Special Management Area” and  
21 dated September 13, 2010, which is designated as  
22 the “Three Rivers Special Management Area”.

23 (6) THUNDERBOLT CREEK RECREATION MAN-  
24 AGEMENT AREA.—Certain Federal land in the Bea-  
25 verhead-Deerlodge National Forest, comprising ap-



1       proximately 19,641 acres, as generally depicted on  
2       the map entitled “Electric Peak Wilderness and  
3       Thunderbolt Creek Recreation Management Area”  
4       and dated September 13, 2010, which is designated  
5       as the “Thunderbolt Recreation Management Area”.

6               (7) TOBACCO ROOTS RECREATION MANAGE-  
7       MENT AREA.—Certain Federal land in the Beaver-  
8       head-Deerlodge National Forest, comprising approxi-  
9       mately 29,186 acres, as generally depicted on the  
10      map entitled “Tobacco Roots Recreation Manage-  
11      ment Area” and dated September 13, 2010, which  
12      is designated as the “Tobacco Roots Recreation  
13      Management Area”.

14              (8) WEST BIG HOLE RECREATION MANAGE-  
15      MENT AREA.—Certain Federal land in the Beaver-  
16      head-Deerlodge National Forest comprising approxi-  
17      mately 95,144 acres, as generally depicted on the  
18      map entitled “West Big Hole Wilderness and Recre-  
19      ation Management Area” and dated September 13,  
20      2010, which is designated as the “West Big Hole  
21      Recreation Management Area”.

22              (9) WEST PIONEERS RECREATION MANAGE-  
23      MENT AREA.—Certain Federal land in the Beaver-  
24      head-Deerlodge National Forest, comprising approxi-  
25      mately 128,361 acres, as generally depicted on the

1 map entitled “West Pioneers Wilderness and Recre-  
2 ation Management Area” and dated September 13,  
3 2010, which is designated as the “West Pioneers  
4 Recreation Management Area”.

5 (b) ADMINISTRATION.—

6 (1) APPLICABLE LAW.—

7 (A) IN GENERAL.—The Secretary con-  
8 cerned shall administer each area designated by  
9 subsection (a)—

10 (i) in furtherance of the purposes for  
11 which the area is established; and

12 (ii) in accordance with—

13 (I) this section; and

14 (II) any laws (including regula-  
15 tions) relating to the National Forest  
16 System.

17 (B) CLOSURE OF TRAILS.—Nothing in this  
18 title precludes the Secretary concerned from  
19 closing any trail or area located in the areas  
20 designated by subsection (a)—

21 (i) to protect a natural resource; or

22 (ii) to help ensure public safety.

23 (2) WITHDRAWAL.—Subject to valid existing  
24 rights, any Federal land within an area designated  
25 by subsection (a) (including any Federal land ac-

quired after the date of enactment of this Act for inclusion in an area designated by subsection (a)) is withdrawn from all forms of—

(A) entry, appropriation, or disposal under the public land laws;

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

(C) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(3) TIMBER HARVESTING.—

(A) IN GENERAL.—Except as provided in subparagraph (B) or as authorized under subsection (c), timber harvesting shall not be permitted within an area designated by subsection (a).

(B) FIRE, INSECTS, AND DISEASES.—Timber harvesting may be permitted in an area designated by subsection (a) to the extent allowed under section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)) for purposes relating to the necessary control of fire, insects, and diseases.

(4) USE OF MOTORIZED OR MECHANIZED VEHICLES.—

1 (A) IN GENERAL.—Nothing in this section  
 2 affects the use of motorized or mechanized vehi-  
 3 cles that the Secretary concerned determines is  
 4 necessary for administrative use or to respond  
 5 to an emergency.

6 (B) MECHANIZED VEHICLES, PEDES-  
 7 TRIANS, AND HORSE TRAVEL.—Except as au-  
 8 thorized under subsection (c), nothing in this  
 9 section prohibits—

10 (i) the use of mechanized vehicles, ac-  
 11 cess by pedestrians, or horse travel within  
 12 the areas designated by subsection (a); or

13 (ii) the construction of trails for use  
 14 by mechanized vehicles, pedestrians, and  
 15 horse travel within the areas designated by  
 16 subsection (a).

17 (5) FIREWOOD.—The Secretary concerned may  
 18 allow for the collection of firewood for noncommer-  
 19 cial personal use within the areas designated by sub-  
 20 section (a)—

21 (A) in accordance with any applicable laws;  
 22 and

23 (B) subject to such terms and conditions  
 24 as the Secretary concerned determines to be ap-  
 25 propriate.

1       (c) AREA SPECIFIC MANAGEMENT REQUIRE-  
2 MENTS.—

3           (1) HIGHLANDS SPECIAL MANAGEMENT  
4 AREA.—

5           (A) CAMPGROUND DEVELOPMENT.—No  
6 permanent campground may be constructed  
7 within the Highlands Special Management  
8 Area.

9           (B) MOTORIZED AND MECHANIZED RECRE-  
10 ATION.—Except as provided in subparagraph  
11 (C), and as necessary for administrative use or  
12 to respond to an emergency, the use of motor-  
13 ized or mechanized vehicles within the High-  
14 lands Special Management Area shall be pro-  
15 hibited.

16           (C) TRANSMISSION TOWERS AND MUNIC-  
17 IPAL WATER PIPELINES.—Nothing in this sec-  
18 tion affects—

19           (i) the reasonable access of the gov-  
20 ernment of the applicable county to oper-  
21 ate and maintain the communication site  
22 located on Table Mountain under a special  
23 use permit issued by the Forest Service;  
24 and

1 (ii) the reasonable access of the city of  
2 Butte, Montana, to operate, maintain, and  
3 if necessary, upgrade the water supply  
4 pipeline within the Highlands Special Man-  
5 agement Area in existence as of the date of  
6 enactment of this Act for the city of Butte  
7 (including the surrounding community of  
8 the city of Butte).

