

Revised Draft – October 9, 2007

The companies and organizations making up the Beaverhead-Deerlodge Partnership released an initial Partnership Strategy in April, 2006. The Strategy was prepared in response to revisions to the Forest Plan proposed by the Beaverhead-Deerlodge National Forest. Because some elements of the Strategy require Congressional authorization, the Partnership prepared an initial draft of legislation in January of 2007. Since releasing the January draft, the Partnership has received many comments. Based on these comments, the Partners issued a revised legislative draft on April 24, 2007 and are now issuing a second revised draft. This revised draft, dated October 9, 2007, reflects changes in wilderness boundaries that are the result meetings between Partnership members and other interested groups including snowmobile associations, backcountry horsemen, motorized recreation interests and backcountry cyclists. This draft also provides more specificity on where and how stewardship contracting, timber harvest and restoration work will take place on the Beaverhead-Deerlodge National Forest. The Partnership welcomes comments and inputs on this draft legislative proposal.

BEAVERHEAD-DEERLODGE CONSERVATION, RESTORATION AND STEWARDSHIP ACT OF 2007

A BILL

To sustain the economic development and recreational use of National Forest System lands and other public lands in southwestern Montana, to reduce gridlock and promote local cooperation and collaboration in forest management, to produce forest diversity and wood fiber to accomplish measurable habitat restoration using stewardship contracting while generating a more predictable flow of wood products for local communities, to improve fish and wildlife populations and better protect key habitats, to better prevent and manage wild land fire and better protect adjoining private land and property and, to add certain National Forest System lands and Bureau of Land Management lands in to the National Wilderness Preservation System and manage other lands to preserve existing primitive and semi-primitive recreation, and for other purposes.

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) Short Title- This Act may be cited as the Beaverhead-Deerlodge Conservation, Restoration and Stewardship Act of 2007.

(b) Table of Contents- The table of contents for this Act is as follows:

SECTION 2. PURPOSES

SECTION 3. DEFINITIONS

1. Secretary— the term “Secretary” means the Secretary of Agriculture.
2. Beaverhead-Deerlodge National Forest—the term “Beaverhead-Deerlodge National Forest”

means the area covered by the Beaverhead and the Deerlodge National Forests which are combined into a single administrative unit and administered by the USDA-Forest Service.

3. Forest Plan— The term “Forest Plan” means a land and resource management prepared under Section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

4. Stewardship Area – The term “Stewardship Area” means the six areas designated in Section 101 and depicted on the map entitled _____, dated _____, in which the Secretary shall implement one or more landscape scale restoration projects as directed in Section 102.

5. Landscape Scale Restoration Project – The term “Landscape Scale Restoration Project” means an area of between _____ and 50,000 acres within a Stewardship Area where vegetation management through commercial timber harvest, prescribed burning and other silvicultural techniques shall occur, with the majority of vegetative management designed to mimic mixed severity and stand replacement fires, and vegetation management goals to include reducing the risk and severity of fire and insect infestations, restoring impaired watersheds, enhancing fish and wildlife habitat, and maintaining the current infrastructure of wood products manufacturing facilities that provide economic stability to local communities

6. Stewardship Contract – The term “Stewardship Contract” means a contract authorized under Sec. 332 of PL 107-63, 16 U.S.C. 2104 Note (Revised February 28, 2003 to reflect Sec. 323 of H.J. Res. 2 as enrolled), for vegetation treatment including mechanical treatment using commercial timber harvest of vegetation to reduce fire and insect risk, restore impaired watersheds, enhance fish and wildlife habitat or reduce road densities. A stewardship contract includes the ability to (1) offset the value of goods such as timber for services; (2) retain and reinvest the receipts in the same or another landscape scale restoration project within a Stewardship Area; (3) designate timber for cutting by description or prescription; (4) enter into a multi-year contract for services exceeding five years but not more than ten years duration.

7. Eligible Land – The term “Eligible Land” means lands within the Stewardship Area generally forested where landscape scale restoration projects shall be implemented as depicted on the map referenced in Section 101(b).

8. Reclaimed – The term “Reclaimed” means a road that is revegetated and restored to its original contour where appropriate.

