

HOUSE JOINT RESOLUTION NO. 9

INTRODUCED BY K. WHITE, C. VINCENT

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4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA URGING THE UNITED STATES CONGRESS TO RELEASE CERTAIN WILDERNESS STUDY
6 AREAS IN MONTANA FROM CONSIDERATION FOR INCLUSION IN THE NATIONAL WILDERNESS
7 PRESERVATION SYSTEM.

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9 WHEREAS, the 95th Congress passed the Montana Wilderness Study Act of 1977; and
10 WHEREAS, the Montana Wilderness Study Act required the Secretary of Agriculture to review certain
11 lands within 5 years to determine suitability for preservation as wilderness and report the findings to the President;
12 and

13 WHEREAS, almost ~~4 million~~ 663,000 acres of land in Montana are designated under the Montana
14 Wilderness Study Act, including the:

- 15 (1) West Pioneer Wilderness Study Area comprising approximately 151,000 acres;
- 16 (2) Blue Joint Wilderness Study Area comprising approximately 61,000 acres;
- 17 (3) Sapphire Wilderness Study Area comprising approximately 94,000 acres;
- 18 (4) Ten Lakes Wilderness Study Area comprising approximately 34,000 acres;
- 19 (5) Middle Fork Judith Wilderness Study Area comprising approximately 81,000 acres;
- 20 (6) Big Snowies Wilderness Study Area comprising approximately 91,000 acres; and
- 21 (7) Hyalite-Porcupine-Buffalo Horn Wilderness Study Area comprising approximately 151,000 acres; and

22 WHEREAS, the 5-year period for review mandated by the Montana Wilderness Study Act expired in
23 1982; and

24 WHEREAS, the vast majority of Montana lands identified in the Montana Wilderness Study Act have
25 never been formally recommended by the Secretary of Agriculture for inclusion in the National Wilderness
26 Preservation System and no law has been signed by the President to designate these lands as wilderness; and

27 WHEREAS, these Montana lands are in legal limbo, a situation that causes extensive federal litigation
28 as to what uses of the lands are appropriate and, in turn, places a burden on federal court resources; and

29 WHEREAS, uncertainty and wide swings in Executive Branch philosophy regarding the administration
30 of these lands are costing the public millions of dollars as forest assets burn and deteriorate and as investments

1 in forest road construction and improvements are being deliberately destroyed; and

2 WHEREAS, administrative decisions and preservationist lawsuits have progressively reduced access
3 to public lands for forest managers and the public; and

4 WHEREAS, the long-term sustainability of public lands depends on good stewardship and professional
5 scientific site-specific management of forest resources; and

6 WHEREAS, Montana's historic heritage, customs, and culture are linked to the proper stewardship and
7 use of the state's natural resources; and

8 ~~WHEREAS, Montana's economy has been severely impacted by recent management policies, resulting~~
9 ~~in the closure of 22 sawmills since 1990 and causing the loss of over 2,100 primary industry jobs and over \$50~~
10 ~~million in wages; and~~

11 WHEREAS, these lands are defacto wilderness in lieu of congressional action, a situation that has
12 resulted in a waste of forest assets, no management of public forests, and a harmful reduction in forest road
13 construction and multiple-use access improvements; and

14 WHEREAS, the failure by Congress to release the lands locked up by the Montana Wilderness Study
15 Act of 1977 severely harms agriculture, timber harvesting, and multiple-use interests, as well as Montana
16 communities and Montana families economically supported by those activities; and

17 WHEREAS, it is the consensus of the Montana Legislature that more than sufficient time has passed for
18 the study of these lands as to their suitability for preservation as wilderness to be completed under the Montana
19 Wilderness Study Act; and

20 WHEREAS, NATIONAL FOREST LANDS RELEASED FROM WILDERNESS STUDY WOULD STILL BE SUBJECT TO THE
21 NATIONAL FOREST MANAGEMENT ACT, WHICH REQUIRES EXTENSIVE PUBLIC INVOLVEMENT AS THE AGENCY DEVELOPS
22 AND UPDATES PLANS FOR THE MANAGEMENT AND USE OF RESOURCES IN EACH FOREST; AND

23 WHEREAS, the Montana Legislature on behalf of the citizens of the state assert that the time is ripe for
24 final disposition of these lands.

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26 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
27 STATE OF MONTANA:

28 That the Legislature supports scientific adaptive management to implement the multiple-use concept of
29 public land use as mandated by the Multiple-Use Sustained Yield Act of 1960, to ensure the protection and
30 improvement of forest health, and to maintain and improve the sustainability of federal forests located in Montana.

1 BE IT FURTHER RESOLVED, that the United States Congress enact legislation to release all wilderness
2 study areas identified and specified in the Montana Wilderness Study Act of 1977 in order to secure the rights
3 of Montana citizens to use these public lands for public purposes, including for purposes of multiple recreation
4 use, UNLESS CONGRESS CONFIRMS A STUDY AREA FOR INCLUSION IN THE NATIONAL WILDERNESS PRESERVATION
5 SYSTEM.

6 BE IT FURTHER RESOLVED, that Congress:

7 (1) release all wilderness study areas and implement the concept of multiple use in order to fulfill the
8 federal mandate as required by the Forest Management Act of 1897 to manage the national forests to "improve
9 and protect the forest within the reservation, or for the purpose of securing favorable conditions of water flows,
10 and to furnish a continuous supply of timber for the use and necessities of citizens of the United States"; OR

11 (2) CONSIDER REDESIGNATING THE WILDERNESS STUDY AREAS AS NATIONAL RECREATION AREAS OR NATIONAL
12 CONSERVATION AREAS.

13 BE IT FURTHER RESOLVED, THAT IN ITS DELIBERATIONS, CONGRESS CONSIDER THE LAND MANAGEMENT
14 ALTERNATIVES IN VIEW OF THE FOREST MANAGEMENT ACT OF 1897 IN CONJUNCTION WITH THE 2007 WATER COMPACT
15 BETWEEN THE STATE OF MONTANA AND THE U.S. DEPARTMENT OF AGRICULTURE FOREST SERVICE SINCE LAND
16 MANAGEMENT DIRECTLY IMPACTS THE VOLUME, QUANTITY, AND TIMING OF WATER FLOWS FROM WATERSHEDS IN THESE
17 WILDERNESS STUDY AREAS AND IMPACTS DOWNSTREAM WATER RIGHTS HOLDERS.

18 BE IT FURTHER RESOLVED, THAT THE LEGISLATURE URGES THE SECRETARY OF THE DEPARTMENT OF
19 AGRICULTURE TO DIRECT THE FOREST SERVICE TO IMMEDIATELY EVALUATE THE IMPACTS OF THE LAND MANAGEMENT
20 ALTERNATIVES ON THE WATERSHEDS IN THE WILDERNESS STUDY AREAS AND DOWNSTREAM WATER RIGHTS HOLDERS TO
21 HELP INFORM CONGRESS IN ITS DELIBERATIONS.

22 BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Governor of Montana, the
23 Montana Congressional Delegation, the United States Secretary of the Interior, the United States Secretary of
24 Agriculture, and the Chief of the United States Forest Service.

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