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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title- This Act may be cited as the `Forest Jobs and Recreation Act of 2009'.

(b) Table of Contents- The table of contents for 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.
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. 2. FINDINGS; PURPOSES.

(a) Findings- Congress finds that--

(1) forest restoration would--

(A) improve the habitats of fish and wildlife, including several species of fish and wildlife that are threatened or are otherwise of concern;

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

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

(D) demonstrate the manner by which--
(i) such actions can help achieve ecological and watershed health objectives; and

(ii) the use of forest restoration byproducts can offset treatment costs while benefitting local rural economies; and

(2) this Act--

(A) encourages the economic, social, and ecological sustainability of the region and nearby communities; and

(B) promotes collaboration and recognizes the positive relationship between wilderness, forest restoration activities, and communities by addressing multiple activities across a landscape, including--

(i) the implementation of forest restoration;

(ii) the development of biomass utilization systems that include combined heat and power generation; and

(iii) the permanent protection of backcountry areas.

(b) Purposes—The purposes of this Act are--

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

(2) to reduce gridlock and promote local cooperation and collaboration in the management of forest land;

(3) to enhance forest diversity and produce wood fiber--

(A) to accomplish habitat restoration through the use of stewardship forestry practices; and

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

(4) to increase fish and wildlife populations and better protect and restore key watersheds and habitats;

(5) to improve the management of wildland fires;

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

(7) to permanently protect and enhance motorized recreational opportunities in the Beaverhead-Deerlodge National Forest, the Lolo National Forest, and the Kootenai National Forest; and

(8) to protect and enhance the wild heritage and backcountry traditions of the State through--

(A) the addition of certain land to the National Wilderness Preservation System; and
(B) the management of other land in a manner that preserves existing primitive and semiprimitive recreational activities.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) **BEAVERHEAD-DEERLODGE NATIONAL FOREST-** The term `Beaverhead-Deerlodge National Forest' means the National Forest that is--

(A) comprised of--

(i) the Beaverhead National Forest; and

(ii) the Deerlodge National Forest; and

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

(2) **FOREST PLAN-** The term `forest plan' means a land and resource management plan prepared in accordance with section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(3) **GAME CART-** The term `game cart' means a nonmotorized, mechanized tool that is used for the retrieval of wild game.

(4) **SECRETARY CONCERNED-** The term `Secretary concerned' means--

(A) the Secretary of Agriculture, acting through the Chief of the Forest Service (including each contractor of the Forest Service, as appropriate), with respect to National Forest System land; and

(B) the Secretary of the Interior, with respect to land managed by the Bureau of Land Management (including land held for the benefit of an Indian tribe).

(5) **STATE-** The term `State' means the State of Montana.

(6) **WILDLAND-URBAN INTERFACE-** The term `wildland-urban interface' has the meaning given the term in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).

**TITLE I--STEWARDSHIP AND RESTORATION**

**SEC. 101. DEFINITIONS.**

In this title:

(1) **ACCESS ROAD-** The term `access road' means a road constructed in conjunction with a landscape-scale restoration project that is--

(A) reclaimed, or converted into a recreational trail, as soon as practicable, but not later than 5 years, after the date on which the road is constructed; and
(B) fully recontoured, including the removal of the road prism, landings, and each crossing feature of the road (including any culverts and bridges of the road).

(2) AGGREGATE PARCEL- The term `aggregate parcel' means the cumulative area of land on which a timber harvest activity is conducted.

(3) COOPERATIVE PROJECT- The term `cooperative project' means a project that--

(A) is consistent with section 323 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 1011 note; Public Law 105-277); and

(B) authorizes parties to a watershed restoration or enhancement agreement to spend appropriated funds on projects on private or public land that benefit the resources of National Forest System land.

(4) FUND- The term `Fund' means the Collaborative Forest Landscape Restoration Fund established by section 4003(f) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)).

(5) LANDSCAPE-SCALE- The term `landscape-scale' means, with respect to a landscape-scale restoration project carried out in a watershed or subwatershed, of at least 50,000 acres.

(6) LANDSCAPE-SCALE RESTORATION PROJECT-

(A) IN GENERAL- The term `landscape-scale restoration project' means a project that is--

(i) planned and carried out--

(I) on a landscape-scale; and

(II) through the use of--

(aa) a stewardship contract; or

(bb) with respect to the Seeley Lake Ranger District, any other contracting mechanism that the Secretary concerned determines to be most effective in achieving the goals of this Act; and

(ii) carried out in an area comprised primarily of forested National Forest System land (but which may also include land under the jurisdiction of the Bureau of Land Management, land under the jurisdiction of the Bureau of Indian Affairs, or other Federal, State, tribal, or private land)--

(I) through the use of--

(aa) a combination of commercial and noncommercial vegetative management techniques, including--

(AA) prescribed burning;

(BB) tree removal;

(CC) the piling and burning of slash; and

(DD) any other silvicultural techniques that incorporate ecological restoration goals; and
(bb) any other restoration technique (including invasive species mitigation) or tool that the Secretary concerned determines to be appropriate;

(II) to reclaim, or if appropriate convert into recreational trails, roads that are no longer needed or maintained as of the date of enactment of this Act;

(III) to restore fish and wildlife habitat through the use of prescribed burning that is--

(aa) carried out to mimic natural fire appropriate to specific forest types; and

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

(IV) to replace or resize culverts;

(V) to generate revenue for the investment of funds in fish and wildlife restoration and maintenance initiatives; and

(VI) to maintain the infrastructure of wood products manufacturing facilities that provide economic stability to local communities of the State.

(B) INCLUSION- The term `landscape-scale restoration project' includes any activity carried out in a stewardship area in accordance with this Act.

(7) PERMANENT ROAD-

(A) IN GENERAL- The term `permanent road' means a road in which the road prism of the road remains permanently in place following the construction of the road.

(B) EXCLUSIONS- The term `permanent road' does not include--

(i) an access road; or

(ii) a relocated permanent road.

(8) RELOCATED PERMANENT ROAD- The term `relocated permanent road' means a road that is relocated to address a resource problem if--

(A) the relocated permanent road provides access to each destination, the access of which was provided by the permanent road that the relocated permanent road replaced; and

(B) the replaced road is recontoured, seeded, and abandoned.

(9) RESTORATION ACTIVITY-

(A) IN GENERAL- The term `restoration activity' means a stewardship activity that promotes--

(i) ecological health;

(ii) habitat restoration;
(iii) water quality restoration;
(iv) sediment control or reduction;
(v) forest stand structure;
(vi) endangered species protection; or
(vii) adaptation to climate change.

(B) INCLUSIONS- The term `restoration activity' includes--

(i) road relocation and closures;

(ii) culvert and bridge replacements;

(iii) stream restoration and bank stabilization;

(iv) invasive species management;

(v) trail head and campground improvements;

(vi) understory removal and vegetation treatments;

(vii) tree planting;

(viii) precommercial thinning;

(ix) commercial timber harvesting;

(x) prescribed burning;

(xi) trail reclamation and relocation; and

(xii) other stewardship activities that incorporate ecological restoration strategies determined by the Secretary concerned.