TITLE I

SECTION 101. DESIGNATION OF STEWARDSHIP AREAS

(a) Designation - Those National Forest lands in the Beaverhead-Deerlodge National Forest, as generally depicted on the maps dated _____, 2007, are hereby designated as a Stewardship Area to reduce fire and insect risk, restore impaired watersheds, enhance fish and wildlife habitat, and reduce road densities:

(1) Big Hole Stewardship Area –comprising approximately 550,000 acres generally depicted on a map entitled “Big Hole Stewardship Area.” Within the Big Hole Stewardship Area, there are approximately 212,500 acres of eligible land that shall be managed under landscape scale restoration projects.

(2) Clark Fork Stewardship Area - comprising approximately 356,500 acres generally depicted on a map entitled “Clark Fork Stewardship Area.” Within the Clark Fork Stewardship Area, there are approximately 110,500 acres of eligible land that shall be

managed under landscape scale restoration projects.

(3) Highlands Stewardship Area - comprising approximately 514,500 acres generally depicted on a map entitled "Highlands Stewardship Area." Within the Highlands Stewardship Area, there are approximately 183,000 acres of eligible land that shall be managed under landscape scale restoration projects.

(4) Pioneer Stewardship Area - comprising approximately 462,000 acres generally depicted on a map entitled "Pioneer Stewardship Area." Within the Pioneer Stewardship Area, there are approximately 87,500 acres of eligible land that shall be managed under landscape scale restoration projects.

(5) Upper Rock Creek Stewardship Area - comprising approximately 206,500 acres generally depicted on a map entitled "Upper Rock Creek Stewardship Area." Within the Upper Rock Creek Stewardship Area, there are approximately 79,000 acres of eligible land that shall be managed under landscape scale restoration projects.

(6) Tobacco Roots Stewardship Area - comprising approximately 182,500 acres generally depicted on a map entitled "Tobacco Roots Stewardship Area." Within the Tobacco Root Stewardship Area Stewardship Area, there are approximately 26,000 acres of eligible land that shall be managed under landscape scale restoration projects.

(b) Map – A map entitled the "Beaverhead-Deerlodge Stewardship Area Map" establishing the Stewardship Areas and Eligible Lands in which the landscape scale restoration projects of this Act shall be implemented is on file with the Committees on Agriculture and Energy and Natural Resources of the Senate; the Committees on Agriculture and Resources in the House of Representatives; the office of the Secretary, the office of the Chief of the Forest Service; and the appropriate administrative unit offices of the Forest Service.

SECTION 102. IMPLEMENTATION OF STEWARDSHIP AND RESTORATION ON THE BEAVERHEAD-DEERLODGE NATIONAL FOREST

(a) Development of Landscape Scale Restoration Projects. Not later than one year after the effective date of this Act, and annually thereafter, the Secretary shall sign a record of decision and begin implementation of at least one landscape-scale restoration project annually on those eligible lands within the Stewardship Areas identified in Section 101 of this Act. Each landscape scale restoration project will include a mix of vegetative treatments and restoration and will be designed and planned at a landscape scale of between _____ and 50,000 acres. In determining priority for such projects the Secretary should consider eligible lands where:

- (1) road densities exceed 1.5 miles per square mile; or
- (2) habitat connectivity is compromised due to past timber harvest patterns; or
- (3) forests are at high risk from insect epidemics or high severity wildfires; or
- (4) opportunities exist to reduce fire risk in an identified wildland-urban interface.

(b) Landscape scale restoration projects under this section shall be planned and implemented using Stewardship Contracts. This does not preclude the Secretary from using other available authorities for other projects in the Stewardship Areas not conducted pursuant to this Act.

(c) Requirements for landscape restoration projects. The landscape scale restoration projects shall meet the following timber harvest and restoration requirements:

(1) Permanent roads, defined as roads where the road prism remains permanently in place following construction, shall be managed so the density of roads/motorized trails on the landscape does not exceed 1.5 miles per square mile. The road density standard shall be met at the completion of a landscape scale restoration project and measured at the project scale (miles of permanent roads in the forested portions of the Stewardship Area).

