

103^D CONGRESS
2^D SESSION

S. 2137

To designate certain National Forest lands in the State of Montana as wilderness, to release other National Forest lands in the State of Montana for multiple use management, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 19 (legislative day, MAY 16), 1994

Mr. BAUCUS introduced the following bill; which was read the first time

A BILL

To designate certain National Forest lands in the State of Montana as wilderness, to release other National Forest lands in the State of Montana for multiple use management, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be referred to as the “Montana
5 National Forest Management Act of 1994.”

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—The Congress finds that—

8 (1) many areas of undeveloped National Forest
9 System lands in the State of Montana possess out-

1 standing natural characteristics which give them
2 high value as wilderness and will, if properly pre-
3 served, contribute as an enduring resource of wild
4 land for the benefit of the American people;

5 (2) the existing Department of Agriculture
6 Land and Resource Management Plans for Forest
7 System lands in the State of Montana have identi-
8 fied areas which, on the basis of their landform, eco-
9 system, associated wildlife, and location will help to
10 fulfill the National Forest System's share of a qual-
11 ity National Wilderness Preservation System; and

12 (3) the existing Department of Agriculture
13 Land and Resource Management Plans for National
14 Forest System lands in the State of Montana and
15 the related congressional review of such lands have
16 also identified areas that do not possess outstanding
17 wilderness attributes or possess outstanding energy,
18 mineral, timber, grazing, dispersed recreation, or
19 other values. Such areas should not be designated as
20 components of the National Wilderness Preservation
21 System but should be available for non-wilderness
22 multiple uses under the land management planning
23 process and other applicable law.

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

1 (1) designate certain National Forest System
2 lands in the State of Montana as components of the
3 National Wilderness Preservation System, in fur-
4 therance of the purposes of the Wilderness Act (16
5 U.S.C. 1131 et seq.), in order to preserve the wilder-
6 ness character of the land and to protect watersheds
7 and wildlife habitat, preserve scenic and historic re-
8 sources, and promote scientific research, primitive
9 recreation, solitude, and physical and mental chal-
10 lenge; and

11 (2) ensure that certain other National Forest
12 System lands in the State of Montana be available
13 for nonwilderness uses.

14 **SEC. 3. WILDERNESS DESIGNATIONS.**

15 (a) DESIGNATION.—In furtherance of the purposes of
16 the Wilderness Act of 1964, the following lands in the
17 State of Montana are designated as wilderness and, there-
18 fore, as components of the National Wilderness Preserva-
19 tion System:

20 (1) Certain lands in the Beaverhead, Bitterroot,
21 and Deerlodge National Forests, which comprise ap-
22 proximately twenty-nine thousand one hundred
23 acres, as generally depicted on a map entitled “Ana-
24 conda-Pintler Wilderness Additions—Proposed”
25 (North Big Hole, Storm Lake, Upper East Fork),

1 dated September 1991, and which are hereby incor-
2 porated in and shall be deemed to be a part of the
3 Anaconda-Pintler Wilderness.

4 (2) Certain lands in the Beaverhead National
5 Forest, which comprise approximately twenty-five
6 thousand acres, as generally depicted on a map enti-
7 tled “Italian Peaks Wilderness—Proposed”, dated
8 September 1991, and which shall be known as the
9 Italian Peaks Wilderness.

10 (3) Certain lands in the Beaverhead National
11 Forest, which comprise approximately seventy-nine
12 thousand five hundred acres, as generally depicted
13 on a map entitled “East Pioneer Wilderness—Pro-
14 posed”, dated September 1991, and which shall be
15 known as the East Pioneer Wilderness.

16 (4) Certain lands in the Beaverhead National
17 Forest, Montana, comprising approximately seventy-
18 six thousand six hundred acres, as generally depicted
19 on a map entitled “West Big Hole Wilderness—Pro-
20 posed”, dated September 1991, and which shall be
21 known as the West Big Hole Wilderness.

22 (5) Certain lands in the Bitterroot, Deerlodge,
23 and Lolo National Forests, which comprise approxi-
24 mately sixty-four thousand eight hundred acres, as
25 generally depicted on a map entitled “Stony Moun-

1 tain Wilderness—Proposed”, dated November 1991,
2 and which shall be known as the Stony Mountain
3 Wilderness.

4 (6) Certain lands in the Bitterroot and Lolo
5 National Forests, which comprise approximately
6 fifty-five thousand six hundred acres, as generally
7 depicted on maps entitled “Selway-Bitterroot Wil-
8 derness Additions—Proposed”, dated September
9 1991, and which are hereby incorporated in and
10 shall be deemed to be a part of the Selway-Bitter-
11 root Wilderness. The use of motorized equipment
12 shall be prohibited on those lands surrounding High
13 Lake which are excluded from the area designated
14 as wilderness by this paragraph, except for such
15 equipment (including access by helicopter) as the
16 Secretary determines to be necessary to allow for the
17 operation and maintenance of the impoundment lo-
18 cated on High Lake.

