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SENATE

{ REPORT
113-165

FOREST JOBS AND RECREATION

MAY 22, 2014.—Ordered to be printed

Ms. LANDRIEU, from the Committee on Energy and Natural Resources, submitted the following

R E P O R T

[To accompany S. 37]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 37) 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, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Forest Jobs and Recreation Act of 2013”.

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

Sec. 1. Short title; table of contents.

TITLE I—MONTANA FOREST JOBS AND RESTORATION INITIATIVE

- Sec. 101. Purpose.
- Sec. 102. Definitions.
- Sec. 103. Montana Forest Jobs and Restoration Pilot Initiative.
- Sec. 104. Authorized forest and watershed restoration projects.
- Sec. 105. Miscellaneous.

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

- Sec. 201. Purposes.
- Sec. 202. Definitions.
- Sec. 203. Designation of wilderness areas.
- Sec. 204. Administration of wilderness areas.
- Sec. 205. Release of Bureau of Land Management study areas.
- Sec. 206. Release of Sapphire and West Pioneer Wilderness Study Areas.
- Sec. 207. Special management and recreation management areas.
- Sec. 208. All-terrain-vehicle study and report.

TITLE I—MONTANA FOREST JOBS AND RESTORATION INITIATIVE

SEC. 101. PURPOSE.

The purpose of this title is to establish an initiative—

- (1) to preserve and create local jobs in rural communities that are located in or near National Forest System land;
- (2) to create an immediate, predictable, and increased flow of wood fiber with commercial value to support and maintain locally based infrastructure and economies that are necessary for the appropriate management and restoration of National Forest System land;
- (3) to promote cooperation and collaboration in the management of National Forest System land;
- (4) to restore and improve the ecological structure, composition, and function and the natural processes of priority watersheds within the National Forest System;
- (5) to carry out collaborative projects to reduce the risk of disturbances from fire, insects, and disease to communities, watersheds, and natural resources through a collaborative process of planning, prioritizing, and implementing ecological restoration and hazardous fuel reduction projects; and
- (6) to collect information from the projects carried out under this title in an effort to better understand the manner in which to improve forest restoration and management activities.

SEC. 102. DEFINITIONS.

In this title:

- (1) AUTHORIZED FOREST AND WATERSHED RESTORATION PROJECT.—The term “authorized forest and watershed restoration project” means a collection of activities within a watershed area that are carried out—
 - (A) on eligible land; and
 - (B) to achieve the purposes of this title.
- (2) DECOMMISSION.—The term “decommission” means—
 - (A) to reestablish vegetation on a road or trail; and
 - (B) to restore any natural drainage, watershed function, or other ecological processes that are disrupted or adversely impacted by the road or trail by removing or hydrologically disconnecting the road prism.
- (3) ELIGIBLE LAND.—The term “eligible land” means—
 - (A) land within the approximately 1,900,000 acres of land in the Beaverhead-Deerlodge National Forest designated as “Suitable for Timber Production” and “Timber Harvest Is Allowed” as generally depicted on the map entitled “Beaverhead-Deerlodge National Forest, Revised Forest Plan, Modified Timber Harvest Classification” and dated December 10, 2008; and
 - (B) land within the Kootenai National Forest.
- (4) INITIATIVE.—The term “Initiative” means the Montana Forest Jobs and Restoration Pilot Initiative established by section 103(a).
- (5) NATIONAL FOREST.—The term “National Forest” means all or part of a unit of the National Forest System.
- (6) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.
- (7) STEWARDSHIP CONTRACT.—The term “stewardship contract” means a contract authorized under section 347 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (16 U.S.C. 2104 note; Public Law 105–277) or a successor law to carry out land management goals that meet local and rural community needs through a source that is selected on a best-value basis.
- (8) WATERSHED AREA.—The term “watershed area” means 1 or more sub-watersheds (also known as 6th code hydrologic units).

SEC. 103. MONTANA FOREST JOBS AND RESTORATION PILOT INITIATIVE.

(a) ESTABLISHMENT.—There is established the Montana Forest Jobs and Restoration Pilot Initiative under which the Secretary shall implement authorized forest and watershed restoration projects and other land management projects on eligible land to achieve—

- (1) the performance requirements under subsection (b); and
 - (2) the purposes of this title.
- (b) PERFORMANCE REQUIREMENTS.—
- (1) IN GENERAL.—Subject to subsection (g), on the eligible land, the Secretary shall place under contract for treatment of vegetation—

(A) on the Beaverhead-Deerlodge National Forest, a minimum of 5,000 acres annually until the date on which a total of 70,000 acres in the National Forest have been placed under contract; and

(B) on the Kootenai National Forest—

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

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

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

(2) PRIORITY FOR TREATMENT IN THE THREE RIVERS DISTRICT; ADJACENT RANGER DISTRICTS.—

(A) PRIORITY.—The Secretary shall seek to meet the majority of the requirements under paragraph (1)(B) by placing under contract land within the Three Rivers District of the Kootenai National Forest.

(B) ADJACENT RANGER DISTRICTS.—The Secretary may place under contract land in the Libby District, the Rexford District, or the Cabinet District of the Kootenai National Forest to meet the requirements under paragraph (1)(B).

(3) QUALIFIED TREATMENTS.—To meet the requirements under paragraph (1), treatments shall—

(A) reduce the density of trees in a project area or reduce hazardous fuels;

(B) be accomplished through the cutting of vegetation with mechanized equipment or by hand with a power saw; and

(C) primarily yield products that have commercial value in local markets.

(4) LIMITATION.—Prescribed fire may not be used to accomplish the qualified treatments of vegetation required under paragraph (1).

(c) COLLABORATION.—

(1) IN GENERAL.—For each National Forest within the Initiative, the Secretary may identify 1 or more collaborative groups or resource advisory committees that support the achievement of the purposes of this title.

(2) COMPOSITION.—A collaborative group or resource advisory committee identified under paragraph (1) shall include multiple interested persons representing diverse interests in forest and watershed management.

(3) CONSULTATION.—The Secretary shall consult with any collaborative groups or resource advisory committees identified under paragraph (1) in the development and implementation of each authorized forest and watershed restoration project carried out under the Initiative.

(4) EXPANSION.—The Secretary shall seek to expand the public participation and diversity of interests involved in the implementation of authorized forest and watershed restoration projects on the eligible land through the Initiative.

(d) ADMINISTRATIVE AND JUDICIAL REVIEW.—

(1) PREDECISIONAL OBJECTION PROCESS.—The Secretary shall apply section 105(a) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515(a)) to proposed actions of the Forest Service concerning authorized forest and watershed restoration projects.

(2) ADMINISTRATIVE REVIEW.—A person may bring a civil action challenging an authorized forest and watershed restoration project in a Federal district court only in accordance with the provisions of section 105(c) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6515(c)).

(3) JUDICIAL REVIEW.—Any judicial proceeding of a civil action brought in a Federal District court against an authorized forest and watershed restoration project shall be conducted in accordance with section 106 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6516).

(e) REPORTS.—

(1) COMPLIANCE REPORT.—Not later than 180 days after the end of any fiscal year in which the Secretary fails to meet the performance requirements under subsection (b)(1), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes—

(A) a description of the work carried out for the fiscal year on the eligible land;

(B) a detailed explanation of the reasons why the performance requirements described in subsection (b)(1) were not met; and

(C) any specific actions the Secretary plans to take in the subsequent year to ensure that the performance requirements described in subsection (b)(1) are met.

(2) PROGRESS REPORT.—

(A) IN GENERAL.—Not later than 5 years after the date of enactment of this Act and every 5 years thereafter until the date on which the Initiative is terminated under subsection (h), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives, and make available to the public, a report that assesses the progress of the Initiative toward accomplishing the purposes of this title.