10) SEELEY LAKE RANGER DISTRICT- The term `Seeley Lake Ranger District' means the Seeley Lake Ranger District in the Lolo National Forest.

11) STEWARDSHIP AREA- The term `stewardship area' means--

(A) with respect to the Beaverhead-Deerlodge National Forest, a parcel of land that is designated as `Suitable for Timber Production and Timber Harvest Is Allowed' as depicted on the map entitled `Beaverhead-Deerlodge National Forest, Revised Forest Plan, Modeled Timber Harvest Classification' of approximately 1,900,000 acres and dated December 10, 2008;

(B) with respect to the Seeley Lake Ranger District, a parcel of land that is--

(i) selected by the Secretary concerned;
(ii) consistent with the forest plan;

(iii) suitable for timber production; or

(iv) eligible for timber harvest activities; and

(C) with respect to the Three Rivers Ranger District, a parcel of land that is--

(i) selected by the Secretary concerned;

(ii) consistent with the forest plan;

(iii) suitable for timber production; or

(iv) eligible for timber harvest activities.

(12) STEWARDSHIP CONTRACT- The term `stewardship contract' means a contract that--

(A) is authorized under section 332 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (16 U.S.C. 2104 note; Public Law 107-63); and

(B) is entered into by 2 or more parties--

(i) to carry out vegetation treatment, including mechanical treatment using commercial timber harvest of vegetation--

(I) to reduce fire and insect risks;

(II) to restore impaired watersheds;

(III) to enhance fish and wildlife habitats; or

(IV) to reduce road densities; and

(ii) under which a party shall--

(I) offset the value of goods (including timber for services);

(II) retain and reinvest receipts resulting from the landscape-scale restoration project that is the subject of the contract in the same or a different landscape-scale restoration project that is located in a stewardship area;

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

(IV) enter into a multiyear contract, the period of which shall not exceed 10 years.

(13) THREE RIVERS RANGER DISTRICT- The term `Three Rivers Ranger District' means the Three Rivers Ranger District in the Kootenai National Forest.
(14) VEGETATIVE MANAGEMENT- The term `vegetative management' means any restoration activity involving vegetation.

SEC. 102. STEWARDSHIP AND RESTORATION PROJECTS.

(a) Duty of Secretary Concerned-

(1) SELECTION- In accordance with paragraph (2), the Secretary concerned shall select areas on which to carry out landscape-scale restoration projects under subsection (b), consistent with laws (including regulations) and forest plans and appropriate to forest types.

(2) PRIORITY- In selecting areas on which to carry out landscape-scale restoration projects under subsection (b), the Secretary concerned, in coordination with applicable advisory committees or local collaborative groups, shall give priority to areas--

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

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

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

(iii) that contain forests that are at high risk from insect epidemics or high-severity wildfires, as determined by the Secretary concerned; or

(B) on the Seeley Lake Ranger District and the Three Rivers Ranger District, in which--

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

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

(b) Planning; Implementation-

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

(2) REQUIREMENTS-

(A) ROAD AND MOTORIZED TRAIL DENSITY-

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

(I) a project located in the Beaverhead-Deerlodge National Forest, result in a road and motorized trail density in excess of 1.5 miles per square mile; or
(II) a project located within the Grizzly Bear Management Units on the Seeley Lake Ranger District and the Three Rivers Ranger District, exceed the road density objectives of the Grizzly Bear management plans.

(ii) CALCULATION- In determining compliance with the requirement described in clause (i), the road and motorized trail density of a stewardship area that is the subject of a landscape-scale restoration project implemented under this subsection shall be determined--

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

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

(iii) ENHANCED RECREATIONAL TRAIL OPPORTUNITIES- The Secretary concerned, in consultation with each interested party, may develop a plan to provide enhanced recreational trail opportunities as part of a landscape-scale restoration project--

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

(II) to provide enhanced motorized and nonmotorized recreational trail opportunities;

(III) to increase trail connectivity; and

(IV) to promote recreational opportunities in--

(aa) the Beaverhead-Deerlodge National Forest;

(bb) the Seeley Lake Ranger District; and

(cc) the Three Rivers Ranger District.

(B) RESTRICTION RELATING TO PERMANENT ROADS- In carrying out a landscape-scale restoration project, the Secretary concerned shall not construct any permanent road on an area that is the subject of the project.

(C) INLAND NATIVE FISH STRATEGY- Each landscape-scale restoration project shall be carried out in accordance with each standard described in the inland native fish strategy relating to the conservation and management of riparian habitat.

(D) FOREST MANAGEMENT- On the aggregate parcel of land that is the subject of the stewardship areas selected by the Secretary concerned under subsection (a), the Secretary concerned shall--

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

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

(iii) manage vegetation through timber harvest activities in a manner to ensure that the timber harvest activities are limited to stewardship areas;
(iv) use prescribed burning and other silvicultural techniques to mimic mixed severity, natural fires when appropriate to the forest type that is the subject of the prescribed burning or other silvicultural technique;

(v) when a commercial timber harvest activity is used to implement the vegetation management of the aggregate parcel, design the commercial timber harvest activity--

(I) to reduce the long-term risk and severity of fire and insect infestations;

(II) to maintain and restore healthy sustainable forests;

(III) to generate revenue to reinvest in fish and wildlife habitat maintenance and restoration; and

(IV) to maintain the infrastructure of wood products manufacturing facilities that provide economic stability to communities located in close proximity to the aggregate parcel; and

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

(I) with respect to the stewardship area located in the Beaverhead-Deerlodge National Forest--

(aa) during the 2-year period beginning on the date of enactment of this Act, mechanically treat timber on not less than 14,000 acres of the stewardship area, during which, to the maximum extent practicable, the Secretary concerned shall mechanically treat timber on approximately 7,000 acres of the stewardship area during each year of the period;

(bb) not later than 5 years after the date of enactment of this Act, mechanically treat timber on not less than 35,000 acres of the stewardship area; and

(cc) not later than 10 years after the date of enactment of this Act, mechanically treat timber on a minimum of 70,000 acres of the stewardship area;

(II) with respect to the stewardship area located in the Three Rivers Ranger District--

(aa) during the 2-year period beginning on the date of enactment of this Act, mechanically treat timber on not less than 6,000 acres of the stewardship area;

(bb) not later than 5 years after the date of enactment of this Act, mechanically treat timber on not less than 15,000 acres of the stewardship area; and

(cc) not later than 10 years after the date of enactment of this Act, mechanically treat timber on not less than 30,000 acres of the stewardship area; and

(III) with respect to the stewardship area located in the Seeley Lake Ranger District, carry out projects described in paragraph (3).

(3) PROJECTS-

(A) COOPERATIVE PROJECTS- The Secretary concerned may plan and carry out cooperative projects on Federal and non-Federal land in the Seeley Lake Ranger District for the protection,
restoration, or enhancement of fish or wildlife habitat or other resource objectives on the land if the projects will benefit resources on Federal land.