19 (7) Certain lands in the Custer National For-
20 est, which comprise approximately five thousand
21 eight hundred acres, as generally depicted on a map
22 entitled “Lost Water Canyon Wilderness—Pro-
23 posed”, dated September 1991, and which shall be
24 known as the Lost Water Canyon Wilderness.

1 (8) Certain lands in the Custer National For-
2 est, which comprise approximately six thousand
3 acres, as generally depicted on a map entitled “Ab-
4 saroka Beartooth Wilderness Additions—Proposed”
5 (Burnt Mountain, Timberline Creek, Stateline and
6 Mystic Lake), dated November 1991, and which are
7 hereby incorporated in and shall be deemed to be a
8 part of the Absaroka Beartooth Wilderness.

9 (9) Certain lands in the Deerlodge and Helena
10 National Forests, which comprise approximately
11 nineteen thousand acres, as generally depicted on a
12 map entitled “Blackfoot Meadow-Electric Peak Wil-
13 derness—Proposed”, dated September 1991, and
14 which shall be known as the Blackfoot Meadow Wil-
15 derness.

16 (10) Certain lands in the Deerlodge and Bitter-
17 root National Forests, which comprise approximately
18 fifty-six thousand acres, as generally depicted on a
19 map entitled “Sapphires Wilderness—Proposed”,
20 dated November 1991, and which shall be known as
21 the Sapphires Wilderness.

22 (11) Certain lands in the Flathead National
23 Forest, which comprise approximately thirty thou-
24 sand acres, as generally depicted on a map entitled
25 “North Fork Wilderness—Proposed (Tuchuck and

1 Mount Hefty)”, dated November 1991, and which
2 shall be known as the North Fork Wilderness.

3 (12) Certain lands in the Flathead, Helena,
4 Lolo, and Lewis and Clark National Forests, which
5 comprise approximately two hundred fifteen thou-
6 sand seven hundred acres, as generally depicted on
7 maps entitled “Arnold Bolle Additions to the Bob
8 Marshall Wilderness—Proposed” (Silver King-Falls
9 Creek, Renshaw, Clearwater-Monture, Deep Creek,
10 Teton High Peak, Volcano Reef, Slippery Bill, Lime-
11 stone Cave, and Crown Mountain), dated November
12 1991, which shall be known as the Arnold Bolle-Bob
13 Marshall Wilderness Additions and are incorporated
14 in and shall be deemed to be a part of the Bob Mar-
15 shall Wilderness.

16 (13) Certain lands in the Flathead National
17 Forest, which comprise approximately nine hundred
18 and sixty acres, as generally depicted on a map enti-
19 tled “North Mission Mountain Wilderness Addi-
20 tions—Proposed”, dated September 1991, and which
21 are hereby incorporated in and shall be deemed to
22 be a part of the North Mission Mountain Wilder-
23 ness.

24 (14) Certain lands in the Flathead and Lolo
25 National Forests, comprising approximately one

1 hundred and fifty-nine thousand five hundred acres,
2 as generally depicted on maps entitled “Jewel Basin/
3 Swan Wilderness—Proposed”, dated November
4 1991. Those lands contiguous to the west slope of
5 the Bob Marshall Wilderness referred to in this
6 paragraph are hereby incorporated in and shall be
7 deemed to be a part of the Bob Marshall Wilderness,
8 while the remaining lands shall be known as the
9 Swan Crest Wilderness.

10 (15) Certain lands in the Gallatin National
11 Forest, which comprise approximately five thousand
12 five hundred acres, as generally depicted on a map
13 entitled “North Absaroka Wilderness Additions—
14 Proposed” Republic Mountain and Dexter Point),
15 dated November 1991, and which are hereby incor-
16 porated in and shall be deemed to be a part of the
17 North Absaroka Wilderness.

18 (16) Certain lands in the Gallatin National
19 Forest, which comprise approximately thirteen thou-
20 sand seven hundred acres, as generally depicted on
21 a map entitled “Lee Metcalf Cowboys Heaven Addi-
22 tion—Proposed”, dated September 1991, and which
23 are hereby incorporated in and shall be deemed to
24 be a part of the Lee Metcalf Wilderness.

1 (17) Certain lands in the Gallatin National
2 Forest, which comprise approximately twenty-two
3 thousand acres, as generally depicted on a map enti-
4 tled “Earthquake Wilderness—Proposed”, dated
5 September 1991, and which shall be known as the
6 Earthquake Wilderness.

7 (18) Certain lands in the Helena National For-
8 est, which comprise approximately twenty-six thou-
9 sand acres, as generally depicted on a map entitled
10 “Camas Creek Wilderness—Proposed”, dated Sep-
11 tember 1991, and which shall be known as the
12 Camas Creek Wilderness.