(2) All new access roads shall be temporary. Where temporary roads are employed, road prism and landings will be re-contoured and crossing features (culverts, bridges, etc.) removed promptly following vegetation treatment. Vegetative treatments shall be scheduled so that any temporary roads will be re-contoured and seeded promptly following use but not to exceed five years after construction. Relocated permanent roads, designed to resolve existing resource problems, do not constitute new permanent road construction. These new permanent roads must access the same destinations as the old permanent roads which shall be re-contoured, seeded and abandoned.

(3) Existing roads that are not needed or cannot be maintained under current road maintenance budgets shall be reclaimed.

(4) Vegetation shall be managed through timber harvest, prescribed burning as a secondary option and other silvicultural techniques with the majority of vegetative management designed to mimic mixed severity, natural fires.

(5) Existing culverts shall be replaced and resized if needed to restore fish habitat or to repair a source of sediment that exceeds natural sediment loads.

(6) Wildlife habitat shall be restored and maintained through mechanical treatment and through the use of prescribed burning that mimics natural fire that is allowed to burn beyond harvest units. Nothing in this Act shall preclude short term habitat modification to facilitate long term maintenance and restoration.

(7) The Inland Native Fish Strategy (INFISH) standards for Riparian habitat conservation and riparian management shall apply.

(8) Vegetation management shall include commercial timber harvest designed to reduce the long term risk and severity of fire and insect infestations, to maintain and restore healthy sustainable forests, to produce revenue to reinvest in fish and wildlife habitat maintenance and restoration, and to maintain current infrastructure of wood products manufacturing facilities that provide economic stability to local communities.

(d) Timing of Implementation –

(1) Within the Stewardship Areas identified in Section 101, the Secretary shall mechanically treat timber that yields value for meeting the restoration goals of this Act, on a minimum of (i) 14,000 acres of eligible land within two years after the date of enactment; (ii) 35,000 acres of eligible land within five years after the date of enactment; and (iii) 70,000 acres of eligible land within ten years after the date of enactment.

(2) Upon completion of the environmental analysis in paragraph (e) and the signing of a record of decision that complies with the requirements in paragraph (c), the Secretary shall implement the projects required by this section.

(e) NEPA Documentation –

(1) The Forest Service shall prepare one environmental impact statement pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), for each landscape scale restoration project that shall be implemented in Section 102.

(2) Additional environmental analysis under the National Environmental Policy Act is not required to implement an approved landscape restoration project.

SECTION 103. FUNDING SOURCES AND AUTHORIZATION OF APPROPRIATIONS

(a) Stewardship Contract Authority.—In accordance with funds administered under Sec. 332 of PL 107-63, 16 U.S.C. 2104 Note (Revised February 28, 2003 to reflect Sec. 323 of H.J. Res. 2 as enrolled), the Beaverhead-Deerlodge National Forest shall implement projects covered by Section 102 (a) using Stewardship Contracts. Stewardship contracting authority shall be available for use on the Beaverhead-Deerlodge National Forest for the duration of this Act.

(b) Cost-Effective Implementation.— Consistent with Section 104(a), the Secretary shall plan and implement projects using the most cost-effective means available.

(1) Reprogramming.—Subject to the relevant reprogramming guidelines of the House and Senate Committees on Appropriations, funds specifically provided to the Forest Service by the Secretary to implement resource management activities according to this Act may be made available.

(2) Unobligated Balances.—Subject to normal reprogramming guidelines, the forest supervisor of the Beaverhead-Deerlodge National Forest may allocate and use all accounts that contain year-end excess funds and all available excess funds for the administration and management of the Beaverhead-Deerlodge National Forest to plan and implement projects to meet the goals and objectives of the Proposal.

(3) The Secretary may retain any receipts from implementation of the landscape restoration projects under Title I for the planning and implementation of additional landscape scale restoration projects.

(c) Pursuant to the procedures and criteria established by the Secure Rural Schools and Community Self-determination Act (P.L. 106-393), the Secretary shall establish a Resource Advisory Committee (RAC) for the Beaverhead-Deerlodge National Forest. The Secretary may use an existing RAC if it is determined to be capable of carrying out the requirements of this subparagraph; and, includes both conservation and industry representatives from the Partnership. The RAC shall establish project specific advisory committees, comprised of industry, recreation, conservation, and livestock interests, to aid in the location, design, and implementation of the landscape projects required by Section 102. The RAC shall advise the administrative units of the Beaverhead-Deerlodge on the use and disbursement of excess receipts which result from the completion of the landscape scale restoration projects in this Act.

