

force and effect as if included in this section, except that the Secretary concerned may correct any clerical or typographical errors in the maps and legal descriptions.

(C) Public availability

The maps and legal descriptions prepared under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Forest Service and the Bureau of Land Management.

(3) Adjacent management

(A) In general

Nothing in this section establishes a protective perimeter or buffer zone around—

- (i) the Special Management Area;
- (ii) the wilderness area designated by an amendment made by subsection (c)(1);² or
- (iii) the wilderness study area designated by subsection (f)(2)(B)(i).

(B) Nonwilderness activities

The fact that a nonwilderness activity or use can be seen or heard from areas within the wilderness area designated by an amendment made by subsection (c)(1)² or the wilderness study area designated by subsection (f)(2)(B)(i) shall not preclude the conduct of the activity or use outside the boundary of the wilderness area or wilderness study area.

(4) Military overflights

Nothing in this section restricts or precludes—

- (A) any low-level overflight of military aircraft over an area designated as a wilderness area under an amendment made by this section,² including military overflights that can be seen, heard, or detected within the wilderness area;
- (B) flight testing or evaluation; or
- (C) the designation or establishment of—
 - (i) new units of special use airspace; or
 - (ii) any military flight training route over a wilderness area described in subparagraph (A).

(Pub. L. 113–291, div. B, title XXX, § 3062, Dec. 19, 2014, 128 Stat. 3821.)

REFERENCES IN TEXT

The National Forest Management Act of 1976, referred to in subsec. (b)(3)(A)(ii)(I), is Pub. L. 94–588, Oct. 22, 1976, 90 Stat. 2949, which enacted sections 472a, 521b, 1600, and 1611 to 1614 of this title, amended sections 500, 515, 516, 518, 576b, and 1601 to 1610 of this title, repealed sections 476, 513, and 514 of this title, and enacted provisions set out as notes under sections 476, 513, 528, 594–2, and 1600 of this title. For complete classification of this Act to the Code, see Short Title of 1976 Amendment note set out under section 1600 of this title and Tables.

This Act, referred to in subsec. (b)(3)(A)(ii)(II), is Pub. L. 113–291, Dec. 19, 2014, 128 Stat. 3292, known as the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015. For complete classification of this Act to the Code, see Tables.

The Wilderness Act, referred to in subsec. (c)(2), is Pub. L. 88–577, Sept. 3, 1964, 78 Stat. 890, which is classified generally to chapter 23 (§ 1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

Section 2(a)(22) of the Colorado Wilderness Act of 1993, referred to in subsec. (c)(2), (3), is section 2(a)(22)

of Pub. L. 103–77, as added by Pub. L. 113–291, div. B, title XXX, § 3062(c)(1), Dec. 19, 2014, 128 Stat. 3823, which is listed in a table of Wilderness Areas set out under section 1132 of this title.

Act of June 14, 1926, referred to in subsecs. (d)(3)(A) and (e)(3), is act June 14, 1926, ch. 578, 44 Stat. 741, popularly known as the Recreation and Public Purposes Act, which is classified to sections 869 to 869–4 of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 869 of Title 43 and Tables.

The Federal Land Policy and Management Act of 1976, referred to in subsec. (f)(1)(B)(ii), is Pub. L. 94–579, Oct. 21, 1976, 90 Stat. 2743, which is classified principally to chapter 35 (§ 1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43 and Tables.

CODIFICATION

Section is comprised of section 3062 of Pub. L. 113–291. Subsec. (c)(1) of section 3062 of Pub. L. 113–291 enacted section 2(a)(22) of Pub. L. 103–77, which is listed in a table of Wilderness Areas set out under section 1132 of this title.

§ 539r. Rocky Mountain Front Conservation Management Area and wilderness additions

(a) Definitions

In this section:

(1) Conservation Management Area

The term “Conservation Management Area” means the Rocky Mountain Front Conservation Management Area established by subsection (b)(1)(A).