13 (19) Certain lands in the Helena National For-
14 est, which comprise approximately fifteen thousand
15 acres, as generally depicted on a map entitled
16 “Mount Baldy Wilderness—Proposed”, dated Sep-
17 tember 1991, and which shall be known as the
18 Mount Baldy Wilderness.

19 (20) Certain lands in the Helena National For-
20 est, Montana, which comprise approximately ten
21 thousand five hundred acres, as generally depicted
22 on a map entitled “Gates of the Mountain Wilder-
23 ness Additions—Proposed” (Big Log), dated Sep-
24 tember 1991, and which are hereby incorporated in

1 and shall be deemed to be part of the Gates of the
2 Mountain Wilderness.

3 (21) Certain lands in the Helena National For-
4 est, which comprise approximately eight thousand
5 five hundred acres, as generally depicted on a map
6 entitled “Black Mountain Wilderness—Proposed”,
7 dated September 1991, and which shall be known as
8 the Black Mountain Wilderness. The Secretary of
9 Agriculture, using existing statutory authority, shall
10 give special attention to the acquisition of non-feder-
11 ally owned lands within the Black Mountain Wilder-
12 ness.

13 (22) Certain lands in the Kootenai National
14 Forest, which comprise approximately thirty-one
15 thousand acres, as generally depicted on a map enti-
16 tled “Cabinet Mountains Wilderness Additions—
17 Proposed”, dated November 1991, and which are
18 hereby incorporated in and shall be deemed to be
19 part of the Cabinet Mountains Wilderness.

20 (23) Certain lands in the Kootenai National
21 Forest, which comprise approximately fifty thousand
22 acres, as generally depicted on a map entitled
23 “Scotchman Peaks Wilderness—Proposed”, dated
24 September 1991, which shall be known as the
25 Scotchman Peaks Wilderness.

1 (24) Certain lands in the Kootenai and Lolo
2 National Forests, which comprise approximately sev-
3 enteen thousand nine hundred acres, as generally de-
4 picted on a map entitled “Cateract Peak Wilder-
5 ness—Proposed”, dated September 1991, which
6 shall be known as the Cateract Peak Wilderness.

7 (25) Certain lands in the Lolo and Kootenai
8 National Forests, which comprise approximately sev-
9 enteen thousand nine hundred acres, as generally de-
10 picted on a map entitled “Cube Iron/Mount Silcox
11 Wilderness—Proposed”, dated November 1991,
12 which shall be known as the Cube Iron/Mount Silcox
13 Wilderness.

14 (26) Certain lands in the Lolo National Forest,
15 which comprise approximately ninety-four thousand
16 seven hundred acres, as generally depicted on a map
17 entitled “Great Burn Wilderness—Proposed”, dated
18 September 1991, which shall be known as the Great
19 Burn Wilderness.

20 (27) Certain lands in the Lolo National Forest,
21 which comprise approximately sixty thousand one
22 hundred acres, as generally depicted on a map enti-
23 tled “Quigg Peak Wilderness—Proposed”, dated
24 September 1991, which shall be known as the Quigg
25 Peak Wilderness.

1 (b) MAPS AND LEGAL DESCRIPTIONS.—(1) The Sec-
2 retary of Agriculture (hereinafter referred to as the “Sec-
3 retary”) shall file the maps referred to in this section and
4 legal descriptions of each wilderness area designated by
5 this section with the Committee on Energy and Natural
6 Resources of the United States Senate and the Committee
7 on Interior and Insular Affairs of the United States House
8 of Representatives, and each such map and legal descrip-
9 tion shall have the same force and effect as if included
10 in this Act.

11 (2) The Secretary may correct clerical and typo-
12 graphical errors in the maps and the legal descriptions
13 submitted pursuant to this section.

14 (3) Each map and legal description referred to in this
15 section shall be on file and available for public inspection
16 in the office of the Chief of the Forest Service, Washing-
17 ton, D.C. and at the office of the Region I Forester, Mis-
18 soula, Montana.

19 (c) ADMINISTRATION.—Subject to valid existing
20 rights, each wilderness area designated by this section
21 shall be administered by the Secretary of Agriculture in
22 accordance with the provisions of the Wilderness Act of
23 1964, except that, with respect to any area designated in
24 this section, any reference to the effective date of the Wil-

1 derness Act shall be deemed to be a reference to the date
2 of enactment of this Act.

3 (d) WILDERNESS AREA PERIMETERS.—Congress
4 does not intend that the designation of wilderness areas
5 in this section will lead to the creation of protective perim-
6 eters or buffer zones around such areas. The fact that
7 nonwilderness activities or uses can be seen or heard from
8 areas within a wilderness area shall not, of itself, preclude
9 such activities or uses up to the boundary of the wilder-
10 ness area.