(d) Overhead.—The Secretary shall ensure that of amounts available to carry out this section not more than XX percent is used or allocated for general administration, planning, or other overhead; and at least XX percent is used to implement projects required by this section.

(e) Authorization of Appropriations.--There are authorized to be appropriated additional sums as may be necessary to fulfill the obligations of this Act.

(f) The Secretary shall retain receipts and fees derived from commercial and recreational activity

on the Beaverhead-Deerlodge National Forest for use on that forest for the purpose of implementing this Title, and for other purposes.

SECTION 104. MONITORING AND REPORTING

(a) The Secretary shall prepare a report to Congress at five year intervals on the implementation of large landscape projects on the Beaverhead-National Forest. The report will:

- (1) assess the effectiveness of stewardship contracting in meeting vegetative management goals and funding restoration goals;
- (2) provide information on the number of landscape projects designed and implemented, the cost of such projects, including the costs of planning and environmental analysis; and the number of acres treated and restoration projects accomplished;
- (3) evaluate whether the use of stewardship contracting, the participation of the RAC and project specific advisory committees and other public involvement tools have reduced the number of administrative appeals and legal challenges or otherwise impacted the outcome of appeals and litigation;
- (4) make recommendations on legislative or administrative actions that might better achieve the goals and purposes of the Beaverhead-Deerlodge Conservation, Restoration and Stewardship Act.
- (5) Identify additional resources and authorities needed if any, to fully implement the Act.

SECTION 105. TERM OF AUTHORIZATION

(a) The Secretary shall plan and implement landscape scale restoration projects under this Title until:

- (1) the date, no earlier than 10 years after the date of enactment of this Act, on which the Secretary completes a significant amendment or revision of the land and resource management plans for the Beaverhead-Deerlodge National Forest in accordance with 16 U.S.C. 1604(f)(4); or
- (2) fifteen years after the date of enactment of this Act; and
- (3) Provided that a minimum of 70,000 acres have been treated pursuant to Section 102(d) of this Title and that all contracts begun under authority of this Title, may be completed under this Title.

SECTION 106. RELATIONSHIP TO OTHER LAWS

Except as provided for in this Act, the Secretary shall manage the Beaverhead-Deerlodge National Forest in accordance with all existing laws and regulations.

TITLE II

SECTION 201. DESIGNATION OF WILDERNESS AREAS

(a) DESIGNATION – In furtherance of the purposes of the Wilderness Act of 1964, the following lands in the State of Montana are designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) ANACONDA-PINTLAR WILDERNESS ADDITIONS- Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 65,400 acres, as generally depicted on the map entitled “Anaconda-Pintlar Proposed Wilderness Additions, Beaverhead-Deerlodge National Forest (Ross Fork, Rock Creek, East Pintlar, North Big Hole)” dated March 1, 2007, is incorporated in and shall considered to be a part of the “Anaconda-Pintlar Wilderness,” as designated by section _____ of the Wilderness Act of 1964 (16 U.S.C. _____);

(2) LEE METCALF WILDERNESS ADDITIONS- Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 17,800 acres, as generally depicted on the map entitled “Lee Metcalf Proposed Wilderness Additions, Beaverhead-Deerlodge National Forest” dated March 1, 2007, is incorporated in and shall considered to be a part of the “Lee Metcalf Wilderness,” as designated by section _____ of the _____ Wilderness Act (16 U.S.C. _____);

(3) EAST PIONEERS WILDERNESS- Certain land in the Beaverhead-Deerlodge National Forest comprising approximately 87,500 acres, as generally depicted on the map entitled “East Pioneers Proposed Wilderness” and dated March 1, 2007, which shall be known as the “East Pioneers Wilderness”.

(4) ELECTRIC PEAK WILDERNESS- Certain land in the Beaverhead-Deerlodge National Forest comprising approximately 9,400 acres, as generally depicted on the map entitled “Electric Peak Proposed Wilderness” and dated March 1, 2007, which shall be known as the “Electric Peak Wilderness”.