(B) COMMUNITY PROJECTS- The Secretary concerned may appoint the Seeley Lake Ranger District Ranger of the Lolo National Forest and the Lincoln District Ranger of the Helena National Forest--

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

(ii) to participate in--

(I) a Blackfoot Community Project; and

(II) the Seeley Lake Coordinated Forest Management Project.

(4) RESTORATION ACTIVITIES-

(A) IN GENERAL- The Secretary concerned may provide grants to pay the Federal share of the cost of restoration activities in the Seeley Lake Ranger District.

(B) NON-FEDERAL SHARE-

(i) IN GENERAL- The Secretary concerned shall allow non-Federal matching contributions to cover the cost of restoration activities under this paragraph.

(ii) FORM- Non-Federal contributions may be in the form of cash or an in-kind contribution.

(5) DISPOSITION OF APPEAL- Notwithstanding section 322(d)(1)(B) of the Department of the Interior and Related Agencies Appropriations Act, 1993 (16 U.S.C. 1612 note; Public Law 102-381), each meeting between a designated Forest Service employee and an individual who files an appeal of a landscape-scale restoration project carried out under this section shall--

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

(B) occur in person at a location agreed to by the appellant and the Forest Service that is in the vicinity of the land affected by the decision; and

(C) at the option of the Secretary concerned, include other individuals involved in monitoring of the landscape-scale restoration project (including the applicable project advisory committee or local collaborative group) to provide input to the Forest Service regarding the final decision of the Forest Service.

(6) COMPLIANCE WITH NATIONAL ENVIRONMENTAL POLICY ACT OF 1969-

(A) COMPLIANCE-

(i) IN GENERAL- Each landscape-scale restoration project carried out under this section shall be carried out in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).
(ii) DUTY OF SECRETARY CONCERNED- To comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) under clause (i), the Secretary concerned shall prepare 1 environmental impact statement that covers all components of the landscape-scale restoration project that is the subject of the environmental impact statement to ensure that any additional analysis will not be required.

(iii) NUMBER OF REQUIRED ENVIRONMENTAL IMPACT STATEMENTS- Except as provided in subparagraph (C), with respect to an approved landscape-scale restoration project under this section, any environmental impact statement in addition to an environmental impact statement described in clause (ii) shall not be required to implement the approved landscape-scale restoration project.

(B) IMPLEMENTATION OF LANDSCAPE-SCALE RESTORATION PROJECT- Upon the later of the completion of an environmental impact statement for a landscape-scale restoration project under subparagraph (A), and the issuance of a record of decision for the landscape-scale restoration project under paragraph (1), the Secretary concerned shall implement the landscape-scale restoration project.

(C) ADDITIONAL ENVIRONMENTAL ANALYSIS-

(i) IN GENERAL- The Secretary concerned may, after consultation with resource advisory committees or local collaborative groups, and based on a monitoring of the applicable landscape-scale restoration project, conduct additional environmental analyses on the landscape-scale restoration project after activities have begun, if the Secretary concerned determines that changes to the original document would help to better accomplish the purposes of this Act.

(ii) MODIFICATIONS TO ENVIRONMENTAL IMPACT STATEMENTS-

(I) IN GENERAL- Any modification to an environmental impact statement regarding a landscape-scale restoration project under this section shall be subject to valid existing rights.

(II) CONTINUATION OF LANDSCAPE-SCALE RESTORATION PROJECT- The implementation of a landscape-scale restoration project that is the subject of 1 or more modifications under this clause shall continue until the date on which the 1 or more modifications are approved by, as appropriate--

(aa) an appropriate United States district court; or

(bb) the Secretary concerned.

(III) MECHANICAL TREATMENT- If any acreage scheduled to be mechanically treated through a landscape-scale restoration project under paragraph (2)(D)(vi) is eliminated from the landscape-scale restoration project through a modification under this clause, the Secretary concerned may not include the acreage in calculating the applicable acreage total required to be mechanically treated under paragraph (2)(D)(vi).

(D) CONSULTATION- The Secretary concerned shall consult with resource advisory committees or local collaborative groups before any environmental analysis is conducted to reduce conflict and expedite project implementation.

(7) ECOLOGICAL RESTORATION TREATMENTS- An ecological restoration treatment selected by the Secretary concerned under the Collaborative Forest Landscape Restoration Program in
accordance with section 4003 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303) shall qualify as a landscape-scale restoration project under this section.

(8) PRIORITY REGARDING DESIGN OF LANDSCAPE-SCALE RESTORATION PROJECTS- In planning a landscape-scale restoration project under this subsection, the Secretary concerned shall give priority to any proposal that is designed--

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

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

(i) are processed in the State; and

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

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

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

(9) RECEIPTS-

(A) ESTABLISHMENT- There is established in the Treasury of the United States an account (referred to in this paragraph as the `Account') consisting of such amounts as are appropriated to the Account under subparagraph (B).

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

(C) EXPENDITURES FROM ACCOUNT- On request by the Secretary concerned, the Secretary of the Treasury shall transfer from the Account to the Secretary concerned such amounts as the Secretary concerned determines are necessary to carry out this section.

(D) TRANSFERS OF AMOUNTS-

(i) IN GENERAL- The amounts required to be transferred to the Fund under this paragraph shall be transferred at least monthly from the general fund of the Treasury to the Fund on the basis of estimates made by the Secretary of the Treasury.

(ii) ADJUSTMENTS- Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

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

(11)EXISTING LANDSCAPE-SCALE RESTORATION PROJECTS- Landscape-scale restoration projects for which the Secretary concerned has, as of the date of enactment of this Act, initiated the
preparation of an environmental impact statement or similar analysis in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) may be carried out in accordance with applicable law (including regulations).

(12) EFFECT- Except as otherwise provided in this Act, the Secretary concerned shall manage, in accordance with each applicable law (including regulations)—

(A) the Beaverhead-Deerlodge National Forest;

(B) the Seeley Lake Ranger District; and

(C) the Three Rivers Ranger District.

SEC. 103. RESOURCE ADVISORY COMMITTEES.

(a) Establishment; Selection for Use-

(1) ESTABLISHMENT OF RESOURCE ADVISORY COMMITTEES- Subject to paragraph (2), in accordance with section 205 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125), the Secretary concerned shall establish—

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

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

(2) SELECTION OF EXISTING ADVISORY COMMITTEE- In establishing a resource advisory committee for each entity described in paragraph (1), the Secretary concerned may select an advisory committee in existence as of the date of enactment of this Act if the Secretary concerned determines that the advisory committee—

(A) is capable of carrying out the applicable requirements of this Act; and

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

(b) Duties-

(1) ESTABLISHMENT OF ADVISORY COMMITTEES-

(A) IN GENERAL- Each resource advisory committee established under subsection (a)(1) shall establish an advisory committee for each landscape-scale restoration project implemented by the Secretary concerned under section 102(b) to assist the Secretary concerned in determining the location for, completing the design of, and implementing each landscape-scale restoration project under the jurisdiction of the advisory committee.