(2) Decommission

The term “decommission” means—

(A) to reestablish vegetation on a road; and

(B) to restore any natural drainage, watershed function, or other ecological processes that are disrupted or adversely impacted by the road by removing or hydrologically disconnecting the road prism.

(3) District

The term “district” means the Rocky Mountain Ranger District of the Lewis and Clark National Forest.

(4) Map

The term “map” means the map entitled “Rocky Mountain Front Heritage Act” and dated October 27, 2011.

(5) Nonmotorized recreation trail

The term “nonmotorized recreation trail” means a trail designed for hiking, bicycling, or equestrian use.

(6) Secretary

The term “Secretary” means—

(A) with respect to land under the jurisdiction of the Secretary of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Secretary of the Interior, the Secretary of the Interior.

(7) State

The term “State” means the State of Montana.

(b) Rocky Mountain Front Conservation Management Area**(1) Establishment****(A) In general**

Subject to valid existing rights, there is established the Rocky Mountain Front Conservation Management Area in the State.

(B) Area included

The Conservation Management Area shall consist of approximately 195,073 acres of Federal land managed by the Forest Service and 13,087 acres of Federal land managed by the Bureau of Land Management in the State, as generally depicted on the map.

(C) Incorporation of acquired land and interests

Any land or interest in land that is located in the Conservation Management Area and is acquired by the United States from a willing seller shall—

(i) become part of the Conservation Management Area; and

(ii) be managed in accordance with—

(I) in the case of land managed by the Forest Service—

(aa) the Act of March 1, 1911 (commonly known as the “Weeks Law”) (16 U.S.C. 552 et seq.); and

(bb) any laws (including regulations) applicable to the National Forest System;

(II) in the case of land managed, by the Bureau of Land Management, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(III) this subsection; and

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

(2) Purposes

The purposes of the Conservation Management Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the recreational, scenic, historical, cultural, fish, wildlife, roadless, and ecological values of the Conservation Management Area.

(3) Management**(A) In general**

The Secretary shall manage the Conservation Management Area—

(i) in a manner that conserves, protects, and enhances the resources of the Conservation Management Area; and

(ii) in accordance with—

(I) the laws (including regulations) and rules applicable to the National Forest System for land managed by the Forest Service;

(II) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) for land managed by the Bureau of Land Management;

(III) this subsection; and

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

(B) Uses**(i) In general**

The Secretary shall only allow such uses of the Conservation Management Area

that the Secretary determines would further the purposes described in paragraph (2).

(ii) Motorized vehicles**(I) In general**

The use of motorized vehicles in the Conservation Management Area shall be permitted only on existing roads, trails, and areas designated for use by such vehicles as of December 19, 2014.

(II) New or temporary roads

Except as provided in subclause (III), no new or temporary roads shall be constructed within the Conservation Management Area.

(III) Exceptions

Nothing in subclause (I) or (II) prevents the Secretary from—

(aa) rerouting or closing an existing road or trail to protect natural resources from degradation, as determined to be appropriate by the Secretary;

(bb) constructing a temporary road on which motorized vehicles are permitted as part of a vegetation management project in any portion of the Conservation Management Area located not more than ¼ mile from the Teton Road, South Teton Road, Sun River Road, Beaver Willow Road, or Benchmark Road;

(cc) authorizing the use of motorized vehicles for administrative purposes (including noxious weed eradication or grazing management); or

(dd) responding to an emergency.

(IV) Decommissioning of temporary roads

The Secretary shall decommission any temporary road constructed under subclause (III)(bb) not later than 3 years after the date on which the applicable vegetation management project is completed.

(iii) Grazing

The Secretary shall permit grazing within the Conservation Management Area, if established on December 19, 2014—

(I) subject to—

(aa) such reasonable regulations, policies, and practices as the Secretary determines appropriate; and

(bb) all applicable laws; and

(II) in a manner consistent with—

(aa) the purposes described in paragraph (2); and

(bb) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96-617).