11 (e) GRAZING.—The grazing of livestock, where estab-
12 lished prior to the date of enactment of this Act, in wilder-
13 ness areas designated in this section shall be administered
14 in accordance with section 4(d)(4) of the Wilderness Act
15 of 1964 and section 108 of an Act entitled “An Act to
16 designate certain National Forest System Lands in the
17 States of Colorado, South Dakota, Missouri, South Caro-
18 lina, and Louisiana for inclusion in the National Wilder-
19 ness Preservation System, and for other purposes” (94
20 Stat. 3271; 16 U.S.C. 1133 note).

21 (f) STATE FISH AND GAME AUTHORITY.—In accord-
22 ance with section 4(d)(7) of the Wilderness Act of 1964,
23 nothing in this Act shall be construed as affecting the ju-
24 risdiction or responsibilities of the State of Montana with

1 respect to wildlife and fish in the national forests of
2 Montana.

3 (g) HUNTING.—Subject to applicable law, Congress
4 recognizes hunting as a legitimate and beneficial activity
5 within wilderness areas designated in this section. Nothing
6 in this Act or the Wilderness Act of 1964 shall be con-
7 strued to prohibit hunting in such areas.

8 (h) COLLECTION DEVICES.—(1) Within the wilder-
9 ness areas designated in this section, neither the Wilder-
10 ness Act of 1964 or this Act shall be construed to prevent
11 the installation and maintenance of hydrological, meteoro-
12 logical, or climatological collection devices and ancillary fa-
13 cilities subject to such conditions as the Secretary deems
14 desirable, where such facilities or access are essential to
15 flood warning, flood control, and water reservoir operation
16 purposes.

17 (2) Access to the devices and facilities described in
18 paragraph (1) shall be by the means historically used, if
19 that method is the least intrusive practicable means
20 available.

21 **SEC. 4. WATER RIGHTS.**

22 (a) FINDING.—The Congress finds that the waters
23 within the wilderness areas designated by section 3 of this
24 Act are headwaters, and accordingly, this Act has no effect

1 on the appropriation or adjudication of waters within the
2 State of Montana under applicable law.

3 (b) RULES OF CONSTRUCTION.—Nothing in this Act
4 is intended or shall be construed—

5 (1) to affect the downstream appropriation or
6 adjudication of water;

7 (2) to affect existing water rights as provided
8 under Montana State law;

9 (3) to affect the determination of express or im-
10 plied reserved water rights as determined under
11 other laws; or

12 (4) as establishing a precedent with regard to
13 any future wilderness designations or any interpreta-
14 tion of any other Act or wilderness designation.

15 **SEC. 5. RELEASE TO NONWILDERNESS MULTIPLE USE.**

16 (a) FINDINGS.—The Congress finds that—

17 (1) the Department of Agriculture has ade-
18 quately met the wilderness study requirements of
19 Public Law 94–557;

20 (2) the Land and Resource Management Plans
21 and associated Environmental Impact Statements
22 (hereinafter referred to as “Land and Resource
23 Management Plans”) for all the National Forests in
24 the State of Montana have been completed as re-
25 quired by section 6 of the Forest and Rangeland Re-

1 newable Resources Planning Act of 1974, as amend-
2 ed by the National Forest Management Act of 1976;

3 (3) the Department of Agriculture, with sub-
4 stantial public input, has reviewed the wilderness po-
5 tential of these and other areas; and

6 (4) the Congress has made its own examination
7 of National Forest System roadless areas in the
8 State of Montana and of the environmental and eco-
9 nomic impacts associated with alternative allocations
10 of such areas.

11 (b) On the basis of such review, the Congress deter-
12 mines and directs that—

13 (1) without otherwise passing on the question of
14 the legal and factual sufficiency of the Land and Re-
15 source Management Plans and their associated envi-
16 ronmental impact statements for National Forest
17 System lands in the State of Montana completed
18 prior to the enactment of this Act, prior to the revi-
19 sion of such Plans, decisions to allocate roadless
20 areas to wilderness or nonwilderness categories, and
21 the environmental analyses directly related to such
22 allocations shall not be subject to judicial review:

23 (A) *Provided, however,* That, except for de-
24 cisions allocating lands to wilderness and
25 nonwilderness categories, nothing in this section

1 shall preclude judicial review of Department of
2 Agriculture decisions implementing such Plans
3 or decisions made concerning the management
4 of National Forest lands subsequent to their
5 allocation to wilderness and nonwilderness
6 categories:

7 (B) *Provided further*, That, except for deci-
8 sions allocating lands to wilderness and
9 nonwilderness categories, nothing in this section
10 shall preclude judicial review of Forest Service
11 regional guides and other departmental policies
12 of general applicability, nor prevent a court
13 from invalidating forest planning decisions
14 which fail to comply with applicable law;