(B) INCLUSIONS.—The report under subparagraph (A) shall include—

(i) an analysis, with respect to eligible land in the Initiative, of changes in—

(I) risk from wildfire, including in the proportion of treated acres exhibiting a change in fire regime condition class;

(II) biodiversity and wildlife habitat;

(III) soil and water characteristics, including changes in road density and water quality;

(IV) economic effects, including job creation, labor income, obligations of appropriated funds, and collected receipts; and

(V) social implications, including attitudes towards land use;

(ii) recommendations concerning—

(I) the need and appropriateness of seeking permanent authorization for any of the authorities that would otherwise be terminated under subsection (h); and

(II) the need and appropriateness of expanding any of the authorities or requirements provided under this title to the National Forest System; and

(iii) an analysis of any additional measures for which the Secretary chooses to gather data and report on to determine if the Initiative is meeting the purposes of this title.

(C) DATA ANALYSIS.—In preparing the report under this paragraph, the Secretary may consult with regional institutions of higher education and institutions with the capacity to collect, coordinate, analyze, and archive the data to be used to prepare the report.

(D) LIMITATION ON LENGTH.—The report under subparagraph (A) shall not exceed 7 pages in length.

(f) FUNDING.—

(1) EFFECT ON OTHER FUNDS.—The Secretary may not divert funding from a National Forest or grassland located outside of the State of Montana to meet the performance requirements of the Initiative.

(2) REPROGRAMMING AUTHORITY.—On notifying the Senate and House Committees on Appropriations, the Secretary may reprogram any funds—

(A) made available through an appropriation for the National Forest System; and

(B) allocated to be used on the eligible land.

(g) EXPANSION OF INITIATIVE.—

(1) IN GENERAL.—The Secretary may elect to include the Seeley Ranger District of the Lolo National Forest in the Initiative, if—

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

(B) a collaborative group or resource advisory committee identified by the Secretary under subsection (c)(1) requests inclusion in the Initiative.

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

(h) TERMINATION DATE.—

(1) IN GENERAL.—The Initiative shall terminate on the later of—

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

(B) the date on which the Secretary determines that the performance requirements under subsection (b)(1) have been achieved.

(2) EFFECT.—Nothing in this subsection affects a valid contract in effect on the termination date under paragraph (1).

SEC. 104. AUTHORIZED FOREST AND WATERSHED RESTORATION PROJECTS.

(a) IMPLEMENTATION.—

(1) IN GENERAL.—The Secretary shall annually implement 1 or more authorized forest and watershed restoration projects on the eligible land.

(2) LANDSCAPE-SCALE PROJECTS.—The Secretary shall implement in 1 or more watershed areas authorized forest and watershed restoration projects in a man-

ner that provides landscape-scale work with the goal of minimizing entries into the watershed.

(3) STEWARDSHIP CONTRACTS.—The Secretary may enter into stewardship contracts or agreements to carry out authorized forest and watershed restoration projects.

(4) PRIORITIZATION.—

(A) IN GENERAL.—Consistent with the purposes of this title, the Secretary shall give priority to carrying out authorized forest and watershed restoration projects in areas—

- (i) in which the road density exceeds 1.5 miles per square mile;
- (ii) in the wildland-urban interface (as defined in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511)) that are at risk of wildfire that would threaten public infrastructure or private property;
- (iii) in which fish and wildlife habitat connectivity is compromised as a result of past management practices; and
- (iv) that contain forests that are identified on the National Insect and Disease Risk Map as having a significant risk of tree mortality.

(B) EFFECT.—Nothing in this paragraph precludes the Secretary from carrying out authorized forest and watershed restoration projects on other land as necessary to fulfill—

- (i) the purposes of this title; and
- (ii) the performance requirements under section 103(b)(1).

(5) ENVIRONMENTAL REVIEW.—An environmental review of an authorized forest and watershed restoration projects shall be carried out in accordance with the provisions for hazardous fuel reduction projects set forth in section 104 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6514), except that—

(A) in addition to the requirements of that section, the review shall address whether the proposed authorized forest and watershed restoration projects meets the purposes and requirements of this title;

(B) on signing of a decision document for the authorized forest and watershed restoration project, the Secretary shall implement the authorized forest and watershed restoration project;

(C) the predecisional objection process promulgated under part 218 of title 36, Code of Federal Regulations (and successor regulations), shall apply; and

(D) if the Secretary or a court determines that additional review is warranted due to significant new circumstances after implementation of an authorized forest and watershed restoration project has begun, the additional analysis shall not interrupt the implementation of the activities that are not subject to the additional review, in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) PROJECT REQUIREMENTS.—

(1) RIPARIAN HABITAT PROTECTION.—The Secretary may develop an aquatic and riparian habitat protection strategy to modify the aquatic and riparian conservation requirements in existing forest plans, if the Secretary determines, after considering the best available science, that the modifications would meet or exceed the aquatic and riparian protection requirements in the existing forest plans.

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

(A) not construct any permanent road, unless—

- (i) the Secretary determines that the road is a justifiable realignment of a permanent road to restore or improve the ecological structure, composition, and function and the natural processes of the affected forest or watershed; and
- (ii) the replaced road bed is decommissioned by removing the road prism;

(B) decommission any temporary road constructed to carry out the land management project by the conclusion of the contract; and

(C) decommission National Forest System roads and unauthorized roads—

- (i) subject to appropriations; and
- (ii) consistent with the analysis required by subparts A and B of part 212 of title 36, Code of Federal Regulations.

(3) VEGETATION MANAGEMENT.—The Secretary shall design authorized forest and watershed restoration projects to produce commercial and noncommercial wood products, consistent with the purposes of this title.

SEC. 105. MISCELLANEOUS.

(a) **IN GENERAL.**—Except as otherwise provided in this title, the Secretary shall administer the National Forests subject to the Initiative in accordance with applicable law.

(b) **AGENCY PARTICIPATION.**—The Secretary may, in accordance with applicable law, permit a Field Manager from each applicable Bureau of Land Management office, the Seeley Lake District Ranger of the Lolo National Forest, and the Lincoln District Ranger of the Helena National Forest to serve on the Board of Directors of the Blackfoot Challenge in the official capacities of the Bureau of Land Management and the districts, respectively.

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

SEC. 201. PURPOSES.

The purposes of this title are—

- (1) to protect and enhance motorized recreational opportunities in the Beaverhead-Deerlodge National Forest, the Lolo National Forest, and the Kootenai National Forest; and
- (2) 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 semi-primitive recreational activities.

SEC. 202. DEFINITIONS.

In this title:

- (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) **DESIGNATED ROAD, TRAIL, OR AREA.**—The term “designated road, trail, or area” has the meaning given the term in section 212.1 of title 36, Code of Federal Regulations (or a successor regulation).
- (3) **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).
- (4) **SECRETARY CONCERNED.**—The term “Secretary concerned” means—
 - (A) the Secretary of Agriculture, acting through the Chief of the Forest Service, 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.

SEC. 203. DESIGNATION OF WILDERNESS AREAS.

(a) **LAND ADMINISTERED BY THE FOREST SERVICE.**—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 PINTLER WILDERNESS ADDITIONS.**—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 65,407 acres, as generally depicted on the map entitled “Anaconda-Pintler Wilderness Additions” and dated December 17, 2013, is incorporated in, and shall be considered to be a part of, the Anaconda-Pintler Wilderness.
- (2) **BOB MARSHALL WILDERNESS ADDITIONS.**—Certain land in the Lolo National Forest, comprising approximately 40,072 acres generally depicted as the “North Fork Blackfoot-Monture Creek Wilderness Addition (Bob Marshall Addition)” and approximately 7,792 acres generally depicted as the “Grizzly Basin of the Swan Range Wilderness Addition” on the map entitled “Bob Marshall, Mission Mountains and Scapegoat Wilderness Additions and Otatsy Recreation Management Area” and dated December 17, 2013, is incorporated in, and shall be considered to be a part of, the Bob Marshall Wilderness.
- (3) **DOLUS LAKES WILDERNESS.**—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 9,407 acres, as generally depicted on

the map entitled “Dolus Lakes Wilderness” and dated December 17, 2013, which shall be known as the “Dolus Lakes Wilderness”.