(B) COMPOSITION- Each advisory committee established by a resource advisory committee under subparagraph (A) shall be comprised of representatives from—

(i) industrial, recreational, conservation, and livestock organizations; and
(ii) applicable local collaborative forest management groups.

(2) GUIDANCE- Each resource advisory committee shall advise each entity under the jurisdiction of the resource advisory committee on issues relating to the disbursement of excess receipts that result from the completion of each landscape-scale restoration project implemented by the Secretary concerned under section 102(b), as appropriate.

SEC. 104. MONITORING; REPORTING.

(a) Reports- Not later than 5 years after the date of enactment of this Act and every 5 years thereafter, the Secretary concerned shall submit to the appropriate committees of Congress a report on the implementation of landscape-scale restoration projects under this title.

(b) Contents- Each report required under subsection (a) shall, for the entity covered by the report--

(1) assess the effectiveness of stewardship contracts in meeting vegetative management goals and funding restoration goals;

(2) provide information on--

(A) the number of landscape-scale restoration projects designed, implemented, and completed;

(B) the cost effectiveness of each landscape-scale restoration project, including the costs of planning and environmental analysis and the benefits resulting from restoration activities; and

(C) the number of acres treated and restoration projects accomplished;

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

(4) make recommendations on legislative or administrative actions that might better achieve the goals and purposes of the restoration efforts carried out by the Secretary concerned;

(5) identify any additional resources and authorities that are necessary to implement fully the initiatives carried out by the Secretary concerned under this title;

(6) evaluate the effectiveness of restoration activities on ecological health; and

(7) consider and implement adaptive management tools to improve management under this Act, including impacts of climate change on the effectiveness of restoration activities.

SEC. 105. BIOMASS COMBINED HEAT AND POWER SYSTEM PROJECTS.

(a) Use of Funds- The Secretary concerned may use funds made available under section 106(a) and other funds available to the Secretary concerned for fiscal year 2010, to pay the Federal share of the cost of installation of combined heat and power biomass systems that can use materials made available from the landscape-scale restoration projects carried out under this title.
(b) Biomass Study-

(1) STUDY- As soon as practicable after the date of enactment of this Act, the Secretary concerned shall conduct a study--

(A) to examine the feasibility of the sustainable development of biomass supplies and combined heat and power energy generation in the areas covered by this title; and

(B) to develop a means by which to facilitate and encourage the use of biomass recovered from forest land as an energy source to reduce the risk of severe wildfire to--

(i) communities;

(ii) infrastructure; and

(iii) water supplies.

(2) PLAN- Not later than 18 months after the date of enactment of this Act, the Secretary concerned shall propose a plan that is based on the results of the study carried out under paragraph (1).

SEC. 106. FUNDING.

(a) Authorization of Appropriations- There are authorized to be appropriated such sums as are necessary to carry out this title.

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

(c) Cost-Effective Planning and Implementation- In planning and implementing landscape-scale restoration projects under this title, the Secretary concerned shall use the most cost-effective means available.

(d) Reprogramming- Subject to the relevant reprogramming guidelines of the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, funds specifically provided to the Forest Service by the Secretary concerned to implement resource management activities according to this title may be made available.

(e) Unobligated Balances- Subject to normal reprogramming guidelines, the forest supervisors of the Beaverhead-Deerlodge National Forest, the Lolo National Forest, and the Kootenai National Forest may allocate and use all accounts that contain year-end excess funds, and all other available excess funds, for the administration and management of the National Forest under the jurisdiction of the forest supervisor to implement projects to achieve the goals and objectives of this title.

(f) Landscape-Scale Restoration Projects-

(1) IN GENERAL- Subject to paragraph (2), the Secretary concerned may retain any receipts derived from the implementation of landscape-scale restoration projects under this title for use in planning and implementing additional landscape-scale restoration projects.
(2) LIMITATION-

(A) IN GENERAL- Except as provided in subparagraph (B), funds generated by a landscape-scale restoration project under this title may not be expended by the Secretary concerned on a landscape-scale restoration project carried out on an administrative unit of a National Forest other than the administrative unit on which the landscape-scale restoration project that is the source of the funds is carried out.

(B) EXCEPTION- Funds generated by a landscape-scale restoration project under this title in the Beaverhead-Deerlodge National Forest may be expended by the Secretary concerned on a landscape-scale restoration project carried out in any other administrative unit of a National Forest.

(g) Administration- Of the amounts available to carry out this title for each fiscal year, the Secretary concerned shall ensure that--

(1) not more than 10 percent is used or allocated for general administration, planning, or other overhead; and

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

SEC. 107. ADMINISTRATION.

Except as otherwise provided in this title, the Secretary concerned shall administer the Beaverhead-Deerlodge National Forest, the Seeley Lake Ranger District, and the Three Rivers Ranger District in accordance with applicable laws (including regulations).

SEC. 108. TERMINATION OF AUTHORITY.

(a) In General- Subject to subsection (b), the authority of the Secretary concerned to plan and implement landscape-scale restoration projects under this title shall terminate on the later of--

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

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

(B) in the case of the Three Rivers Ranger District, the date on which 30,000 acres of land in the Three Rivers Ranger District have been mechanically treated in accordance with section 102(b)(2)(D)(vi)(II).

(b) Contracts- The termination of the authority of the Secretary concerned under subsection (a) shall not affect any contract entered into by the Secretary concerned to carry out this title.

TITLE II--DESIGNATION OF WILDERNESS AND NATIONAL RECREATION AREAS
SEC. 201. DESIGNATION OF WILDERNESS AND NATIONAL RECREATION AREAS.

(a) Beaverhead-Deerlodge National Forest- In accordance with, and in furtherance of the purposes of, the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) ANACONDA PINTLAR WILDERNESS ADDITIONS- Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 56,680 acres, as generally depicted on the map entitled `Anaconda-Pintlar Proposed Wilderness Additions' and dated July 16, 2009, is incorporated in, and shall be considered to be a part of, the Anaconda-Pintlar Wilderness.

(2) DOLUS LAKES WILDERNESS- Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 9,367 acres, as generally depicted on the map entitled `Dolus Lakes Proposed Wilderness' and dated July 16, 2009, to be known as the `Dolus Lakes Wilderness'.

(3) EAST PIONEERS WILDERNESS- Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 76,775 acres, as generally depicted on the map entitled `East Pioneers Proposed Wilderness' and dated July 16, 2009, to be known as the `East Pioneers Wilderness'.

(4) ELECTRIC PEAK WILDERNESS- Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 4,653 acres, as generally depicted on the map entitled `Electric Peak Proposed Wilderness' and dated July 16, 2009, to be known as the `Electric Peak Wilderness'.

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

(6) HIGHLANDS WILDERNESS- Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 20,392 acres, as generally depicted on the map entitled `Highlands Proposed Wilderness' and dated July 16, 2009, to be known as the `Highlands Wilderness'.