(5) LIMA PEAKS WILDERNESS- Certain land in the Beaverhead-Deerlodge National Forest, comprising approximately 35,100 acres, as generally depicted on the map entitled “Lima Peaks Proposed Wilderness” and dated March 1, 2007, which shall be known as the “Lima Peaks Wilderness”.

(6) HIGHLANDS WILDERNESS- Certain land administered by the Beaverhead-Deerlodge National Forest, comprising approximately 20,400 acres, as generally depicted on the map entitled “Highlands Proposed Wilderness” and dated March 1, 2007, which shall be known as the “Highlands Wilderness”.

(7) ITALIAN PEAKS WILDERNESS- Certain land administered by the Beaverhead-Deerlodge National Forest, comprising approximately 29,522 acres, as generally depicted on the map entitled “Italian Peaks Proposed Wilderness” and dated March 1, 2007, which shall be known as the “Italian Peaks Wilderness”.

(8) LOST CABIN WILDERNESS- Certain land administered by the Beaverhead-Deerlodge National Forest, comprising approximately 5,220 acres, as generally depicted on the map entitled “Lost Cabin Proposed Wilderness” and dated March 1, 2007, which shall be known as the “Lost Cabin Wilderness”.

(9) MOUNT JEFFERSON WILDERNESS- Certain land administered by the Beaverhead-Deerlodge National Forest, comprising approximately 4,500 acres, as generally depicted on the map entitled “Mount Jefferson Proposed Wilderness” and dated March 1, 2007, which shall be known as the “Mount Jefferson Wilderness”.

(10) QUIGG PEAK WILDERNESS- Certain land administered by the Beaverhead-Deerlodge National Forest, comprising approximately 8,200 acres, as generally depicted on the

map entitled “Quigg Peak Proposed Wilderness” and dated March 1, 2007, which shall be known as the “Quigg Peak Wilderness”.

(11) SAPPHIRES WILDERNESS- Certain land administered by the Beaverhead-Deerlodge National Forest, comprising approximately 43,500 acres, as generally depicted on the map entitled “Sapphires Proposed Wilderness” and dated March 1, 2007, which shall be known as the “Sapphires Wilderness”.

(12) SNOWCREST WILDERNESS- Certain land administered by the Beaverhead-Deerlodge National Forest, comprising approximately 92,000 acres, as generally depicted on the map entitled “Snowcrest Proposed Wilderness” and dated March 1, 2007, which shall be known as the “Snowcrest Wilderness”.

(13) STONY MOUNTAIN WILDERNESS- Certain land administered by the Beaverhead-Deerlodge National Forest, comprising approximately 15,500 acres, as generally depicted on the map entitled “Stony Mountain Proposed Wilderness” and dated March 1, 2007, which shall be known as the “Stony Mountain Wilderness”.

(14) WEST BIG HOLE WILDERNESS- Certain land administered by the Beaverhead-Deerlodge National Forest, comprising approximately 92,800 acres, as generally depicted on the map entitled “West Big Hole Proposed Wilderness” and dated March 1, 2007, which shall be known as the “West Big Hole Wilderness”.

(15) DOLUS LAKES WILDERNESS- Certain land administered by the Beaverhead-Deerlodge National Forest, comprising approximately 8,300 acres, as generally depicted on the map entitled “Dolus Lakes Proposed Wilderness” and dated March 1, 2007, which shall be known as the “Dolus Lakes Wilderness”.

(16) WEST PIONEERS WILDERNESS- Certain land administered by the Beaverhead-Deerlodge National Forest, comprising approximately 34,400 acres, as generally depicted on the map entitled “West Pioneers Proposed Wilderness” and dated March 1, 2007, which shall be known as the “West Pioneers Wilderness”.

SECTION 202. ADMINISTRATION OF WILDERNESS AREAS

(a) Management- Subject to valid existing rights, each area designated as wilderness by section 3 shall be administered by the Secretary 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) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary that has jurisdiction over the wilderness.