(4) EAST PIONEERS WILDERNESS.—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 77,438 acres, as generally depicted on the map entitled “East Pioneers Wilderness” and dated December 17, 2013, which shall be known as the “East Pioneers Wilderness”.

(5) ELECTRIC PEAK WILDERNESS.—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 4,992 acres, as generally depicted on the map entitled “Electric Peak Wilderness and Thunderbolt Creek Recreation Management Area” and dated December 17, 2013, which shall be known as the “Electric Peak Wilderness”.

(6) HIGHLANDS WILDERNESS.—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 15,659 acres, as generally depicted on the map entitled “Highlands Wilderness Area and Special Management Area” and dated December 17, 2013, which shall be known as the “Highlands Wilderness”.

(7) ITALIAN PEAKS WILDERNESS.—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 29,677 acres, as generally depicted on the map entitled “Italian Peaks Wilderness” and dated December 17, 2013, which shall be known as the “Italian Peaks Wilderness”.

(8) LEE METCALF WILDERNESS ADDITIONS.—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 17,201 acres, as generally depicted on the map entitled “Lee Metcalf Wilderness Additions” and dated December 17, 2013, is incorporated in, and shall be considered to be a part of, the Lee Metcalf Wilderness.

(9) LIMA PEAKS WILDERNESS.—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 35,012 acres, as generally depicted on the map entitled “Lima Peaks Wilderness” and dated December 17, 2013, which shall be known as the “Lima Peaks Wilderness”.

(10) MISSION MOUNTAINS WILDERNESS ADDITION.—Certain land in the Lolo National Forest, which comprises approximately 4,460 acres, as generally depicted as the “West Fork Clearwater Wilderness Addition” on the map entitled “Bob Marshall, Mission Mountains and Scapegoat Wilderness Additions and Otatsy Recreation Management Area” and dated December 17, 2013, is incorporated in, and shall be considered to be a part of, the Mission Mountains Wilderness designated by Public Law 93–632 (88 Stat. 2153).

(11) MOUNT JEFFERSON WILDERNESS.—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 2,110 acres, as generally depicted on the map entitled “Mount Jefferson Wilderness” and dated December 17, 2013, which shall be known as the “Mount Jefferson Wilderness”.

(12) QUIGG PEAK WILDERNESS.—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 8,275 acres, as generally depicted on the map entitled “Quigg Peak Wilderness” and dated December 17, 2013, which shall be known as the “Quigg Peak Wilderness”.

(13) RODERICK WILDERNESS.—Certain land in the Kootenai National Forest, which comprises approximately 29,467 acres, as generally depicted as the “Roderick Wilderness Area” on the map entitled “Roderick Wilderness and Special Management Area and Three Rivers Special Management Area” and dated December 17, 2013, which shall be known as the “Roderick Wilderness”.

(14) SAPPHIRES WILDERNESS.—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 43,101 acres, as generally depicted on the map entitled “Sapphires Wilderness” and dated December 17, 2013, which shall be known as the “Sapphires Wilderness”.

(15) SCAPEGOAT WILDERNESS ADDITIONS.—Certain land in the Lolo National Forest, which comprises approximately 30,967 acres, as generally depicted as the “North Fork Blackfoot-Monture Creek Wilderness Addition (Scapegoat Addition)” on the map entitled “Bob Marshall, Mission Mountains and Scapegoat Wilderness Additions and Otatsy Recreation Management Area” and dated December 17, 2013, is incorporated in, and shall be considered to be a part of, the Scapegoat Wilderness designated by Public Law 92–395 (86 Stat. 578).

(16) SNOWCREST WILDERNESS.—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 71,068 acres, as generally depicted on the map entitled “Snowcrest Wilderness” and dated December 17, 2013, which shall be known as the “Snowcrest Wilderness”.

(17) STONY MOUNTAIN WILDERNESS.—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 14,213 acres, as generally depicted on the map entitled “Stony Mountain Wilderness” and dated December 17, 2013, which shall be known as the “Stony Mountain Wilderness”.

(18) WEST BIG HOLE WILDERNESS.—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 44,156 acres, as generally depicted on the map entitled “West Big Hole Wilderness and Recreation Management Area” and dated December 17, 2013, which shall be known as the “West Big Hole Wilderness”.

(19) WEST PIONEERS WILDERNESS.—Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 26,534 acres, as generally depicted on the map entitled “West Pioneers Wilderness and Recreation Management Area” and dated December 17, 2013, which shall be known as the “West Pioneers Wilderness”.

(b) LAND ADMINISTERED BY THE BUREAU OF LAND MANAGEMENT.—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) BLACKTAIL MOUNTAINS WILDERNESS.—Certain public land administered by the Bureau of Land Management, comprising approximately 10,675 acres, as generally depicted on the map entitled “Blacktail Mountains Wilderness” and dated July 27, 2010, which shall be known as the “Blacktail Mountains Wilderness”.

(2) CENTENNIAL MOUNTAINS WILDERNESS.—Certain public land administered by the Bureau of Land Management, comprising approximately 23,700 acres, as generally depicted on the map entitled “Centennial Mountains Wilderness” and dated June 1, 2012, which shall be known as the “Centennial Mountains Wilderness”.

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

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

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

(c) TRANSFER OF ADMINISTRATIVE JURISDICTION.—Administrative jurisdiction over certain public land administered by the Bureau of Land Management, comprising approximately 663 acres, as generally known as “Farlin Creek Administrative Transfer” depicted on the map entitled “East Pioneers Wilderness” and dated September 13, 2010, is transferred to the Secretary of Agriculture, and is incorporated in, and shall be considered to be a part of, the East Pioneers Wilderness designated by subsection (a)(4).

SEC. 204. ADMINISTRATION OF WILDERNESS AREAS.

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

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

(2) with respect to public land administered by the Bureau of Land Management, any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(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 and potential wilderness area designated by this section, with—

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

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

(2) FORCE OF LAW.—The maps and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary concerned may correct typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and the Bureau of Land Management.

(c) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land within the boundary of a wilderness area designated by section 203 that is acquired by the United States shall—

- (1) become part of the wilderness area in which the land is located; and
- (2) be managed in accordance with this section, the Wilderness Act (16 U.S.C. 1131 et seq.), and any other applicable law.

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

- (1) entry, appropriation, or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

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

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

(g) FISH AND WILDLIFE.—

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

(2) MANAGEMENT ACTIVITIES.—In furtherance of the purposes and principles of 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 a wilderness area designated by section 203 if the activities are—

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

(h) SNOW SENSORS AND STREAM GAUGES.—Nothing in this title prevents the installation or maintenance of hydrological, meteorological, or climatological instrumentation in a wilderness area designated by section 203 if the Secretary concerned determines that the installation or maintenance of the instrumentation is necessary to further the scientific, educational, or conservation purposes of the wilderness area.

(i) LIVESTOCK.—Within the wilderness areas, the grazing of livestock in which grazing is established before the date of enactment of this Act shall be allowed to continue, subject to such reasonable regulations, policies, and practices as the Secretary concerned determines to be necessary, in accordance with—

- (1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1131(d)(4));
- (2) with respect to wilderness areas administered by the Secretary of Agriculture, the guidelines described in House Report 96–617 of the 96th Congress; and
- (3) with respect to wilderness areas administered by the Secretary of the Interior, the guidelines described in Appendix A of House Report 101–405 of the 101st Congress.

(j) OUTFITTING AND GUIDE ACTIVITIES.—

(1) IN GENERAL.—In accordance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)), commercial services (including authorized outfitting and guide activities) within the wilderness areas designated by section 203 may be performed to the extent necessary for activities that are proper for realizing the recreational or other wilderness purposes of the wilderness areas.

(2) EFFECT.—Nothing in this title requires the Secretary concerned to modify permits in effect as of the date of enactment of this Act to provide outfitting and guide services within the areas designated as wilderness by section 203, if the Secretary concerned determines that the activities are in compliance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)).