15 (2) except as specifically provided in sections 3,
16 6, 7, 8, and 9 of this Act and in Public Law 95-
17 150, with respect to the National Forest System
18 lands in the State of Montana which were reviewed
19 by the Department of Agriculture under Public Law
20 94-557, the unit plans that were in effect prior to
21 completion of RARE II, the 1978 Forest Plan for
22 the Beaverhead National Forest, and the Land and
23 Resource Management Plans, that such reviews shall
24 be deemed an adequate consideration of the suit-
25 ability of such lands for inclusion in the National

1 Wilderness Preservation System, and the Depart-
2 ment of Agriculture shall not be required to review
3 the wilderness option prior to the revision of the
4 Land and Resource Management Plans, but shall re-
5 view the wilderness option when such plans are re-
6 vised, which revisions will ordinarily occur on a ten-
7 year cycle, or at least every fifteen years, unless
8 prior to that time the Secretary finds that conditions
9 in a unit have significantly changed;

10 (3) those National Forest System lands in the
11 State of Montana referred to in paragraph (2) of
12 this subsection which were not designated as wilder-
13 ness, special management, national recreation or wil-
14 derness study areas by this Act shall be managed for
15 multiple use in accordance with land and resource
16 management plans pursuant to section 6 of the For-
17 est and Rangeland Renewable Resources Planning
18 Act, as amended by the National Forest Manage-
19 ment Act, and those areas need not be managed for
20 the purpose of protecting their suitability for wilder-
21 ness designation prior to or during revision of the
22 initial Land and Resource Management Plans;

23 (4) if revised Land and Resource Management
24 Plans for the National Forest System lands in the
25 State of Montana are implemented pursuant to sec-

1 tion 6 of the Forest and Rangeland Renewable Re-
2 sources Planning Act, as amended by the National
3 Forest Management Act and other applicable law,
4 areas not recommended for wilderness designation
5 need not be managed for the purpose of protecting
6 their suitability for wilderness designation prior to
7 or during revision of such plans, and areas rec-
8 ommended for wilderness designation shall be man-
9 aged for the purpose of protecting their suitability
10 for wilderness designation as may be required by the
11 Forest and Rangeland Renewable Resources Plan-
12 ning Act, as amended by the National Forest Man-
13 agement Act, and other applicable law; and

14 (5) unless expressly authorized by Congress, the
15 Department of Agriculture shall not conduct any
16 further statewide roadless area review and evalua-
17 tion of National Forest System lands in the State of
18 Montana for purposes of determining their suit-
19 ability for inclusion in the National Wilderness Pres-
20 ervation System.

21 (c) As used in this section, and as provided in section
22 6 of the Forest and Rangeland Renewable Resources Plan-
23 ning Act, as amended by the National Foreign Manage-
24 ment Act, the term “revision” shall not include an amend-
25 ment to a land and resource management plan.

1 (d) Except as where specifically provided elsewhere
2 in this Act, the provisions of this section shall also apply
3 to those National Forest System roadless lands in the
4 State of Montana which are less than five thousand acres
5 in size.

6 (e) Notwithstanding the provisions of paragraph
7 (b)(2) of this section, the requirements of Public Law 95-
8 150 are deemed to be satisfied with respect to the Sap-
9 phire and Middle Fork of the Judith Wilderness study
10 areas.

11 **SEC. 6. SPECIAL MANAGEMENT AREAS.**

12 (a) For the purposes of conserving, protecting and
13 enhancing the exceptional scenic, fish and wildlife, biologi-
14 cal, educational and recreational values of certain National
15 Forest System lands in the State of Montana, the follow-
16 ing designations are made:

17 (1) The Mount Helena National Education and
18 Recreation Area located in the Helena National For-
19 est, comprising approximately three thousand nine
20 hundred acres, as generally depicted on a map enti-
21 tled "Mount Helena National Education and Recre-
22 ation Area—Proposed", dated September 1991.

23 (2) The Hyalite National Education and Recre-
24 ation Area located in the Gallatin National Forest,
25 comprising approximately eighteen thousand nine

1 hundred acres, as generally depicted on a map enti-
2 tled “Hyalite National Recreation and Education
3 Area—Proposed”, dated September 1991.

4 (3) The Northwest Peak National Recreation
5 and Scenic area located in the Kootenai National
6 Forest, comprising approximately sixteen thousand
7 seven hundred acres, as generally depicted on a map
8 entitled “Northwest Peak National Recreation and
9 Scenic Area—Proposed”, dated September 1991.

10 (4) The Buckhorn Ridge National Recreation
11 Area located in the Kootenai National Forest, com-
12 prising approximately twenty thousand acres, as
13 generally depicted on a map entitled “Buckhorn
14 Ridge National Recreation Area—Proposed”, dated
15 September 1991.