(7) ITALIAN PEAKS WILDERNESS- Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 29,508 acres, as generally depicted on the map entitled `Italian Peaks Proposed Wilderness' and dated July 16, 2009, to be known as the `Italian Peaks Wilderness'.

(8) LIMA PEAKS WILDERNESS- Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 35,120 acres, as generally depicted on the map entitled `Lima Peaks Proposed Wilderness' and dated July 16, 2009, to be known as the `Lima Peaks Wilderness'.

(9) LOST CABIN WILDERNESS- Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 5,223 acres, as generally depicted on the map entitled `Lost Cabin Lake Proposed Wilderness' and dated July 16, 2009, to be known as the `Lost Cabin Wilderness'.

(10) MOUNT JEFFERSON WILDERNESS- Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 4,465 acres, as generally depicted on the map entitled `Mount Jefferson Proposed Wilderness' and dated July 16, 2009, to be known as the `Mount Jefferson Wilderness'.

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(11) QUIGG PEAK WILDERNESS - Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 8,388 acres, as generally depicted on the map entitled 'Quigg Peak Proposed Wilderness' and dated July 16, 2009, to be known as the `Quigg Peak Wilderness'.

(12) SAPPHIRES WILDERNESS - Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 53,327 acres, as generally depicted on the map entitled 'Sapphires Proposed Wilderness' and dated July 16, 2009, to be known as the `Sapphires Wilderness'.

(13) SNOWCREST WILDERNESS - Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 89,798 acres, as generally depicted on the map entitled 'Snowcrest Proposed Wilderness' and dated July 16, 2009, to be known as the `Snowcrest Wilderness'.

(14) STONY MOUNTAIN WILDERNESS - Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 14,261 acres, as generally depicted on the map entitled 'Stony Mountain Proposed Wilderness' and dated July 16, 2009, to be known as the `Stony Mountain Wilderness'.

(15) WEST BIG HOLE WILDERNESS - Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 44,084 acres, as generally depicted on the map entitled 'West Big Hole Proposed Wilderness' and dated July 16, 2009, to be known as the `West Big Hole Wilderness'.

(16) WEST PIONEERS WILDERNESS - Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 25,742 acres, as generally depicted on the map entitled 'West Pioneers Proposed Wilderness' and dated July 16, 2009, to be known as the `West Pioneers Wilderness'.

(b) Lolo National Forest - In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the following land is designated as wilderness and as components of the National Wilderness Preservation System:

(1) BOB MARSHALL AND SCAPEGOAT WILDERNESS ADDITIONS - Certain land in the Lolo National Forest, which comprises approximately 71,378 acres, as generally depicted as the `North Fork Blackfoot-Monture Creek Wilderness Addition' on the map entitled 'Location of the Seeley Lake Wilderness Additions and the Otatsy National Recreation Area' and dated July 16, 2009, which is incorporated in, and shall be considered part of, the Bob Marshall and Scapegoat Wilderness designated by Public Law 92-395 (86 Stat. 578).

(2) BOB MARSHALL WILDERNESS ADDITION - Certain land in the Lolo National Forest, which comprises approximately 7,599 acres, as generally depicted as the `Grizzly Basin of the Swan Range Wilderness Addition' on the map entitled `Location of the Seeley Lake Wilderness Additions and the Otatsy National Recreation Area' and dated July 16, 2009, which is incorporated in, and shall be considered part of, the Bob Marshall Wilderness designated under the Wilderness Act (16 U.S.C. 1131 et seq.).

(3) MISSION MOUNTAINS WILDERNESS ADDITION - Certain land in the Lolo National Forest, which comprises approximately 4,501 acres, as generally depicted as the `West Fork Clearwater Wilderness Addition' on the map entitled `Location of the Seeley Lake Wilderness Additions and the Otatsy National Recreation Area' and dated July 16, 2009, which is incorporated in, and shall be considered part of, the Mission Mountains Wilderness designated by Public Law 93-632 (88 Stat. 2153).
(c) Kootenai National Forest- In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain land in the Kootenai National Forest, which comprises approximately 29,869 acres, as generally depicted as the ‘Roderick Wilderness Area’ on the map entitled ‘Three Rivers Special Management Area and Roderick Wilderness’ and dated July 16, 2009, is--

(1) designated as wilderness and as a component of the National Wilderness Preservation System; and

(2) to be known as the ‘Roderick Wilderness’.

(d) Dillon Field Office- In accordance with, and in furtherance of the purposes of, the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas of Bureau of Land Management land in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) BLACKTAIL MOUNTAINS WILDERNESS- Certain land under the jurisdiction of the Dillon Field Office, comprising approximately 10,667 acres, as generally depicted on the map entitled ‘Blacktail Mountains Proposed Wilderness’ and dated June 29, 2009, to be known as the ‘Blacktail Mountains Wilderness’.

(2) CENTENNIAL MOUNTAINS WILDERNESS- Certain land under the jurisdiction of the Dillon Field Office, comprising approximately 23,256 acres, as generally depicted on the map entitled ‘Centennial Mountains Proposed Wilderness’ and dated June 29, 2009, to be known as the ‘Centennial Mountains Wilderness’.

(3) FARLIN CREEK WILDERNESS- Certain land under the jurisdiction of the Dillon Field Office, comprising approximately 661 acres, as generally depicted on the map entitled ‘Farlin Creek Proposed Wilderness’ and dated June 29, 2009, to be known as the ‘Farlin Creek Wilderness’.

(4) RUBY MOUNTAINS WILDERNESS- Certain land under the jurisdiction of the Dillon Field Office, comprising approximately 15,504 acres, as generally depicted on the map entitled ‘Ruby Mountains Proposed Wilderness’ and dated June 29, 2009, to be known as the ‘Ruby Mountains Wilderness’.

(e) Butte Field Office-

(1) IN GENERAL- In accordance with, and in furtherance of the purposes of, the Wilderness Act (16 U.S.C. 1131 et seq.), the area of Bureau of Land Management land in the State described in paragraph (2) is designated as a wilderness area and as a component of the National Wilderness Preservation System.

(2) HUMBUG SPIRES WILDERNESS- Certain land under the jurisdiction of the Butte Field Office, comprising approximately 8,892 acres, as generally depicted on the map entitled ‘Humbug Spires Proposed Wilderness’ and dated June 29, 2009, to be known as the ‘Humbug Spires Wilderness’.

SEC. 202. ADMINISTRATION.