9 (D) HELICOPTER LANDINGS.—Nothing in  
10 this section precludes or restricts the authority  
11 of the Secretary concerned to enter into agree-  
12 ments with the Secretary of Defense or the  
13 Montana National Guard to authorize limited  
14 and scheduled landings of aircraft in the High-  
15 lands Special Management Area.

16 (2) LOST CREEK, THUNDERBOLT, AND WEST  
17 PIONEERS RECREATION MANAGEMENT AREAS.—

18 (A) MOTORIZED RECREATION.—Subject to  
19 any terms and conditions the Secretary con-  
20 cerned determines to be necessary, the use of  
21 motorized vehicles within the Lost Creek, Thun-  
22 derbolt, and West Pioneers Recreation Manage-  
23 ment Areas shall be limited to—

1 (i) the routes and trails designated for  
 2 such use as of the date of enactment of  
 3 this Act; and

4 (ii) during periods of adequate snow  
 5 cover, the areas designated for snowmobile  
 6 use as of the date of enactment of this Act.

7 (B) CAMPGROUND DEVELOPMENT.—No  
 8 permanent campground may be constructed  
 9 within the Lost Creek Recreation Area.

10 (3) OTATSY RECREATION MANAGEMENT  
 11 AREA.—

12 (A) MOTORIZED AND MECHANIZED RECRE-  
 13 ATION.—

14 (i) IN GENERAL.—The use of motor-  
 15 ized and mechanized vehicles in the Otatsy  
 16 Recreation Management Area shall be per-  
 17 mitted only on the roads, trails, and areas  
 18 designated for use by motorized and  
 19 mechanized vehicles by the management  
 20 plan required under subparagraph (B).

21 (ii) INTERIM MANAGEMENT.—Until  
 22 the date on which the management plan  
 23 required under subparagraph (B) is ap-  
 24 proved, and subject to any terms and con-  
 25 ditions that the Secretary concerned deter-

1 mines to be necessary, the use of motorized  
2 or mechanized vehicles in the Otatsy  
3 Recreation Management Area shall be lim-  
4 ited to the routes and trails designated for  
5 such use as of the date of enactment of  
6 this Act, except that during periods of ade-  
7 quate snow cover, the use of snowmobiles  
8 shall be allowed within the Otatsy Recre-  
9 ation Management Area.

10 (B) MANAGEMENT PLAN.—The Secretary  
11 concerned shall prepare a management plan for  
12 the Otatsy Recreation Management Area as  
13 part of the first revision of the applicable forest  
14 plan that is carried out after the date of enact-  
15 ment of this Act.

16 (4) THREE RIVERS AND RODERICK SPECIAL  
17 MANAGEMENT AREAS.—

18 (A) MOTORIZED AND MECHANIZED RECRE-  
19 ATION.—Except as provided in subparagraphs  
20 (B) and (C), the use of motorized or mecha-  
21 nized vehicles within the Three Rivers Special  
22 Management Area and the Roderick Special  
23 Management Area shall be limited to the roads  
24 on which use by highway legal vehicles is per-  
25 mitted as of the date of enactment of this Act.



1 (B) SNOWMOBILE AREA.—Subject to any  
2 terms and conditions the Secretary concerned  
3 determines to be necessary, the use of snowmo-  
4 biles shall be allowed in the areas designated as  
5 “motorized” in the map entitled “Roderick Wil-  
6 derness and Special Management Area and  
7 Three Rivers Special Management Area” and  
8 dated September 13, 2010.

9 (C) GAME CARTS.—The Secretary con-  
10 cerned may authorize the use of nonmotorized  
11 game carts in the area identified as “Roderick  
12 Special Management Area” on the map de-  
13 scribed in subparagraph (B).

14 (D) CAMPGROUND DEVELOPMENT.—No  
15 permanent campground may be constructed in  
16 the Three Rivers Special Management Area or  
17 the Roderick Special Management Area.

18 (5) TOBACCO ROOTS RECREATION MANAGE-  
19 MENT AREA.—Subject to any terms and conditions  
20 that the Secretary concerned determines to be nec-  
21 essary, the use of motorized vehicles shall be limited  
22 to the roads, routes, and trails in the Tobacco Roots  
23 Recreation Management Area designated for such  
24 use as of the date of enactment of this Act.

1           (6) WEST BIG HOLE RECREATION MANAGE-  
2           MENT AREA.—

3                   (A) MOTORIZED RECREATION.—Subject to  
4           any terms and conditions that the Secretary  
5           concerned determines to be necessary, motor-  
6           ized use shall be permitted on approved des-  
7           ignated, routes, trails, and areas in the West  
8           Big Hole Recreation Management Area, includ-  
9           ing the use of snowmobiles during periods of  
10          adequate snow cover.

11                   (B) TIMBER HARVEST.—The Secretary  
12          concerned may authorize post and pole, fire-  
13          wood, and fuel reduction timber projects in the  
14          West Big Hole Recreation Management Area,  
15          subject to such terms and conditions that the  
16          Secretary concerned determines to be appro-  
17          priate.

18 **SEC. 208. ALL-TERRAIN-VEHICLE STUDY AND REPORT.**

19          Not later than 1 year after the date of enactment  
20          of this Act, the Secretary concerned shall study and report  
21          on—

22                   (1) the opportunities for expanded all-terrain  
23          vehicles routes and trails across the Three Rivers  
24          District and adjacent areas on the Kootenai Na-  
25          tional Forest;

- 1           (2) the interconnectedness of routes on private
- 2       or State land; and
- 3           (3) the opportunities for expanded access points
- 4       to existing trails.