(k) ADJACENT MANAGEMENT.—

(1) IN GENERAL.—The designation of a wilderness area by section 203 shall not create any protective perimeter or buffer zone around the wilderness area.

(2) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness area designated by section 203 shall not preclude the conduct of the activities or uses outside the boundary of the wilderness area.

(l) WATER IMPOUNDMENT STRUCTURES.—

(1) IN GENERAL.—The Secretary concerned may issue a special use authorization to an owner of a water storage, transport, or diversion facility located within the areas designated as wilderness by section 203 for the continued operation, maintenance, and reconstruction of the facility if—

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

(B) the Secretary concerned determines that—

(i) the facility has been in substantially continuous use to deliver water for the beneficial use on the non-Federal land of the owner since the date of the designation of the wilderness area;

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

(iii) it is not practicable or feasible to relocate the facility to land outside the boundary of the wilderness and continue the beneficial use of water on the non-Federal land recognized under State law.

(2) USE OF MOTORIZED EQUIPMENT AND MECHANIZED TRANSPORT.—The special use authorization under paragraph (1) may allow for the use of motorized equipment and mechanized transport if the Secretary concerned determines, after conducting a minimum tool analysis, that the use of nonmotorized equipment and nonmechanized transport is impracticable or infeasible.

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

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

(1) the continuation of motorized access to maintain water infrastructure for cattle that was constructed to protect fluvial Arctic Grayling and other aquatic species in the Ruby River may continue—

(A) subject to a permit; and

(B) in accordance with—

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

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

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

(A) subject to—

(i) a permit; and

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

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

SEC. 205. 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 203 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 Farlin Creek Wilderness Study Area;
- (6) the Henneberry Ridge Wilderness Study Area;
- (7) the Hidden Pasture Wilderness Study Area;
- (8) the Humbug Spires Wilderness Study Area; and
- (9) 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 203—

(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. 206. RELEASE OF SAPPHIRE AND WEST PIONEER WILDERNESS STUDY AREAS.**(a) FINDINGS.—Congress finds that—**

(1) 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

(2) 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 the portion of each study area described in subsection (b) that is not designated as wilderness by section 203 to ensure the suitability of the area for designation as a component of the National Wilderness Preservation System pending revision of the applicable forest plan.

(b) DESCRIPTION OF STUDY AREAS.—The study areas referred to in subsection (a) are those portions of the following wilderness study areas which are not designated as wilderness by section 203:

(1) The portion of the Sapphire Wilderness Study Area that is located on 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).

(2) 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).

SEC. 207. SPECIAL MANAGEMENT AND RECREATION MANAGEMENT AREAS.

(a) DESIGNATION.—To conserve, protect, and enhance the scenic, fish and wildlife, recreational, backcountry heritage, and other natural resource values of the areas, the following areas in the State are designated for special management by the Secretary concerned in accordance with this section:

(1) **HIGHLANDS SPECIAL MANAGEMENT AREA.—**Certain Federal land in the Beaverhead-Deerlodge National Forest, comprising approximately 5,011 acres, as generally depicted on the map entitled “Highlands Wilderness Area and Special Management Area” and dated September 13, 2010, which is designated as the “Highlands Special Management Area”.

(2) **LOST CREEK RECREATION MANAGEMENT AREA.—**Certain Federal land in the Beaverhead-Deerlodge National Forest, comprising approximately 14,589 acres, as generally depicted on the map entitled “Lost Creek Recreation Management Area” and dated September 13, 2010, which is designated as the “Lost Creek Recreation Management Area”.

(3) **OTATSY RECREATION MANAGEMENT AREA.—**Certain Federal land in the Lolo National Forest, comprising approximately 1,859 acres, as generally depicted on the map entitled “Bob Marshall, Mission Mountains and Scapegoat Wilderness Additions and Otatsy Recreation Management Area” and dated September 13, 2010, which is designated as the “Otatsy Recreation Management Area”.

(4) **RODERICK SPECIAL MANAGEMENT AREA.—**Certain Federal land in the Kootenai National Forest, comprising approximately 3,715 acres, as generally depicted on the map entitled “Roderick Wilderness and Special Management Area and Three Rivers Special Management Area” and dated September 13, 2010, which is designated as the “Roderick Special Management Area”.

(5) **SNOWCREST SPECIAL MANAGEMENT AREA.—**Certain Federal land in the Beaverhead-Deerlodge National Forest, comprising approximately 20,493 acres, as generally depicted on the map entitled “Snowcrest Special Management Area” and dated December 17, 2013, which is designated as the “Snowcrest Special Management Area”.

(6) **THREE RIVERS SPECIAL MANAGEMENT AREA.—**Certain Federal land in the Kootenai National Forest, comprising approximately 71,994 acres, as generally depicted on the map entitled “Roderick Wilderness and Special Management Area and Three Rivers Special Management Area” and dated September 13, 2010, which is designated as the “Three Rivers Special Management Area”.

(7) **THUNDERBOLT CREEK RECREATION MANAGEMENT AREA.—**Certain Federal land in the Beaverhead-Deerlodge National Forest, comprising approximately 20,432 acres, as generally depicted on the map entitled “Electric Peak Wilderness and Thunderbolt Creek Recreation Management Area” and dated September 13, 2010, which is designated as the “Thunderbolt Recreation Management Area”.

(8) **TOBACCO ROOTS RECREATION MANAGEMENT AREA.—**Certain Federal land in the Beaverhead-Deerlodge National Forest, comprising approximately 29,186 acres, as generally depicted on the map entitled “Tobacco Roots Recreation

Management Area” and dated September 13, 2010, which is designated as the “Tobacco Roots Recreation Management Area”.

(9) WEST BIG HOLE RECREATION MANAGEMENT AREA.—Certain Federal land in the Beaverhead-Deerlodge National Forest comprising approximately 95,144 acres, as generally depicted on the map entitled “West Big Hole Wilderness and Recreation Management Area” and dated September 13, 2010, which is designated as the “West Big Hole Recreation Management Area”.

(10) WEST PIONEERS RECREATION MANAGEMENT AREA.—Certain Federal land in the Beaverhead-Deerlodge National Forest, comprising approximately 128,361 acres, as generally depicted on the map entitled “West Pioneers Wilderness and Recreation Management Area” and dated September 13, 2010, which is designated as the “West Pioneers Recreation Management Area”.

(b) ADMINISTRATION.—

(1) APPLICABLE LAW.—

(A) IN GENERAL.—The Secretary concerned shall administer each area designated by subsection (a)—

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

(ii) in accordance with—

(I) this section; and

(II) any laws (including regulations) relating to the National Forest System.

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

(i) to protect a natural resource; or

(ii) to help ensure public safety.

(2) WITHDRAWAL.—Subject to valid existing rights, any Federal land within an area designated by subsection (a) (including any Federal land acquired after the date of enactment of this Act for inclusion in an area designated by subsection (a)) is withdrawn from all forms of—

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

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

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

(3) TIMBER HARVESTING.—

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

(B) FIRE, INSECTS, AND DISEASE.—Timber harvesting may be permitted in an area designated by subsection (a) to the extent consistent with protecting and preserving the purposes of the areas designated by subsection (a) for purposes relating to the necessary control of fire, insects, and disease.

(4) USE OF MOTORIZED OR MECHANIZED VEHICLES.—

(A) IN GENERAL.—Nothing in this section affects the use of motorized or mechanized vehicles that the Secretary concerned determines is necessary for administrative use or to respond to an emergency.

(B) MECHANIZED VEHICLES, PEDESTRIANS, AND HORSE TRAVEL.—Except as authorized under subsection (c), nothing in this section prohibits—

(i) the use of mechanized vehicles, access by pedestrians, or horse travel within the areas designated by subsection (a); or

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

(5) FIREWOOD.—The Secretary concerned may allow for the collection of firewood for noncommercial personal use within the areas designated by subsection (a)—

(A) in accordance with any applicable laws; and

(B) subject to such terms and conditions as the Secretary concerned determines to be appropriate.

