

117TH CONGRESS
2D SESSION

S. 4470

To release from wilderness study area designation certain land in the State of Montana, to improve the management of that land, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 23, 2022

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

A BILL

To release from wilderness study area designation certain land in the State of Montana, to improve the management of that land, 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 cited as the “Montana Sportsmen
5 Conservation Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) under the Montana Wilderness Study Act of
9 1977 (Public Law 95–150; 91 Stat. 1243), 9 wilder-
10 ness study areas comprising a total of 973,000 acres

1 of land in the State of Montana were set aside for
2 the Secretary of Agriculture to evaluate the suit-
3 ability of the wilderness study areas for designation
4 as wilderness, in accordance with the Wilderness Act
5 (16 U.S.C. 1131 et seq.), with the evaluation to be
6 completed not later than 5 years after the date of
7 enactment of the Montana Wilderness Study Act of
8 1977 (Public Law 95–150; 91 Stat. 1243);

9 (2) between 1979 and 1986, the Chief of the
10 Forest Service—

11 (A) completed the studies of the 9 wilder-
12 ness study areas referred to in paragraph (1);
13 and

14 (B) based on those studies, determined
15 that 608,700 acres of the original 973,000
16 acres designated as wilderness study areas by
17 the Montana Wilderness Study Act of 1977
18 (Public Law 95–150; 91 Stat. 1243) were un-
19 suitable for inclusion in the National Wilder-
20 ness Preservation System, including the 81,000
21 acres within the Middle Fork Judith Wilderness
22 Study Area;

23 (3) in 2021, following a 6-year collaborative
24 process, the Forest Service again determined, in the
25 revision of the Helena Lewis and Clark National

1 Forest plan, that the Middle Fork Judith Wilderness
2 Study Area is unsuitable for inclusion in the Na-
3 tional Wilderness Preservation System;

4 (4) under the Federal Land Policy and Man-
5 agement Act of 1976 (43 U.S.C. 1701 et seq.), 38
6 wilderness study areas comprising a total of 447,327
7 acres of land in the State of Montana were set aside
8 by the Bureau of Land Management to evaluate the
9 suitability of the wilderness study areas for designa-
10 tion as wilderness, with the evaluation to be com-
11 pleted not later than 15 years after the date of en-
12 actment of that Act;

13 (5) in 1991, the Director of the Bureau of
14 Land Management submitted to the President a rec-
15 ommendation on the suitability for designation of
16 the areas described in paragraph (4), which was sub-
17 sequently submitted to Congress, under which the
18 Director of the Bureau of Land Management deter-
19 mined that 273,828 acres in the State of Montana
20 designated as wilderness study areas by the Federal
21 Land Policy and Management Act of 1976 (43
22 U.S.C. 1701 et seq.) were unsuitable for wilderness
23 designation, including—

24 (A) the 11,380 acres of land within the

25 Hoodoo Mountain Wilderness Study Area; and

1 (B) the 11,580 acres of land within the
2 Wales Creek Wilderness Study Area;

3 (6) in 2020, following a 5-year collaborative
4 process, the Bureau of Land Management, in the re-
5 vision of the Missoula Resource Management Plan—

6 (A) reaffirmed that the Hoodoo Mountain
7 Wilderness Study Area and the Wales Creek
8 Wilderness Study Area were unsuitable for wil-
9 derness designation; and

10 (B) recommended alternative management
11 parameters for the Hoodoo Mountain Wilder-
12 ness Study Area and the Wales Creek Wilder-
13 ness Study Area;

14 (7) despite the recommendations of the Forest
15 Service and the Bureau of Land Management, after
16 the completion of the studies for suitability of the
17 land in the State of Montana designated as wilder-
18 ness study areas under the Montana Wilderness
19 Study Act of 1977 (Public Law 95–150; 91 Stat.
20 1243) and the Federal Land Policy and Manage-
21 ment Act of 1976 (43 U.S.C. 1701 et seq.)—

22 (A) over 1,100,000 acres of public land in
23 the State of Montana remain as wilderness
24 study areas until Congress acts; and

1 (B) over 700,000 acres of public land in
2 the State of Montana currently designated as
3 wilderness study areas have been determined
4 unsuitable for wilderness management;

5 (8) if the wilderness study area designation was
6 removed from each of the Middle Fork Judith Wil-
7 derness Study Area, the Hoodoo Mountain Wilder-
8 ness Study Area, and the Wales Creek Wilderness
9 Study Area, land managers would be able to better
10 conserve and manage the areas in accordance with
11 applicable land and resource management plans that
12 retain certain protections for the areas, while pro-
13 viding for—

14 (A) enhanced sportsmen opportunities in
15 the backcountry of Montana;

16 (B) improved public access; and

17 (C) the conduct of wildlife habitat and
18 wildfire mitigation projects;

19 (9) the applicable land and resource manage-
20 ment plans referred to in paragraph (8) were devel-
21 oped through a multi-year, collaborative process sup-
22 ported by—

23 (A) resource needs and conditions; and

24 (B) the best available science; and

1 (10) following release, the respective land man-
 2 agement agencies shall continue managing the areas
 3 described in paragraph (8)—

4 (A) in accordance with applicable environ-
 5 mental and administrative laws; and

6 (B) based on local input, multiple-use and
 7 sustained yield principles, and land manage-
 8 ment objectives.

9 **SEC. 3. RELEASE AND IMPROVED MANAGEMENT OF LAND**
 10 **COMPRISING CERTAIN WILDERNESS STUDY**
 11 **AREAS.**

12 (a) MIDDLE FORK JUDITH WILDERNESS STUDY
 13 AREA.—The approximately 81,000 acres of land com-
 14 prising the Middle Fork Judith Wilderness Study Area—

15 (1) shall no longer be subject to section 3(a) of
 16 the Montana Wilderness Study Act of 1977 (Public
 17 Law 95–150; 91 Stat. 1244); and

18 (2) shall be managed in accordance with the ap-
 19 plicable land and resource management plan most
 20 recently adopted under section 6 of the Forest and
 21 Rangeland Renewable Resources Planning Act of
 22 1974 (16 U.S.C. 1604).

23 (b) HOODOO MOUNTAIN WILDERNESS STUDY AREA
 24 AND WALES CREEK WILDERNESS STUDY AREA.—The ap-
 25 proximately 11,380 acres of land comprising the Hoodoo

1 Mountain Wilderness Study Area and the approximately
2 11,580 acres of land comprising the Wales Creek Wilder-
3 ness Study Area—

4 (1) shall no longer be subject to section 603(c)
5 of the Federal Land Policy and Management Act of
6 1976 (43 U.S.C. 1782(c)); and

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

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