(a) Management- Subject to valid existing rights, each area designated as wilderness by section 201 shall be administered by the Secretary concerned in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date shall be considered to be a reference to the date of enactment of this Act.
(b) Map; Legal Description-

(1) IN GENERAL- As soon as practicable after the date of enactment of this Act, the Secretary concerned shall file a map and a legal description of each wilderness area designated by section 201 with--

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

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

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

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

c) Incorporation of Acquired Land and Interests- Any land within the boundary of a wilderness area designated by section 201 that is acquired by the Federal Government shall--

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

(2) be managed in accordance with--

(A) this title;

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

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

d) Withdrawal- Subject to valid existing rights, each parcel of Federal land designated as a wilderness area by section 201 is withdrawn from--

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

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

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

e) Fire, Insect, and Disease Management Activities-

(1) IN GENERAL- The Secretary concerned may take such measures in each wilderness area designated by section 201 as the Secretary concerned determines to be necessary for the control and prevention of fire, insects, and diseases, in accordance with--

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

(B) House Report No. 98-40.
(2) REVIEW- Not later than 1 year after the date of enactment of this Act, the Secretary concerned shall review each policy in existence as of that date that is applicable to each wilderness area designated by section 201 to ensure that each authorized approval procedure for any fire management measure provides a timely and efficient response to fire emergencies in the wilderness area.

(f) Access to Private Property- In accordance with section 5(a) of the Wilderness Act (16 U.S.C. 1134(a)), the Secretary concerned shall provide each owner of private property located in a wilderness area designated by section 201 adequate access to the private property to ensure the reasonable use and enjoyment of the property by the owner.

(g) Snow Sensors and Stream Gauges- Nothing in this title prevents the installation or maintenance of hydrological, meteorological, or climatological instrumentation in each wilderness area designated by section 201 if the Secretary concerned determines that the installation or maintenance of the instrumentation is appropriate to further the scientific, educational, or conservation purposes of the wilderness areas.

(h) Military Activities-

(1) IN GENERAL- With respect to each wilderness area designated by section 201, nothing in this title precludes or restricts--

(A) low-level overflights of military aircraft;

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

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

(2) HIGHLANDS WILDERNESS AREA- Nothing in this title precludes or restricts the authority of the Secretary concerned to enter into agreements with the Secretary of Defense or the Montana National Guard to permit limited and scheduled landings of aircraft in the Highlands Wilderness Area.

(i) Grazing- The grazing of livestock (including the maintenance of any facility in existence as of the date of enactment of this Act that is used in connection with the grazing of livestock) in each wilderness area designated by section 201 shall be administered in accordance with--

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

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

(j) Fish and Wildlife Management-

(1) IN GENERAL- In furtherance of the purposes and principles of the management activities under the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary concerned may carry out management activities to maintain or restore fish and wildlife populations (including activities to maintain and restore fish and wildlife habitats to support the populations) in any wilderness area designated by section 201 if the activities are--

(A) consistent with applicable wilderness management plans; and
(B) carried out in accordance with applicable guidelines and policies.

(2) STATE MANAGEMENT; RECREATIONAL USE- Nothing in this Act--

(A) affects the authority, jurisdiction, or responsibility of the State to manage, control, or regulate fish and resident wildlife under State law (including regulations), including the regulation of hunting, fishing, trapping, and recreational shooting on public land managed by--

(i) the Forest Service; or

(ii) the Bureau of Land Management; or

(B) affects access for any recreational activity allowed by any law (including regulations), including--

(i) hunting;

(ii) fishing;

(iii) trapping; and

(iv) recreational shooting.

(k) Adjacent Management-

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

(2) NONWILDERNESS ACTIVITIES- The fact that a nonwilderness activity or use can be seen or heard from an area within a wilderness area designated by section 201 shall not preclude the conduct of the activity or use outside the boundary of the wilderness area.

(l) Memorandums of Understanding- Not later than 1 year after the date of enactment of this Act, the Secretary concerned shall offer to enter into a memorandum of understanding with each law enforcement, emergency medical responder, and search and rescue organization of each political subdivision of the State, the jurisdiction of which includes any wilderness area designated by section 201, to ensure that each organization is authorized to enter each wilderness area to conduct emergency operations.

(m) Outfitter and Guide Activities- Outfitter and guide activities conducted under permits of the Forest Service in effect on the date of enactment of this Act in any wilderness area designated by section 201 shall be considered to have met all requirements for necessary analysis for the permits.

(n) Effect-

(1) EAST PIONEERS WILDERNESS AREA- With respect to the East Pioneers Wilderness Area, nothing in this title affects the right of any owner of 1 or more water impoundment structures to customary and usual access to the 1 or more water impoundment structures, including--

(A) necessary motorized use over and along roads and trails in existence as of the date of enactment of this Act to the 1 or more water impoundment structures; and
(B) the right to operate and maintain the 1 or more water impoundment structures.

(2) HIGHLANDS WILDERNESS AREA- With respect to the Highlands Wilderness Area, nothing in this title affects--

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

(B) the water supply pipeline in existence as of the date of enactment of this Act for the city of Butte (including the surrounding community of the city of Butte)--

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

(ii) which may be operated, maintained, and upgraded by the city of Butte, subject to reasonable requirements to protect the wilderness values of the Highlands Wilderness Area.

(3) SNOWCREST WILDERNESS AREA- With respect to the Snowcrest Wilderness Area, nothing in this title affects--

(A) motorized access to water infrastructure for cattle, which--

(i) was constructed--

(I) to protect the Ruby River; and

(II) to preserve historic access for other ranching activities; and

(ii) shall continue under the permit system in existence as of the date of enactment of this Act; and

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

SEC. 203. RELEASE OF BUREAU OF LAND MANAGEMENT STUDY AREAS.

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

(b) Description of Study Areas- The study areas referred to in subsection (a) are--

(1) the Axolotl Lakes Wilderness Study Area;

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

(3) the Blacktail Mountains Wilderness Study Area;
(4) the Centennial Mountains Wilderness Study Area;

(5) the East Fork Blacktail Wilderness Study Area;

(6) the Farlin Creek Wilderness Study Area;

(7) the Henneberry Ridge Wilderness Study Area;

(8) the Hidden Pasture Wilderness Study Area;

(9) the Humbug Spires Wilderness Study Area; and

(10) the Ruby Mountains Wilderness Study Area.

(c) Release- Any study area described in subsection (b) that is not designated as a wilderness area by section 201--

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

(2) shall be managed in accordance with the applicable land management plans adopted under section 202 of that Act (43 U.S.C. 1712).

SEC. 204. RELEASE OF SAPPHIRE AND WEST PIONEER WILDERNESS STUDY AREAS.

(a) Findings- Congress finds that--

(1) for purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), any portion of a wilderness study area described in subsection (b) that is not designated as a wilderness area by section 201 or any other Act enacted before the date of enactment of this Act has been adequately studied for wilderness;

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

(3) the Secretary of Agriculture is not required--

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

(B) to manage each study area described in subsection (b) to ensure the suitability of each study area for designation as a component of the National Wilderness Preservation System pending revision of the forest plan that comprises the study area.

(b) Description of Study Areas- The study areas referred to in subsection (a) are--
(1) the portion of the Sapphire Wilderness Study Area that is--

(A) located within the Beaverhead-Deerlodge National Forest, as described in section 2(4) of the Montana Wilderness Study Act of 1977 (Public Law 95-150; 91 Stat. 1243); and

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

(2) the portion of the West Pioneer Wilderness Study Area, as described in section 2(1) of the Montana Wilderness Study Act of 1977 (Public Law 95-150; 91 Stat. 1243), that is not designated as a wilderness area by section 201.