16 (5) The Tenderfoot/Deep Creek National Recre-
17 ation Area located in the Lewis and Clark National
18 Forest, comprising approximately fifty thousand
19 acres, as generally depicted on a map entitled “Ten-
20 derfoot/Deep Creek National Recreation Area—Pro-
21 posed”, dated November 1991.

22 (b) The Secretary shall file the maps referred to in
23 this section with the Committee on Energy and Natural
24 Resources, United States Senate, and the Committee on
25 interior and Insular Affairs, United States House of Rep-

1 representatives, and each such map shall have the same force
2 and effect as if included in this Act: *Provided*, That correc-
3 tion of clerical and typographical errors in such maps may
4 be made. Each such map shall be on file and available
5 for public inspection in the office of the Chief of the Forest
6 Service and the office of the Region I Forester.

7 (c)(1) Except as otherwise may be provided in this
8 subsection, the Secretary shall administer the areas des-
9 ignated in subsection (a) so as to achieve the purposes
10 of their designation as national recreation areas in accord-
11 ance with the laws and regulations applicable to the Na-
12 tional Forest System.

13 (2)(A) Except as provided in subparagraph (B), all
14 federally owned lands within the areas designated in sub-
15 section (a) are hereby withdrawn from all forms of entry,
16 appropriation and disposal under the mining and public
17 land laws, and disposition under the geothermal and min-
18 eral leasing laws.

19 (B) The Secretary, under such reasonable regulations
20 as he deems appropriate, may permit the removal of the
21 nonleasable minerals from lands or interests in lands with-
22 in the areas designated in subsection (a) in the manner
23 described by section 10 of the Act of August 4, 1939, as
24 amended (43 U.S.C. 387), and he may permit the removal
25 of leasable minerals from lands or interests in lands within

1 the recreation areas in accordance with the mineral leasing
2 laws, if he finds that such disposition would not have sig-
3 nificant adverse effects on the administration of the recre-
4 ation areas.

5 (C) Nothing in this subsection shall affect valid exist-
6 ing rights within the areas designated in subsection (a).

7 (3) Management activities may be permitted by the
8 Secretary if compatible with the purposes for which the
9 areas are designated: *Provided*, That nothing in this Act
10 shall preclude such measures which the Secretary, in his
11 discretion, deems necessary in the event of fire, or infesta-
12 tion of insects or disease.

13 (4) Where the Secretary determines that such use is
14 compatible with the purposes for which an area is des-
15 ignated, the use of motorized equipment shall be permitted
16 in the areas subject to applicable law and applicable land
17 and resource management plans.

18 (5) The grazing of livestock, where established prior
19 to the date of enactment of this Act shall be permitted
20 to continue subject to applicable law and regulations of
21 the Secretary.

22 (d) The Secretary shall manage the Mount Helena
23 and Hyalite National Education and Recreation Areas
24 with a focus on education. All management activities shall
25 be conducted in a manner that provides the public with

1 an opportunity to become better informed about natural
2 resource protection and management.

3 (e) Those areas established pursuant to subsection
4 (a) shall be administered as components of the national
5 forests wherein they are located. Land and resource man-
6 agement plans for the affected national forests prepared
7 in accordance with the Forest and Rangeland Renewable
8 Resources Planning Act, as amended by the National For-
9 est Management Act, shall emphasize achieving the pur-
10 poses for which the areas are designated.

11 **SEC. 7. ELKHORNS NATIONAL RECREATION AND WILDLIFE**

12 **AREA.**

13 (a)(1) The area of the Helena and Deerlodge Na-
14 tional Forests comprising approximately one hundred sev-
15 enty-five thousand seven hundred acres, as generally de-
16 picted on a map entitled “Elkhorns National Recreation
17 and Wildlife Area—Proposed”, dated September 1991, is
18 hereby designated as a national recreation and wildlife
19 area and shall hereafter be managed as a national recre-
20 ation area that emphasizes enhancement of big game habi-
21 tat. Except as otherwise provided in this section, the Sec-
22 retary shall administer the area so as to achieve the pur-
23 poses of its designation as a national recreation and wild-
24 life area. Where compatible with such emphasis, and con-
25 sistent with applicable law and applicable land and re-

1 source management plans, management also shall provide
2 for recreational opportunities (including, but not limited
3 to, opportunities for motorized recreation) and the mainte-
4 nance and enhancement of habitat for nongame species.
5 Hunting shall be permitted within the area subject to ap-
6 plicable State and Federal law.