(c) AREA SPECIFIC MANAGEMENT REQUIREMENTS.—

(1) HIGHLANDS SPECIAL MANAGEMENT AREA.—

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

(B) MOTORIZED AND MECHANIZED RECREATION.—Except as provided in subparagraph (C), and as necessary for administrative use or to respond to an emergency, the use of motorized or mechanized vehicles within the Highlands Special Management Area shall be prohibited.

(C) TRANSMISSION TOWERS AND MUNICIPAL WATER PIPELINES.—Nothing in this section affects—

- (i) the reasonable access of the government of the applicable county to operate and maintain the communication site located on Table Mountain under a special use permit issued by the Forest Service; and
- (ii) the reasonable access of the city of Butte, Montana, to operate, maintain, and if necessary, upgrade or replace the water supply pipeline within the Highlands Special Management Area 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).

(D) HELICOPTER LANDINGS.—Nothing in this section precludes or restricts the authority of the Secretary concerned to enter into agreements with the Secretary of Defense or the Montana National Guard to authorize limited and scheduled landings of aircraft in the Highlands Special Management Area.

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

(A) MOTORIZED RECREATION.—Subject to any terms and conditions the Secretary concerned determines to be necessary, the use of motorized vehicles within the Lost Creek, Thunderbolt, and West Pioneers Recreation Management Areas shall be limited to—

- (i) roads, trails, or areas that, as of the date of enactment of this Act, are designated roads, trails, or areas; and
- (ii) during periods of adequate snow cover, the areas authorized for snowmobile use as of the date of enactment of this Act.

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

(3) OTATSY RECREATION MANAGEMENT AREA.—

(A) MOTORIZED AND MECHANIZED RECREATION.—

(i) IN GENERAL.—The use of motorized and mechanized vehicles in the Otatsy Recreation Management Area shall be permitted only on the roads, trails, and areas that are designated for use by motorized and mechanized vehicles by the management plan required under subparagraph (B).

(ii) INTERIM MANAGEMENT.—Until the date on which the management plan required under subparagraph (B) is approved, and subject to any terms and conditions that the Secretary concerned determines to be necessary, the use of motorized or mechanized vehicles in the Otatsy Recreation Management Area shall be limited to the roads and trails designated for such use as of the date of enactment of this Act, except that during periods of adequate snow cover, the use of snowmobiles shall be allowed within the Otatsy Recreation Management Area.

(B) MANAGEMENT PLAN.—The Secretary concerned shall prepare a management plan for the Otatsy Recreation Management Area as part of the first revision of the applicable forest plan that is carried out after the date of enactment of this Act.

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

(A) MOTORIZED AND MECHANIZED RECREATION.—Except as provided in subparagraphs (B) and (C), the use of motorized or mechanized vehicles within the Three Rivers Special Management Area and the Roderick Special Management Area shall be limited to the roads on which use by highway legal vehicles is permitted as of the date of enactment of this Act.

(B) SNOWMOBILE AREA.—Subject to any terms and conditions the Secretary concerned determines to be necessary, during periods of adequate snow cover, the use of snowmobiles shall be allowed in the areas designated as “motorized” in the map entitled “Roderick Wilderness and Special Management Area and Three Rivers Special Management Area” and dated December 17, 2013.

(C) GAME CARTS.—The Secretary concerned may authorize the use of nonmotorized game carts in the area identified as “Roderick Special Management Area” on the map described in subparagraph (B).

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

(5) SNOWCREST SPECIAL MANAGEMENT AREA.—The Secretary concerned may authorize the use of nonmotorized game carts within the Snowcrest Special Management Area.

(6) TOBACCO ROOTS RECREATION MANAGEMENT AREA.—Subject to any terms and conditions that the Secretary concerned determines to be necessary, the use

of motorized vehicles shall be limited to the roads and trails in the Tobacco Roots Recreation Management Area designated for such use as of the date of enactment of this Act.

(7) WEST BIG HOLE RECREATION MANAGEMENT AREA.—

(A) **MOTORIZED RECREATION.**—Subject to any terms and conditions the Secretary concerned determines to be necessary, the use of motorized vehicles within the West Big Hole Recreation Management Area shall be limited to—

(i) the roads, trails, and areas that, as of the date of enactment of this Act, are designated roads, trails, or areas; and

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

(B) **TIMBER HARVEST.**—The Secretary concerned may authorize post and pole, firewood, and fuel reduction timber projects in the West Big Hole Recreation Management Area, subject to such terms and conditions that the Secretary concerned determines to be appropriate.

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

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

(1) the opportunities for expanded all-terrain vehicle roads and trails across the Three Rivers District and adjacent areas on the Kootenai National Forest;

(2) the interconnectedness of roads on private or State land; and

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

PURPOSE

The purposes of S. 37 are to direct the Forest Service to conduct certain restoration treatments, to designate Federal land in Montana as wilderness and other special management areas, and to release certain wilderness study areas.

BACKGROUND AND NEED

In recent years, stakeholders interested in the management of the Beaverhead-Deerlodge National Forest, including both timber industry representatives and conservationists, developed a proposal to increase timber harvests through projects designed to restore the ecological conditions of the National Forest and projects designed to reduce the amount of vegetation that could serve as a fuel source for wildfires. The proposal also included a list of potential areas to be designated as wilderness areas or other protected areas. The Beaverhead-Deerlodge National Forest is the largest of the national forests in Montana and covers 3.6 million acres scattered across the southwest corner of the State.

Similarly, but separately, stakeholder groups developed proposals for expediting forest management and conservation efforts on the Three Rivers District of the Kootenai National Forest and the Seeley Lake District of the Lolo National Forest. The Kootenai National Forest covers 2.1 million acres in northwest Montana and northeast Idaho; the Three Rivers District occupies the land adjacent to the Montana-Idaho and U.S.-Canada borders. The Lolo National Forest covers 2.6 million acres near the middle of the western border of Montana; the Seeley Lake District occupies the land northeast of Missoula, Montana.

As ordered reported, S. 37 would direct the Secretary of Agriculture (Secretary) to implement the key aspects of the proposals, which will increase and make predictable the quantity of timber sold from these National Forests, to designate new areas for recreation, and to add land to the National Wilderness Preservation System. The Secretary would establish an initiative under which 70,000 acres on the Beaverhead-Deerlodge National Forest and

30,000 acres on the Kootenai National Forest would be placed under contract for treatment. Title II of S. 37 would designate approximately 642,700 acres of Federal lands administered by the Forest Service and the Bureau of Land Management as wilderness, and approximately 390,775 acres of National Forest lands as special management areas.

LEGISLATIVE HISTORY

Senator Tester introduced S. 37 on January 22, 2013. Senator Walsh is a cosponsor. The Subcommittee on Public Lands, Forests, and Mining held a hearing on S. 37 on July 30, 2013 (S. Hrg. 113–85). At its business meeting on December 19, 2013, the Committee ordered the bill favorably reported with an amendment in the nature of a substitute. Senators Murkowski, Barrasso, Lee, Heller, Flake, Scott, Hoeven, and Portman asked to be recorded as voting no.

A similar bill, S. 268, was introduced by Senators Tester and Baucus in the 112th Congress. Senator Inouye was also a cosponsor. The Subcommittee on Public Lands and Forests held a hearing on S. 268 on May 25, 2011 (S. Hrg. 112–131). In the 111th Congress, similar legislation, S. 1470, was introduced by Senators Tester and Baucus. The Subcommittee on Public Lands and Forests held a hearing on S. 1470 on December 17, 2009 (S. Hrg. 111–364). Similar language was also included in Title VII of Division G of Senate Amendment 4805 to H.R. 3082 (Continuing Appropriations and Surface Transportation Extensions Act, 2011), but the Senate took no action on that amendment. Later in the 111th Congress, similar legislation, S. 4049, was introduced by Senator Tester on December 18, 2010; however, no further action was taken on that bill.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in an open business session on December 19, 2013, by a voice vote of a quorum present, recommended that the Senate pass S. 37, if amended as described herein.