SEC. 205. LOST CREEK PROTECTION AREA.

(a) Designation- Certain Federal land located in the Beaverhead-Deerlodge National Forest, comprising approximately 15,134 acres, as generally depicted on the map entitled `Lost Creek Protection Area' and dated July 16, 2009, is designated as the `Lost Creek Protection Area'.

(b) Administration- The Secretary concerned shall administer the protection area in accordance with this section and any laws (including regulations) relating to the National Forest System.

(c) Withdrawal- Subject to valid existing rights, the Federal land designated as the protection area is withdrawn from--

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

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

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

(d) Development Restrictions- After the date of enactment of this Act, no developed campground, road, or trail may be constructed in the protection area.

(e) Timber Harvesting-

(1) IN GENERAL- Except as provided in paragraph (2), timber harvesting shall not be permitted within the protection area.

(2) MAINTENANCE OF PROTECTION AREA- Timber harvesting may be permitted in the protection area 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, and for public safety.

(f) Snowmobiles-

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

(A) on designated trails and routes in existence as of July 16, 2009;
(B) during periods of adequate snow cover, as determined by the forest plan in effect as of the date of enactment of this Act.

(2) RESOURCE PROTECTION OR PUBLIC SAFETY- Nothing in this subsection precludes the Secretary concerned from closing any trail or route from use for the purposes of resource protection or public safety.

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

(4) LAND-BASED MOTORIZED VEHICLES- The use of land-based motorized vehicles shall be prohibited within the protection area.

(g) Management Plan-

(1) IN GENERAL- The Secretary concerned shall include a management plan for the protection area in the first revision of the forest plan of the Beaverhead-Deerlodge National Forest that is carried out by the Secretary concerned after the date of enactment of this Act.

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

SEC. 206. WEST BIG HOLE NATIONAL RECREATION AREA.

(a) Purpose- The purpose of this section is to designate the West Big Hole National Recreation Area--

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

(2) to provide for the enhancement of the recreational values of the National Recreation Area.

(b) Definitions- In this section:

(1) MAP- The term `map' means the map entitled `West Big Hole Proposed Wilderness' and dated July 16, 2009.

(2) NATIONAL RECREATION AREA- The term `National Recreation Area' means the West Big Hole National Recreation Area that is--

(A) comprised of certain land that is--

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

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

(iii) generally depicted on the map; and

(B) designated by subsection (c).
(c) Designation- Each parcel of land depicted on the map is designated as the National Recreation Area.

(d) Administration-

(1) IN GENERAL- The Secretary concerned shall administer the National Recreation Area--
(A) in accordance with any laws (including regulations) relating to the National Forest System; and
(B) in a manner to ensure most effectively--
(i) the protection and conservation of fish and wildlife located in the National Recreation Area;
(ii) the conservation and development of scenic, natural historic, pastoral, and other values that--
(II) represent the economic and social history of the American West; and
(iii) the proper management, utilization, and disposal of natural resources located in the National Recreation Area (including timber, grazing, and mineral resources) to the extent that the use of the resources would not substantially impair the purposes of the National Recreation Area.

(2) ACQUISITION AUTHORITY-

(A) IN GENERAL- Subject to subparagraph (B), in accordance with applicable laws (including regulations), the Secretary concerned may acquire from willing sellers, or through a voluntary donation or exchange, any land or interest in land (including any mineral interest or scenic easement) that is located in the National Recreation Area that the Secretary concerned determines is necessary to carry out this section.

(B) LIMITATION- No land or interest in land may be acquired by the Secretary concerned under subparagraph (A) through condemnation.

(3) HUNTING; FISHING- The Secretary concerned shall allow individuals to hunt, trap, and fish within the National Recreation Area in accordance with each applicable law (including regulations) of--
(A) the Federal Government; and
(B) the State.

(4) GRAZING- The grazing of livestock in the National Recreation Area, if authorized before the date of enactment of this Act, shall be permitted to continue in accordance with--
(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and
(B) the guidelines set forth in Appendix A of House Report 101-405.

(e) Off-Road Recreation-
(1) IN GENERAL- Subject to any forest plan or travel management plan, except for administrative purposes or to respond to an emergency, motorized travel shall be permitted within the National Recreation Area only on approved, designated trails and routes.

(2) MECHANIZED, NONMOTORIZED VEHICLES- The use of mechanized, nonmotorized vehicles shall be permitted within the National Recreation Area.

(f) Availability of Map- The map shall be filed and made available for public inspection in the appropriate office of the Secretary concerned.

SEC. 207. WEST PIONEERS RECREATION MANAGEMENT AREA.

(a) Definitions- In this section:

(1) MAP- The term `map' means the map entitled `West Pioneers Proposed Wilderness' and dated July 16, 2009.

(2) RECREATION MANAGEMENT AREA- The term `recreation management area' means the West Pioneers Recreation Management Area that is--

(A) comprised of certain land in the Beaverhead-Deerlodge National Forest that is--

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

(ii) generally depicted on the map; and

(B) established by subsection (b).

(b) Establishment- To conserve, protect, and enhance the scenic, wildlife, recreational, and other natural resource values of the West Pioneers area of the State, there is established the West Pioneers Recreation Management Area.

(c) Administration-

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

(2) GRAZING- Nothing in this section prohibits, or affects the administration of, the grazing of livestock on land within the boundaries of the recreation management area.

(d) Withdrawal- Subject to valid existing rights, the recreation management area is withdrawn from--

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

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

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.
(e) Timber Harvesting-

(1) IN GENERAL- Except as provided in paragraph (2), timber harvesting shall not be permitted within the recreation management area.

(2) MAINTENANCE OF RECREATION MANAGEMENT AREA- Timber harvesting may be permitted in the recreation management area 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, and for public safety.

(f) Development Limitations- Effective on the date of enactment of this Act, no permanent campground, or road or trail, may be constructed in the recreation management area.

(g) Off-Road Recreation-

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

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

(3) EFFECT- Nothing in this subsection precludes the Secretary concerned from closing from public use any trail or route described in paragraph (1)--

(A) to protect a natural resource; or

(B) to help ensure public safety.

SEC. 208. THUNDERBOLT CREEK RECREATION AREA.

(a) Designation- Certain Federal land located in the Beaverhead-Deerlodge National Forest, comprising approximately 22,037 acres, as generally depicted on the map entitled `Electric Peak Proposed Wilderness' and dated July 16, 2009, is designated as the `Thunderbolt Creek Recreation Area'.

(b) Administration- The Secretary concerned shall administer the recreation area in accordance with this section and any laws (including regulations) relating to the National Forest System.

(c) Withdrawal- Subject to valid existing rights, the Federal land designated as the recreation area is withdrawn from--

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

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

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.
(d) Development Restrictions- Effective on or after the date of enactment of this Act, no developed campground or road may be constructed in the recreation area.