7 (2) Those lands within the Elkhorns National Recre-
8 ation and Wildlife Area designated as “Elkhorns-2” on the
9 map referenced in paragraph (1) shall, notwithstanding
10 any other provision of this section, remain roadless. Mo-
11 torized equipment may be used by the Secretary, or other
12 public agencies with the approval of the Secretary, after
13 public notice and opportunity for comment and a finding
14 by the Secretary that such use is required for habitat im-
15 provement for fish and wildlife. Any area disturbed by
16 such motorized equipment shall be restored to contour and
17 revegetated with appropriate native plant species as expe-
18 ditiously as possible.

19 (b) The Secretary shall file the map referred to in
20 this section with the Committee on Energy and Natural
21 Resources of the United States Senate, and the Committee
22 on Interior and Insular Affairs of the United States House
23 of Representatives, and the map shall have the same force
24 and effect as if included in this Act: *Provided*, That correc-
25 tion of clerical and typographical errors in the map may

1 be made. The map shall be on file and available for public
2 inspection in the office of the Chief of the Forest Service,
3 Department of Agriculture.

4 (c) Subject to valid existing rights, all federally owned
5 lands within the area designed as “Elkhorns-2” are hereby
6 withdrawn from all forms of entry, appropriation and dis-
7 posal under the mining and public land laws, and disposi-
8 tion under the geothermal and mineral leasing laws.

9 (d) Management activities may be permitted by the
10 Secretary if compatible with the purposes for which the
11 Elkhorns National Recreation and Wildlife Area is des-
12 ignated: *Provided*, That nothing in this section shall pre-
13 clude such measures which the Secretary, in his discretion,
14 deems necessary in the event of fire, or infestation of in-
15 sects or disease.

16 (e) The Elkhorns National Recreation and Wildlife
17 Area established pursuant to this section shall be adminis-
18 tered as a component of the Helena and Deerlodge Na-
19 tional Forests. Land and resource management plans for
20 these National Forests prepared in accordance with the
21 Forest and Rangeland Renewable Resources Planning
22 Act, as amended by the National Forest Management Act,
23 shall emphasize achieving the purposes for which the area
24 is designated.

1 **SEC. 8. WILDERNESS STUDY AREAS.**

2 (a) DESIGNATION.—The following areas are hereby
3 designated as wilderness study areas and shall be man-
4 aged in accordance with the provisions of this section:

5 (1) Certain lands in the Custer National For-
6 est, comprising approximately seventeen thousand
7 acres, as generally depicted on a map entitled “Line
8 Creek Plateau Wilderness Study Area—Proposed”,
9 dated September 1991.

10 (2) Certain lands on the Gallatin National For-
11 est, comprising approximately twenty-one thousand
12 five hundred acres, as generally depicted on a map
13 entitled “Sawtooth Mountain Wilderness Study
14 Area—Proposed”, dated September 1991.

15 (3) Certain lands in the Lolo National Forest
16 which comprise approximately twenty-two thousand
17 acres, as generally depicted on a map entitled
18 “Sheep Mountain Wilderness Study Area—Pro-
19 posed”, dated November 1991.

20 (4) Certain lands in the Flathead National For-
21 est which comprise approximately thirty eight thou-
22 sand acres, as generally depicted on a map entitled
23 “Thompson-Seton Wilderness Study Area—Pro-
24 posed”, dated November 1991.

25 (b) Not later than five years after the date of enact-
26 ment of this Act, the Secretary shall submit a report to

1 the Committee on Energy and Natural Resources of the
2 United States Senate and the Committee on Interior and
3 Insular Affairs of the United States House of Representa-
4 tives containing recommendations as to whether the areas
5 designated in subsection (a) should be added as compo-
6 nents of the National Wilderness Preservation System.

7 (c)(1) Subject to valid existing rights and except as
8 provided in paragraph (2), the wilderness study areas des-
9 ignated in subsection (a) shall be managed to protect their
10 suitability for inclusion in the National Wilderness Preser-
11 vation System for a period of seven years from the date
12 of enactment of this Act. At the end of such seven-year
13 period, the areas shall be managed, subject to valid exist-
14 ing rights, in accordance with the applicable land and re-
15 source management plans.

16 (2) Subject to valid existing rights, the Thompson-
17 Seton Wilderness study area shall be managed to protect
18 its suitability for inclusion in the National Wilderness
19 Preservation System until Congress determines otherwise.

20 (d) The Secretary shall file the maps referred to in
21 this section with the Committee on Interior and Insular
22 Affairs, United States House of Representatives, and the
23 Committee on Energy and Natural Resources, United
24 States Senate, and each such map shall have the same
25 force and effect as if included in this Act: *Provided, That*

1 correction of clerical and typographical errors in these
2 maps may be made. Each map shall be on file and avail-
3 able for public inspection in the office of the Chief of the
4 Forest Service and the Region I Forester.