COMMITTEE AMENDMENT

During its consideration of S. 37, the committee adopted an amendment in the nature of a substitute. In addition to making several technical, clarifying, and conforming edits, the amendment: enables the Secretary of Agriculture to increase stream protections in project areas if an increase is determined to be warranted, specifies that projects that would be completed under the Montana Forest Jobs and Restoration Pilot Initiative would utilize the administrative and judicial review provisions in the Healthy Forest Restoration Act of 2003, makes the reporting requirements of the bill less burdensome, and updates the map references of the lands to be designated as Recreation Management Areas or Wilderness areas to reflect boundary and acreage adjustments.

The amendment is explained in detail in the section-by-section analysis, below.

SECTION-BY-SECTION ANALYSIS

Section 1 contains the short title, the “Forest Jobs and Recreation Act of 2013.”

Title I

Section 101 lists that the purposes of this title are to create jobs, to make more predictable the rate of forest products harvesting, to encourage collaborative approaches to land management, to restore the condition of watersheds, to reduce risks posed by fire, and to use monitoring to improve management.

Section 102 defines key terms and map references used in the bill.

Section 103(a) establishes the Montana Forest Jobs and Restoration Pilot Initiative as the way to achieve the purposes of this Title.

Subsection (b) requires the Secretary to treat 70,000 acres on the Beaverhead-Deerlodge National Forest and 30,000 acres on the Kootenai National Forest. On this land, the Secretary is to reduce the density of the standing trees in an effort to decrease the risk posed by fire. Moreover, this treatment is to be conducted in a manner that primarily yields commercial forest products.

Subsection (c) enables the Secretary to consult with groups, comprised of individuals representing diverse interests, in developing projects.

Subsection (d) extends the administrative and judicial review provisions, which govern projects conducted under the Healthy Forests Restoration Act of 2003, to the projects authorized in this bill.

Subsection (e) requires the Secretary to report to Congress every year in which the Secretary fails to comply with the performance requirements in this bill, and more comprehensively every five years after the date of enactment. To ensure the Secretary prioritizes the preparation and implementation of projects over the writing of these reports, the more comprehensive report is limited in length to seven pages.

Subsection (f) enables the Secretary to use funds from various budget line items within the National Forest System appropriation to realize the performance requirements in this bill; however, the Secretary is prohibited from diverting funding from National Forests located outside the State of Montana to complete work on the lands identified in this bill.

Subsection (g) enables the initiative to be expanded to the Seeley Ranger District of the Lolo National Forest.

Subsection (h) requires that the Montana Forest Jobs and Restoration Pilot Initiative terminate fifteen years after the date of enactment or when the treatments required in this bill have been completed.

Section 104(a) requires the Secretary to give priority to watershed restoration projects that would be conducted in areas with existing roads, in areas that are located close to communities at risk of wildfire, and in areas that contain trees likely to be killed by insects or disease.

Subsection (b) establishes that the stream protections currently required for restoration projects can be modified, but they cannot be made to be less restrictive than their present state. Subsection

(b) also prohibits the Secretary from constructing any additional permanent roads to implement projects.

Section 105(a) specifies that the Secretary must still adhere to all other laws, such as the National Environmental Policy Act and the Endangered Species Act, when carrying out restoration projects under the Montana Forest Jobs and Restoration Pilot Initiative.

Subsection (b) clarifies that employees from the Bureau of Land Management and the Forest Service may serve on the Board of Directors of the Blackfoot Challenge, a non-profit organization that coordinates multi-party conservation efforts in the Blackfoot Watershed.

Title II—Designation of Wilderness and Special Management Areas

Section 201 sets forth the purposes of the title, which are to protect and enhance motorized recreational opportunities in the Beaverhead-Deerlodge, Lolo, and Kootenai National Forests in Montana, and to protect the wild heritage and backcountry traditions of the State through designation of certain lands as wilderness or other special management designations that preserve existing primitive and semi-primitive recreational activities.

Section 202 defines key terms used in the title.

Section 203(a) designates approximately 569,216 acres of National Forest lands in Montana as additions to the National Wilderness Preservation System.

Subsection (b) designates approximately 65,700 acres of lands administered by the Bureau of Land Management as additions to the National Wilderness Preservation System.

Subsection (c) transfers administrative jurisdiction over approximately 663 acres of lands administered by the Bureau of Land Management to the Forest Service, to be managed as part of the East Pioneers Wilderness designated in subsection (a).

Section 204 provides for the management of the wilderness areas designated in section 203.

Subsection (a) states that the wilderness areas 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 date of enactment shall be considered to be a reference to the date of enactment of this Act and, with respect to wilderness areas administered by the Bureau of Land Management, any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

Subsection (b) directs the Secretary concerned to file a map and legal description of each wilderness area designated by this Act with the House and Senate authorizing committees, and to make the maps and legal descriptions publically available in the appropriate offices of the Forest Service and the Bureau of Land Management.

Subsection (c) provides that any land within a wilderness area which is acquired by the United States shall become part of the wilderness area in which it is located and shall be managed in accordance with the Wilderness Act and other applicable law.

Subsection (d) withdraws the Federal land designated as wilderness in section 203 entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the mining

laws; and from disposition under all laws pertaining to mineral or geothermal leasing, or mineral materials.

Subsection (e) provides that, in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1134(d)(1)), the Secretary concerned may take such actions within wilderness areas designated by section 203 as are necessary to control fire, insects, and diseases, such to such terms and conditions as the Secretary determines to be appropriate.

Subsection (f) clarifies, in accordance with section 5(a) of the Wilderness Act (16 U.S.C. 1134(a)), the Secretary concerned shall provide any owner of private land within the boundary of a wilderness area designated by section 203 adequate access to such privately-owned lands.

Subsection (g) clarifies that nothing in this title affects the jurisdiction or responsibilities of the State of Montana with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping. The subsection authorizes the Secretary concerned to carry out management activities in a wilderness area to maintain or restore fish and wildlife populations, including habitat maintenance or restoration, if the activities are consistent with applicable wilderness management plans and are carried out in accordance with applicable guidelines and policies.

Subsection (h) states that nothing in this title prevents the installation or maintenance of hydrological, meteorological, or climatological instrumentation within a wilderness area designated by section 20 if the Secretary concerned determines that the instrumentation is necessary to further the scientific, educational, or conservation purposes of the wilderness area.

Subsection (i) allows for the grazing of livestock to continue within the wilderness areas designated by section 203 if the grazing was established before the date of enactment of this Act, subject to such reasonable regulations, policies, and practices as the Secretary concerned determines to be necessary, in accordance with section 4(d)(4) of the Wilderness Act (16 U.S.C. 1131(d)(4)), and the wilderness grazing guidelines printed in H. Rept. 96-617 (for Forest Service wilderness areas) or Appendix A of H. Rept. 101-405 (for BLM wilderness areas).

Subsection (j) provides that commercial services, including authorized outfitting and guide activities, may be performed within the wilderness areas designated by section 203 in accordance with section 4(d)(5) of the Wilderness Act (16 U.S.C. 1133(d)(5)), to the extent necessary for activities that are proper for realizing the recreational or other wilderness purposes of the wilderness areas. The subsection also includes a savings clause clarifying that nothing in this title requires the Secretary concerned to modify permits in existence as of the date of enactment of this Act which provide outfitting and guide services within the designated wilderness areas if the Secretary concerned determines that the activities are in compliance with the Wilderness Act.

Subsection (k) clarifies that the designation of a wilderness area in section 203 does not create any protective perimeter or buffer zone around the area, and the fact that non-wilderness activities or uses can be seen or heard from within a wilderness area shall not preclude the conduct of such activities or uses outside of the boundary of the wilderness area.