(e) Timber Harvesting-

(1) IN GENERAL- Except as provided in paragraph (2), timber harvesting shall not be permitted within the recreation area.

(2) MAINTENANCE OF RECREATION AREA- Timber harvesting may be permitted in the recreation area 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, and for public safety.

(f) Vehicles-

(1) MOTORIZED VEHICLES-

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

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

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

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

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

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

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

(g) Management Plan-

(1) IN GENERAL- The Secretary concerned shall include a management plan for the recreation area in the first revision of the forest plan of the Beaverhead-Deerlodge National Forest that is carried out by the Secretary concerned after the date of enactment of this Act.

(2) REQUIREMENT FOR PUBLIC COMMENT- In developing a management plan for the recreation area under paragraph (1), the Secretary concerned shall provide public notice and an opportunity for comment.
SEC. 209. THREE RIVERS SPECIAL MANAGEMENT AREA.

(a) Definitions- In this section:

(1) MAP- The term `map' means the map entitled `Three Rivers Special Management Area and Roderick Wilderness' and dated July 16, 2009.

(2) SPECIAL MANAGEMENT AREA- The term `special management area' means the Three Rivers Special Management Area that is--

(A) comprised of certain land in the Kootenai National Forest that is--

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

(ii) generally depicted on the map; and

(B) established by subsection (b).

(b) Establishment- To conserve, protect, and enhance the scenic, wildlife, recreational, backcountry heritage, and other natural resource values of the Three Rivers Management Area of the State, there is established the Three Rivers Special Management Area.

(c) Administration-

(1) IN GENERAL- The Secretary concerned shall administer the special management area in accordance with this section and any laws (including regulations) relating to the National Forest System.

(2) GRAZING- Nothing in this section prohibits, or affects the administration of, the grazing of livestock on land within the boundaries of the special management area.

(d) Withdrawal- Subject to valid existing rights, the special management area is withdrawn from--

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

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

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

(e) Snowmobile Recreation-

(1) IN GENERAL- Except as provided in paragraph (2), the use of snowmobiles shall be permitted within the special management area only in the areas designated as the `NW Peaks Snowmobile Area' and the `Mount Henry Snowmobile Area', as generally depicted on the map.

(2) EFFECT- Nothing in this subsection precludes the Secretary concerned from closing from public use any trail located in an area described in paragraph (1)--

(A) to protect a natural resource; or
(B) to help ensure public safety.

(f) Timber Harvesting-

(1) IN GENERAL- Except as provided in paragraph (2), timber harvesting shall not be permitted within the special management area.

(2) MAINTENANCE OF SPECIAL MANAGEMENT AREA- Timber harvesting may be permitted in the special management area 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, and for public safety.

(g) Development Limitation- Effective on the date of enactment of this Act, no permanent campground may be constructed in the special management area.

(h) Off-Road Recreation-

(1) IN GENERAL- Except for administrative purposes or to respond to an emergency, the use of mechanized and motorized travel shall be prohibited within the special management area in the areas designated as `NW Peaks Backcountry', `Murphy Mountain Backcountry', `Mount Henry Backcountry', and `Roderick Backcountry', as generally depicted on the map.

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

(3) EFFECT- Nothing in this subsection precludes the Secretary concerned from closing from public use any trail or route located in the special management area--

(A) to protect a natural resource; or

(B) to help ensure public safety.

(i) Hunting; Fishing- The Secretary concerned shall allow individuals to hunt, trap, and fish within the special management area in accordance with each applicable law (including regulations) of--

(1) the Federal Government; and

(2) the State.

(j) Game Carts- Nothing in this section prohibits the use of game carts in areas of the special management area allowed as of the date of enactment of this Act.

(k) Firewood- The collection of firewood (including the use of chainsaws) shall be allowed in certain areas within the special management area, as determined by the Secretary concerned in consultation with the resource advisory committee.

(l) All-Terrain Vehicle Study-

(1) IN GENERAL- Not later than 1 year after the date of enactment of this Act, the Secretary concerned shall study and report on--
(A) the opportunities for expanded all-terrain vehicles routes and trails across the Three Rivers District and adjacent areas on the Kootenai National Forest;

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

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

(2) CONSULTATION- The study shall be conducted in consultation with--

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

(B) local collaborative land management organizations;

(C) representatives from motorized user groups; and

(D) any other interested party.

SEC. 210. OTATSY RECREATION AREA.

(a) Definitions- In this section:

(1) MAP- The term `map' means the map entitled `Location of the Seeley Lake Wilderness Additions and Otatsy National Recreation Area' and dated July 16, 2009.

(2) RECREATION AREA- The term `recreation area' means the Otatsy Recreation Area that is--

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

(B) comprised of--

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

(ii) approximately 1,271 acres; and

(C) generally depicted on the map.

(b) Recreation Area-

(1) ESTABLISHMENT- To conserve, protect, and enhance the scenic, wildlife, recreational, backcountry heritage, and other natural resource values of the Blackfoot watershed, there is established the Otatsy Recreation Area.

(2) ADMINISTRATION-

(A) IN GENERAL- The Secretary concerned shall administer the recreation area in accordance with this section and any laws (including regulations) relating to the National Forest System.

(B) AUTHORIZED USES- The Secretary concerned shall only allow uses of the recreation area that the Secretary concerned determines will further the purposes of the recreation area, as described in
paragraph (1).

(C) GRAZING- Nothing in this subsection prohibits, or affects the administration of, the grazing of livestock on land within the boundaries of the recreation area.

(3) SNOWMOBILE RECREATION-

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

(B) EFFECT- Nothing in this subsection precludes the Secretary concerned from closing from public use any trail located in the recreation area--

(i) to protect a natural resource;

(ii) to help ensure public safety;

(iii) for administrative purposes; or

(iv) to respond to an emergency.

(4) MANAGEMENT PLAN-

(A) IN GENERAL- Not later than 3 years after the date of enactment of this Act, the Secretary concerned shall prepare, and may periodically amend, a comprehensive management plan for the recreation area.

(B) REQUIREMENTS- In preparing the management plan under subparagraph (A), the Secretary concerned shall--

(i) design the management plan--

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

(II) to ensure the sound management and enforcement of the recreation area; and

(ii) carry out a public process to develop the management plan to provide for--

(I) adequate signage;

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

(III) a monitoring and enforcement strategy.

(5) ENFORCEMENT PRIORITY- The Secretary concerned shall prioritize the conduct of enforcement activities in the recreation area--

(A) to prohibit the degradation of the natural resources of the recreation area; and
(B) to prevent entry of motorized vehicles into adjacent wilderness areas and portions of public land that are closed to motorized vehicles.

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

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

(B) the distribution of maps, safety education materials, and any other information that the Secretary concerned determines to be appropriate.

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

(8) WITHDRAWAL- Subject to valid existing rights, the Federal land designated as the recreation area is withdrawn from--

(A) all forms of 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.

END