(iv) Vegetation management

Nothing in this section prevents the Secretary from conducting vegetation man-

agement projects within the Conservation Management Area—

(I) subject to—

(aa) such reasonable regulations, policies, and practices as the Secretary determines appropriate; and

(bb) all applicable laws (including regulations); and

(II) in a manner consistent with the purposes described in paragraph (2).

(4) Adjacent management

(A) In general

The designation of the Conservation Management Area shall not create a protective perimeter or buffer zone around the Conservation Management Area.

(B) Effect

The fact that activities or uses can be seen or heard from areas within the Conservation Management Area shall not preclude the conduct of the activities or uses outside the boundary of the Conservation Management Area.

(c) Designation of wilderness additions

(1) In general

In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following Federal land in the State is designated as wilderness and as additions to existing components of the National Wilderness Preservation System:

(A) Bob Marshall Wilderness

Certain land in the Lewis and Clark National Forest, comprising approximately 50,401 acres, as generally depicted on the map, which shall be added to and administered as part of the Bob Marshall Wilderness designated under section 3 of the Wilderness Act (16 U.S.C. 1132).

(B) Scapegoat Wilderness

Certain land in the Lewis and Clark National Forest, comprising approximately 16,711 acres, as generally depicted on the map, which shall be added to and administered as part of the Scapegoat Wilderness designated by the first section of Public Law 92-395 (16 U.S.C. 1132 note).

(2) Management of wilderness additions

Subject to valid existing rights, the land designated as wilderness additions by paragraph (1) shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be deemed to be a reference to December 19, 2014.

(3) Livestock

The grazing of livestock and the maintenance of existing facilities relating to grazing in the wilderness additions designated by this subsection, if established before December 19, 2014, shall be permitted to continue in accordance with—

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

(B) the guidelines set forth in the report of the Committee on Interior and Insular Af-

fairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96-617).

(4) Wildfire, insect, and disease management

In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), within the wilderness additions designated by this subsection, the Secretary may take any measures that the Secretary determines to be necessary to control fire, insects, and diseases, including, as the Secretary determines appropriate, the coordination of those activities with a State or local agency.

(5) Adjacent management

(A) In general

The designation of a wilderness addition by this subsection shall not create any protective perimeter or buffer zone around the wilderness area.

(B) Nonwilderness activities

The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness addition designated by this subsection shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

(d) Maps and legal descriptions

(1) In general

As soon as practicable after December 19, 2014, the Secretary shall prepare maps and legal descriptions of the Conservation Management Area and the wilderness additions designated by subsections (b) and (c), respectively.

(2) Force of law

The maps and legal descriptions prepared under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct typographical errors in the map and legal descriptions.

(3) Public availability

The maps and legal descriptions prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(e) Noxious weed management

(1) In general

Not later than 1 year after December 19, 2014, the Secretary of Agriculture shall prepare a comprehensive management strategy for preventing, controlling, and eradicating noxious weeds in the district.

(2) Contents

The management strategy shall—

(A) include recommendations to protect wildlife, forage, and other natural resources in the district from noxious weeds;

(B) identify opportunities to coordinate noxious weed prevention, control, and eradication efforts in the district with State and local agencies, Indian tribes, nonprofit organizations, and others;

(C) identify existing resources for preventing, controlling, and eradicating noxious weeds in the district;

(D) identify additional resources that are appropriate to effectively prevent, control, or eradicate noxious weeds in the district; and

(E) identify opportunities to coordinate with county weed districts in Glacier, Pondera, Teton, and Lewis and Clark Counties in the State to apply for grants and enter into agreements for noxious weed control and eradication projects under the Noxious Weed Control and Eradication Act of 2004 (7 U.S.C. 7781 et seq.).

(3) Consultation

In developing the management strategy required under paragraph (1), the Secretary shall consult with—

- (A) the Secretary of the Interior;
- (B) appropriate State, tribal, and local governmental entities; and
- (C) members of the public.