Subsection (l) authorizes the Secretary concerned to issue a special use authorization to an owner of a water storage, transport, or diversion facility located within a wilderness area designated in section 203 for the continued operation, maintenance, and reconstruction of the facility, if the facility was in existence before the date of the designation of the wilderness area and the Secretary concerned determines: (1) the facility has been in substantially continuous use to deliver water for the beneficial use of the owner since the date of the designation of the wilderness area; (2) the owner of the facility holds a valid water right for use of the water under State law, with a priority date that predates the designation of the wilderness area, and (3) it is not practicable or feasible to relocate the facility to land outside the wilderness.

Subsection (m) provides for the continuation of motorized access to maintain water infrastructure for cattle to protect fluvial Arctic Grayling and other aquatic species in the Ruby River within the Snowcrest Wilderness, subject to a permit and in accordance with section 4(d)(4) of the Wilderness Act and the guidelines described in H. Rept. 96-617. The subsection also provides for the trailing of sheep across the Snowcrest Wilderness to reach existing grazing allotments in the Gravelly Mountains to be continued for the tenure of the allotments, subject to a permit and a determination by the Forest Service that the use of non-mechanized transport is impracticable or infeasible, and to the maximum extent practicable in accordance with the guidelines described in H. Rept. 96-617.

Section 205(a) contains a Congressional finding that, for purposes of section 603 of the Federal Land Policy and Management Act of 1976 (FLPMA; 43 U.S.C. 1782), any portion of a wilderness study area described in subsection (b) that is designated as a wilderness area in section 203 or any other Act enacted before the date of enactment of this Act has been adequately studied for wilderness.

Subsection (b) identifies the wilderness study areas covered by this subsection.

Subsection (c) provides that any portion of a BLM wilderness study area which is not designated as wilderness is no longer subject to section 603(c) of FLPMA and shall be managed in accordance with the applicable land management plans adopted under section 202 of FLPMA (43 U.S.C. 1712).

Section 206 contains language similar to section 205 releasing those portions of the Sapphire and West Pioneer Wilderness Study Areas managed by the Forest Service which are not designated as wilderness from further wilderness review or any requirement to manage them for wilderness suitability pending revision of the applicable forest plan.

Section 207(a) designates 10 special management areas in Montana which combined total approximately 390,784 acres, to conserve, protect, and enhance the scenic, fish and wildlife, recreational, backcountry heritage, and other natural resource values of the areas.

Subsection (b)(1) directs that the Secretary concerned shall administer each special management area designated by subsection (a) in furtherance of the purposes for which the area is established, in accordance with this section and any laws and regulations relating to the National Forest System.

Paragraph (1) also provides that nothing in this title precludes the Secretary concerned from closing any trail or area located in any of the special management areas to protect a natural resource or to help ensure public safety.

Paragraph (2) withdraws the Federal land designated as wilderness in section 203 entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the mining laws; and from disposition under all laws pertaining to mineral or geothermal leasing, or mineral materials.

Paragraph (3) prohibits timber harvesting within any of the special management areas, except to the extent consistent with protecting and preserving the purposes of the areas, for purposes relating to the necessary control of fire, insects, and disease.

Paragraph (4) clarifies that the Secretary concerned may allow the use of motorized or mechanized vehicles with a special management area that the Secretary concerned determines is necessary for administrative use or to respond to an emergency. Except as specified in certain area-specific special management provisions in subsection (c), nothing in this section prohibits the use of mechanized vehicles, pedestrian access, or construction of trails within the special management areas.

Paragraph (5) authorizes the Secretary concerned to allow for the collection of firewood for non-commercial, personal use within the special management areas, in accordance with applicable laws and subject to such terms and conditions as the Secretary concerned determines to be appropriate.

Subsection (c) contains area-specific management requirements and prohibitions for 7 of the special management areas.

Section 208 directs the Secretary concerned, within one year after the date of enactment of this Act, to study and report on the opportunities for expanded all-terrain vehicle roads and trails across the Three Rivers District and adjacent areas on the Kootenai National Forest, the interconnectedness of roads on private or State land, and opportunities for expanded access points to existing trails.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of costs of this measure has been provided by the Congressional Budget Office:

S. 37—Forest Jobs and Recreation Act of 2013

Summary: S. 37 would establish a pilot program to carry out watershed restoration projects and increase the area in certain national forests where tree-thinning activities would be undertaken. The bill also would add about 640,000 acres of federal lands administered by the Forest Service and the Bureau of Land Management (BLM) to the National Wilderness Preservation System. Finally, the bill would designate parcels totaling about 390,000 acres of federal lands as special management areas.

Based on information provided by the Forest Service, CBO estimates that implementing the legislation would cost \$25 million over the 2014–2019 period, assuming appropriation of the necessary amounts. Implementing S. 37 could affect offsetting receipts from timber sales; however, any increase in receipts would be contingent on future appropriations and not directly attributable to

this bill. Because enacting the bill would not directly affect direct spending and would have no effect on revenues, pay-as-you-go procedures do not apply.

S. 37 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

Estimated cost to the Federal Government: The estimated budgetary impact of S. 37 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—						
	2014	2015	2016	2017	2018	2019	2014–2019
CHANGES IN SPENDING SUBJECT TO APPROPRIATION							
Estimated Authorization Level	4	4	4	5	5	5	27
Estimated Outlays	2	4	4	5	5	5	25

Basis of estimate: For this estimate, CBO assumes that the legislation will be enacted in 2014 and that the necessary funds will be appropriated for each fiscal year, including supplemental amounts for 2014. Estimated outlays are based on historical spending patterns for similar programs.

S. 37 would require the Forest Service to reduce the density of trees on a specified number of acres each year within the Beaverhead-Deerlodge and Kootenai National Forests. The bill also would require the Forest Service to conduct annual watershed restoration projects in the affected forests. Based on information provided by the agency regarding the cost of conducting similar activities, CBO estimates that implementing those provisions would cost \$25 million over the 2014–2019 period, assuming appropriation of the necessary amounts.

The bill also would designate roughly 1 million acres to be managed for conservation and recreational purposes. Because implementing the bill would not significantly affect the costs to administer the affected lands, which are already managed by the Forest Service and BLM, CBO estimates that implementing those provisions would have no significant effect on the federal budget.

Finally, implementing S. 37 could increase gross offsetting receipts from the sale of harvested timber; however, any increase in receipts, which CBO estimates would probably be less than \$500,000 annually, would be contingent on future appropriations.

Intergovernmental and private-sector impact: S. 37 contains no intergovernmental or private-sector mandates as defined in UMRA.

Pay-As-You-Go considerations: None.

Estimate prepared by: Federal Costs: Jeff LaFave; Impact on State, Local, and Tribal Governments: Michael Hirsch; Impact on the Private Sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 37.

The bill is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 37, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

S. 37, as reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The testimony provided by the Forest Service and the Bureau of Land Management on S. 37 at the July 30, 2013, Subcommittee on Public Lands, Forests, and Mining hearing follows:

STATEMENT OF LESLIE WELDON, DEPUTY CHIEF, NATIONAL FOREST SYSTEM, FOREST SERVICE, DEPARTMENT OF AGRICULTURE

Mr. Chairman, Members of the Committee, I am Leslie Weldon, Deputy Chief, National Forest System, U.S. Forest Service, United States Department of Agriculture. Thank you for the opportunity to share the Department of Agriculture's views on S. 37, the 'Forest Jobs and Recreation Act of 2013.'

S. 37 directs the Secretary of Agriculture to develop and implement forest and watershed restoration projects on 70,000 acres of the Beaverhead-Deerlodge National Forest and 30,000 acres of the Kootenai National Forest within 15 years of enactment. The bill prescribes treatment methods, annual acreage targets, and standardized criteria to prioritize areas for restoration and hazardous fuel reduction projects. It also requires consultation with an advisory committee or collaborative group for each restoration project implemented by the Secretary, and calls for a monitoring report every five years. The bill designates twenty-four wilderness areas totaling approximately 666,260 acres, six recreation areas totaling approximately 288,780 acres, and three special management areas totaling approximately 80,720 acres. Some of the designations apply to lands managed by the Bureau of Land Management and we defer to the Department of the Interior on those provisions.