(b) Map and Description-

(1) IN GENERAL- As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated by section 3 with--

- (A) the Committee on Resources of the House of Representatives; and
- (B) the Committee on Energy and Natural Resources of the Senate.

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

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

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

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

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

(d) Withdrawal- Subject to valid rights in existence on the date of enactment of this Act, the Federal land designated as wilderness by this Act 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, Insect, and Disease Management Activities-

(1) IN GENERAL- The Secretary may take such measures in the wilderness areas designated by this Act as are necessary for the control and prevention of fire, insects, and diseases, in accordance with--

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

(B) House Report No. 98-40 of the 98th Congress.

(2) REVIEW- Not later than 1 year after the date of enactment of this Act, the Secretary shall review existing policies applicable to the wilderness areas designated by this Act to ensure that authorized approval procedures for any fire management measures allow a timely and efficient response to fire emergencies in the wilderness areas.

(f) Access to Private Property- The Secretary shall provide any owner of private property within the boundary of a wilderness area designated by this Act adequate access to such property to ensure the reasonable use and enjoyment of the property by the owner.

(g) Snow Sensors and Stream Gauges- If the Secretary determines that hydrologic, meteorological, or climatological instrumentation is appropriate to further the scientific, educational, and conservation purposes of the wilderness areas designated by this Act, nothing in this Act prevents the installation and maintenance of the instrumentation within the wilderness areas.

(h) Military Activities- Nothing in this Act precludes low-level overflights of military aircraft, the designation of new units of special airspace, or the use or establishment of military flight training routes over wilderness areas designated by this Act.

(i) Livestock- Grazing of livestock and the maintenance of existing facilities related to grazing in wilderness areas designated by this Act, where established before the date of enactment of this Act, shall be permitted to continue in accordance with—

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

(2) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101-405).

(j) Fish and Wildlife Management-

(1) IN GENERAL- In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may carry out management activities to maintain or restore fish and wildlife populations and fish and wildlife habitats in wilderness areas designated by this Act if such activities are—

(A) consistent with applicable wilderness management plans; and

(B) carried out in accordance with applicable guidelines and policies.

(2) STATE JURISDICTION- Nothing in this Act affects the jurisdiction of the State of Montana with respect to fish and wildlife on the public land located in the State.

(k) Adjacent Management-

(1) IN GENERAL- Nothing in section 3 creates protective perimeters or buffer zones around any wilderness area designated by section 3.

(2) NONWILDERNESS ACTIVITIES- The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness area designated by section 3 shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

TITLE III

SECTION 301. DESIGNATION OF LOST CREEK PROTECTION AREA

(a) ESTABLISHMENT.—There is hereby established in the Beaverhead-Deerlodge National Forest, Montana, the Lost Creek Protection Area (hereinafter in this Act referred to as the 'protection area').

(1) The protection area shall consist of certain lands in the Beaverhead-Deerlodge National Forest, Montana, which comprise approximately 11,600 acres, as generally depicted on the map entitled 'Lost Creek Protection Area', dated March 1, 2007.

(b) ADMINISTRATION- The Secretary shall administer the protection area in accordance with this section and the laws and regulations generally applicable to the National Forest System.

(c) WITHDRAWAL- Subject to valid existing rights, all lands within the protection area are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, from location, entry, and patent under the mining laws, and from disposition under the mineral and geothermal leasing laws, including all amendments thereto.

(d) DEVELOPMENT- No developed campgrounds shall be constructed within the protection

area. After the date of enactment of this Act, no new roads or trails may be constructed within the protection area.

(e) **TIMBER HARVESTING**- No timber harvesting shall be allowed within the protection area except to the extent that would be permitted in wilderness under section 4(d)(1) of the Wilderness Act for necessary control of fire, insects, and diseases, and for public safety.

(f) **MOTORIZED TRAVEL**- Motorized travel shall be permitted within the protection area only on those designated trails and routes existing as of March 1, 2007, and only during periods of adequate snow cover. At all other times, mechanized, non-motorized travel shall be permitted within the protection area.

(g) **MANAGEMENT PLAN**- During the first revision of the Land and Resource Management Plan for the Beaverhead-Deerlodge National Forest following enactment of this Act, the Forest Service shall develop a management plan for the protection area, after providing for public comment.