(f) Nonmotorized recreation opportunities

Not later than 2 years after December 19, 2014, the Secretary of Agriculture, in consultation with interested parties, shall conduct a study to improve nonmotorized recreation trail opportunities (including mountain bicycling) on land not designated as wilderness within the district.

(g) Management of fish and wildlife; hunting and fishing

Nothing in this section affects the jurisdiction of the State with respect to fish and wildlife management (including the regulation of hunting and fishing) on public land in the State.

(h) Overflights

(1) Jurisdiction of the Federal Aviation Administration

Nothing in this section affects the jurisdiction of the Federal Aviation Administration with respect to the airspace above the wilderness or the Conservation Management Area.

(2) Benchmark airstrip

Nothing in this section affects the continued use, maintenance, and repair of the Benchmark (3U7) airstrip.

(i) Release of wilderness study areas

(1) Finding

Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the Zook Creek and Buffalo Creek wilderness study areas in the State have been adequately studied for wilderness designation.

(2) Release

The Zook Creek and Buffalo Creek wilderness study areas—

- (A) are no longer subject to—
 - (i) section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); or
 - (ii) Secretarial Order 3310 issued on December 22, 2010; and
- (B) shall be managed in accordance with the applicable land use plans adopted under section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712).

(j) Assessment update

(1) In general

Not later than 5 years after December 19, 2014, the Secretary shall review and update the assessment for oil and gas potential for the following wilderness study areas in the State:

- (A) Bridge Coulee.
- (B) Musselshell Breaks.

(2) Report

Not later than 30 days after the date on which the review is completed under paragraph (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 describes the oil and gas potential for the wilderness study areas.

(Pub. L. 113–291, div. B, title XXX, § 3065, Dec. 19, 2014, 128 Stat. 3833.)

REFERENCES IN TEXT

The Act of March 1, 1911, referred to in subsec. (b)(1)(C)(ii)(I)(aa), is act Mar. 1, 1911, ch. 186, 36 Stat. 961, popularly known as the Weeks Law, which enacted former sections 513 and 514 and sections 515 to 519, 521, 552, and 563 of this title and amended sections 480 and 500 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 552 of this title and Tables.

The Federal Land Policy and Management Act of 1976, referred to in subsec. (b)(1)(C)(ii)(II), (3)(A)(ii)(II), is Pub. L. 94–579, Oct. 21, 1976, 90 Stat. 2743, which is classified principally to chapter 35 (§1701 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 43 and Tables.

The Wilderness Act, referred to in subsec. (c)(1), (2), is Pub. L. 88–577, Sept. 3, 1964, 78 Stat. 890, which is classified generally to chapter 23 (§1131 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1131 of this title and Tables.

The first section of Public Law 92–395, referred to in subsec. (c)(1)(B), enacted provisions listed in a table of Wilderness Areas set out under section 1132 of this title.

The Noxious Weed Control and Eradication Act of 2004, referred to in subsec. (e)(2)(E), is subtitle E (§§451–457) of title IV of Pub. L. 106–224, as added by Pub. L. 108–412, §1, Oct. 30, 2004, 118 Stat. 2320, which is classified generally to subchapter V (§7781 et seq.) of chapter 104 of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 7701 of Title 7 and Tables.

SUBCHAPTER II—SCENIC AREAS

§ 541. Cascade Head Scenic-Research Area; establishment

In order to provide present and future generations with the use and enjoyment of certain ocean headlands, rivers, streams, estuaries, and forested areas, to insure the protection and encourage the study of significant areas for research and scientific purposes, and to promote a more sensitive relationship between man and his adjacent environment, there is hereby established, subject to valid existing rights, the Cascade Head Scenic-Research Area (hereinafter referred to as “the Area”) in the Siuslaw National Forest in the State of Oregon.

(Pub. L. 93–535, §1, Dec. 22, 1974, 88 Stat. 1732.)