



RESOURCE USE PLAN

legislature shall provide for the identification, acquisition, restoration, enhancement, preservation and administration of scenic, historic, archeological, scientific, cultural, and recreational areas, sites, records, and objects, and for their use and enjoyment by the people."

1. GOAL: Encourage the preservation of all parts of our cultural heritage.

Objective 1A: Recognition of special features in Beaverhead County, including:

- campsites, buffalo jumps, pictographs and quarries once used by the American Indian
- the Lewis and Clark Expedition route through Beaverhead County
- Bannack, the first capitol of Montana
- Other historic sites, including the many mines and mills scattered throughout the Pioneer Range.

WILDERNESS

The Wilderness Act of 1964 created a National Wilderness Preservation System to be composed of federally managed lands designated by Congress as "wilderness areas." The Act defined a wilderness as *"an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain."* The definition states that a wilderness thus is in "contrast with those areas where man and his own works dominate the landscape." The Act provides that all suitable wilderness areas should be inventoried by the federal agency charged with management responsibility for the particular area. This inventory and recommendations by the agency as to whether the areas should be established as wilderness areas were to be completed within ten (10) years of passage. In the Federal Land Policy Management Act of 1976, Congress established a clear directive that by 1991, the Secretary of the Interior must review all roadless areas of 5,000 acres or more on the federally managed lands (identified as having wilderness characteristics as described in the Wilderness Act) and give to the President a recommendation as to the suitability or non-suitability of each such area for preservation as wilderness.

1. GOAL: Beaverhead County will take a proactive approach in the designation and management of wilderness areas in Beaverhead County.

Objective 1A: Uphold the legal requirements and qualifications set forth by the Wilderness Act, including those providing for the continuation of existing uses, and the regulation of existing uses only so as to prevent unnecessary or undue degradation of the environment.

Policy 1: Beaverhead County will forward to Congress and to the appropriate decision-making agencies its recommendations regarding areas proposed as wilderness or non-wilderness areas.

Said recommendations will be based upon the county's evaluation of impacts upon Beaverhead County and southwestern Montana, and may include proposals for modifications or adjustments of boundaries of proposed areas.

Objective 1B: Beaverhead County advocates the expeditious review and determination of any Wilderness Study Areas in the County.

Objective 1C: Review current wilderness recommendations in relation to the impacts on natural resource based industries, the economic stability of the County, and on the custom and culture of the citizens of Beaverhead County.

Policy 2: A recommendation from the County will be forwarded to Congress based on the evaluation of impacts to the County.

Policy 3: A recommendation from the County will be forwarded to Congress for modification or adjustment of boundaries based on this evaluation.

Objective 1D: Eliminate multiple-use land being closed indefinitely in "study areas", even though the land does not meet the wilderness requirements and qualifications set forth by the Wilderness Act.

2. GOAL: Protect Montana's water resources and water adjudication system.

Objective 2A: Recognition that a wilderness designation does not affect state authority over water resources and Montana's substantive and procedural laws controlling appropriation and allocation of water resources remain the primary authorities over waters in Beaverhead County and in any area within Beaverhead County that may be designated as a wilderness area.

Objective 2B: Protect any interests in ditches, reservoirs or water conveyance facilities and easements or rights or way associated with those interests, from impairment or diminution by any wilderness designation.

Objective 2C: Reaffirm the rights to access to enter, inspect, repair, and maintain those interests are not affected by any wilderness designation, including the use of mechanized vehicles and equipment for repairs and maintenance of such facilities.

WILD AND SCENIC RIVERS

The National Wild and Scenic Rivers Act, 16 U.S.C. 88 1271-1287, provides the guidance for identification and designation of individual river segments for study, and for recommendation for inclusion as a Wild and Scenic River. Section 1271 calls for protection of "certain selected rivers of the Nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values."

Under 16 U.S.C. § 1283, any federally managed lands which include, border on, or are adjacent to any river included in, or under consideration for inclusion in, the national system must be managed by the Secretary of Interior so as to protect such rivers in accordance with the purposes of the Act. However, 16 U.S.C. § 1283 Co), provides that the section is not to be "construed to abrogate any existing rights, privileges, or contracts affecting Federal lands held by any private party without the consent of said party."