5 **SEC. 9. BADGER-TWO MEDICINE AREA.**

6 (a)(1) Subject to valid existing rights, all federally
7 owned lands as depicted on a map entitled “Badger-Two
8 Medicine Area”, dated September 1991, comprising ap-
9 proximately one hundred sixteen thousand six hundred
10 acres, are withdrawn from all forms of entry, appropria-
11 tion, and disposal under the mining and public land laws
12 and from disposition under the geothermal and mineral
13 leasing laws. Until otherwise directed by Congress, the
14 Secretary shall manage this area so as to protect its cur-
15 rently existing wilderness qualities.

16 (2) Nothing in this section shall preclude the gather-
17 ing of timber by the Blackfeet Tribe (the “Tribe”) in exer-
18 cise of valid treaty rights within the Badger-Two Medicine
19 Area.

20 (3)(A) With respect to oil and gas leases on Federal
21 lands within the Badger-Two Medicine Area, no surface
22 disturbance shall be permitted pursuant to such leases
23 until Congress determines otherwise.

24 (B) Notwithstanding any other law, the term of any
25 oil and gas lease subject to the limitations imposed by this

1 section shall be extended for a period of time equal to the
2 term that such limitation remains in effect.

3 (b) The Secretary shall conduct a review of this area
4 in accordance with the Wilderness Act of 1964 and the
5 following provisions. Not later than five years after the
6 date of enactment of this Act, the Secretary shall report
7 his findings to Congress. In conducting this review:

8 (1) The Secretary shall establish a committee
9 composed of representatives of the Blackfeet Tribal
10 Business Council, the Blackfeet Tribal traditional-
11 ists, the National Park Service, and representatives
12 of the user public including environmental groups
13 and representatives of user industry groups (the
14 “committee”). The committee shall regularly advise
15 the Secretary during the preparation of the report
16 required in subsection (b) and submit its findings to
17 Congress concurrently with those of the Secretary.

18 (2) Special consideration shall be given to the
19 religious, wilderness and wildlife uses of the area,
20 taking into account any treaties the United States
21 has entered into with the Blackfeet Nation.

22 (3) In consultation with the committee, the Sec-
23 retary shall establish a process to provide informa-
24 tion to the Tribe and interested public about options

1 for future designation of the Badger-Two Medicine
2 Area.

3 **SEC. 10. LANDS ADMINISTERED BY BUREAU OF LAND MAN-**
4 **AGEMENT.**

5 (a) FINDING.—The Congress has reviewed the suit-
6 ability of the Bitter Creek Wilderness Study Area (MT-
7 064-356, BLM Wilderness Study Number) and approxi-
8 mately two thousand five hundred acres of the Axolotl
9 Lakes Wilderness Study Area (MT-076-069, BLM Wil-
10 derness Study Number) as generally depicted on a map
11 entitled “Axolotl Lakes WSA”, dated March 1990, for wil-
12 derness designation and finds that those lands have been
13 sufficiently studied for wilderness pursuant to section 603
14 of the Federal Land Policy and Management Act of 1976
15 (43 U.S.C. 1782).

16 (b) DIRECTION.—The areas described in subsection
17 (a) shall no longer be subject to the requirement of section
18 603(c) of the Federal Land Policy and Management Act
19 of 1976 pertaining to management in a manner that does
20 not impair suitability for preservation as wilderness.

21 (c) Administrative jurisdiction over those lands des-
22 igned as wilderness pursuant to paragraphs (3) and (26)
23 of section 3(a) of this Act, and which, as of the date of
24 enactment of this Act, are administered by the Bureau

1 of Land Management, is hereby transferred to the Forest
2 Service.

3 **SEC. 11. MISCELLANEOUS PROVISIONS.**

4 (a) Those lands comprising the Rattlesnake National
5 Recreation Area and Wilderness, as designated in Public
6 Law 96–476 are hereby redesignated as the “Rattlesnake
7 National Education and Recreation Area and Wilderness”.

8 (b) Those lands comprising approximately twenty
9 four thousand acres, as generally depicted on a map enti-
10 tled “Gibson Reservoir Withdrawal Area—Proposed”,
11 dated November 1991, are hereby withdrawn from all
12 forms of entry, appropriation and disposal under the min-
13 ing and public land laws, and disposition under the geo-
14 thermal and mineral leasing laws.

15 (c) All acreages cited in this Act are approximate and
16 in the event of discrepancies between cited acreage and
17 the lands depicted on referenced maps, the maps shall
18 control.

19 (d) It is the policy of Congress that the Forest Serv-
20 ice acquire and maintain reasonable public access to Na-
21 tional Forest System lands in the State of Montana.

22 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to be appropriated—

24 (1) such sums as are necessary for the develop-
25 ment of a wilderness education and ranger training

1 complex at the Ninemile Ranger Station, Lolo Na-
2 tional Forest, Montana; and
3 (2) such sums as are necessary to carry out this
4 Act.

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