The Department (USDA) supports S. 37 and looks forward to continuing to work with the Committee and Sponsor to develop modifications to the bill that could provide greater opportunities to accomplish the shared goals of restoration, recreation and economic development.

The concepts embodied in this legislation, collaboratively developed landscape scale projects, increased use of stewardship contracting, and the importance of a viable forest products industry in restoring ecosystems and economies

are fundamentally sound. USDA does have reservations about legislating forest management decisions and would hope that the work the Forest Service is doing to increase the pace and scale of forest restoration and management of the National Forests will make this type of legislation unnecessary in the future. In fact, the Forest Service is currently engaged in numerous programs and activities on the National Forests of Montana and around the nation that embrace the concepts in this bill.

Examples of the work we are carrying out in the spirit of this legislation are underway as large-scale restoration projects on the national forests of Montana include: the Larry Bass Stewardship Project on the Bitterroot National Forest where we are completing hazardous fuel reduction work and are re-investing stewardship receipts to accomplish hazardous fuel/bark beetle work within and around a popular ski area on the forest; Sparring Bulls and Young Dodge, two large landscape projects on the Kootenai National Forest developed with a local collaborative group; and the Southwestern Crown of the Continent project, which will treat close to 200,000 acres on the Lolo, Flathead and Helena National Forests with funding provided under the Collaborative Forest Landscape Restoration Program.

Planned projects are increasingly focused on large landscape ecosystems to address shared issues across forest boundaries. For example, the Boulder Vegetation Project and a complex of projects planned on the Helena National Forest that focus on bark beetle infestations occurring on the two forests.

Efforts such as these have helped the agency and stakeholders gain experience in identifying the factors necessary for the success of large-scale restoration projects, and I acknowledge the Senator's incorporation of their input into this legislation. I offer our continued support for further collaboration on addressing remaining concerns to ensure that it can serve as a model for similar efforts elsewhere.

We recognize that the proposed bill is the product of a collaborative effort. Such efforts are critically important to increasing public support for needed forest management activities, particularly in light of the bark beetle crisis facing Montana and other western states. We believe these efforts can significantly advance forest restoration, reduce litigation surrounding restoration where parties are willing to collaborate, and make it easier to provide jobs and opportunities in the forest industry for rural communities. While we have seen significant successes from collaboration in some parts of the country, there are areas where groups are not interested in collaboration and continue to use appeals and litigation as methods to delay or stop forest treatments that restore resilient forests, reduce severe wildfire potential and other objectives. Montana in particular continues to see substantial litigation activity.

As noted above, USDA is concerned about legislating forest management direction or specific treatment levels on a

site-specific basis. USDA wants to work with the Committee to ensure that this does not negatively impact other Forest Service priorities in Region 1 or draw important resources from priority work on other units of the National Forest System. We also would like to work with the Committee and sponsor on other aspects of the bill such as defining mechanical treatments, establishing reporting requirements, and provisions effecting other funds and road-density standards found in Title I.

Regarding the land designations in Title II that pertain to lands under the jurisdiction of the Forest Service, we support the wilderness recommendations made in each Forest's land and resource management plan given the depth of analysis and public collaboration that goes into them. Regarding the input from the Department that the Senator has incorporated, there are two items in S. 37 for which I would like to express the Department's appreciation in particular: (1) the adjustments to wilderness area designations in Title II, which more closely reflect the extensive collaboration, analysis and resulting recommendations of the Beaverhead-Deerlodge 2009 Forest Plan and other forest plans; and (2) the incorporation of the CFR 212.1 definitions of "designated road, trail or area" in the bill provides for consistency of implementation.

In closing, I want to thank Senator Tester once again for his strong commitment to Montana's communities and natural resources. We appreciate the close work of the Senator's staff with the Forest Service to refine legislation that would provide a full suite of significant benefits for the people, economy, and forests of Montana and the nation. The continuing commitment to bring diverse interests together to find solutions that provide a context for restoration, renewal, and sustainability of public landscapes and to foster healthy rural economies is evident in the legislation being considered by this Committee today.

We want to underscore our commitment to the continuing collaboration with the Senator and his staff, the Committee, and all interested stakeholders in an open, inclusive and transparent manner to provide the best land stewardship for our National Forest System Lands.

This concludes my prepared statement, and I would be pleased to answer any questions you may have.

STATEMENT OF NED FARQUHAR, DEPUTY ASSISTANT SECRETARY, LAND & MINERALS MANAGEMENT, DEPARTMENT OF THE INTERIOR

Thank you for inviting the Department of the Interior to testify on S. 37, the Forest Jobs and Recreation Act. The Bureau of Land Management (BLM) supports the wilderness designations on BLM-managed lands included in S. 37.

The vast majority of the designations and other substantive provisions of S. 37 apply to activities on National Forest System lands. We defer to the Department of Agriculture on those provisions.

BACKGROUND

The southwestern corner of Montana is a critically important biological region. Linking the Greater Yellowstone Area and the Bitterroot Mountains of Idaho and Montana, these areas include important wildlife corridors that allow natural migrations of wildlife and help prevent species isolation. The Centennial Mountains are particularly noteworthy in this regard. The diversity of wildlife throughout this area is a strong indicator of its importance. Elk, mule deer, bighorn sheep, and moose, as well as their predators, such as bears, mountain lions and wolves, travel through this corner of Montana.

Outstanding dispersed recreational opportunities abound in this region as well. A day's hunting, hiking or fishing may be pursued in the splendid isolation of the steeply forested Ruby Mountains or in the foothill prairies of the Blacktail Mountains, areas largely untouched and pristine. For the more adventurous, Humbug Spires offers 65 million year-old rocks now eroded into fanciful spires, appreciated both for their climbing challenges as well as their scientific value.

S. 37

Title I of S. 37, applies solely to National Forest System Lands. Accordingly the Department of the Interior defers to the Department of Agriculture on those provisions. The majority of the designations in Title II of the bill are also on National Forest System Lands, and again we defer to the Department of Agriculture.

Section 203(b) of S. 37 designates five wilderness areas on lands administered by the BLM in southwestern Montana: the Blacktail Mountains Wilderness (10,675 acres), Centennial Mountains Wilderness (23,700 acres), Humbug Spires Wilderness (8,900 acres), East Fork Blacktail Wilderness (6,125 acres), and Ruby Mountains Wilderness (16,300 acres). The BLM supports these designations and we appreciate the Sponsor and the Committee working with us over the last year to refine these boundaries. All of these areas meet the definitions of wilderness in that they are areas where the land and its community of life are untrammelled. These areas have retained their primeval character and have been influenced primarily by the forces of nature, with outstanding opportunities for primitive recreation or solitude. We continue to encourage the Sponsor and the Committee to consider expanding the boundaries of the Centennial Mountains Wilderness in order to protect this area as a single coherent corridor, thereby providing enhanced benefit for the genetic diversity of the fauna inhabiting the Greater Yellowstone Area and the Bitterroot Range.

Furthermore, we support the transfer of administrative jurisdiction over the 660-acre Farlin Creek area to the Forest Service for inclusion in the adjoining 77,000 acre East Pioneers Wilderness Area.

Section 205 of S. 37 proposes to fully release four BLM-managed wilderness study areas (WSAs) in Beaverhead and Madison counties from WSA management thereby allowing the consideration of a full range of multiple uses. In addition, in five other WSAs, some areas would be released from WSA status and other areas would be partially designated as wilderness, as noted above. In all, over 66,000 acres of WSAs are proposed for release, and nearly 66,000 acres are proposed for wilderness designation; we support these provisions.

CONCLUSION

Thank you for the opportunity to testify. We look forward to working cooperatively with the Congress to designate these special and biologically significant areas in this dramatic corner of Montana as wilderness.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by S. 37 as ordered reported.

