

SENATE JOINT RESOLUTION NO. 20

INTRODUCED BY J. WELBORN

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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF CERTAIN WILDERNESS STUDY AREAS IN MONTANA TO CONVENE STAKEHOLDERS, DISCUSS OPTIONS FOR DISPOSITION, AND PROVIDE RECOMMENDATIONS TO CONGRESS.

WHEREAS, the 95th Congress passed the Montana Wilderness Study Act of 1977; and

WHEREAS, the Montana Wilderness Study Act required the Secretary of Agriculture to review certain lands within 5 years to determine suitability for preservation as wilderness and report the findings to the President; and

WHEREAS, almost 663,000 acres of land in Montana are designated under the Montana Wilderness Study Act, including the:

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

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

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

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

WHEREAS, uncertainty and wide swings in executive branch philosophy regarding the administration 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, these lands are de facto wilderness in lieu of congressional action, a situation that has  
9 resulted in a waste of forest assets, no management of public forests, and a harmful reduction in forest road  
10 construction and multiple-use access improvements; and

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

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

17 WHEREAS, national forest lands released from wilderness study would still be subject to the National  
18 Forest Management Act, which requires extensive public involvement as the agency develops and updates plans  
19 for the management and use of resources in each forest; and

20 WHEREAS, the Montana Legislature on behalf of the citizens of the state asserts that the time is ripe for  
21 final disposition of these lands.

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

25 That the Legislative Council be requested to designate an appropriate interim committee or statutory  
26 committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to convene stakeholders with  
27 an interest in wilderness study areas to study the history and policy issues related to wilderness study areas.

28 BE IT FURTHER RESOLVED, that the committee provide a forum for stakeholders to formulate options  
29 for Congress to address the disposition of these lands.

30 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review

1 requirements, be concluded prior to September 15, 2020.

2 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,  
3 comments, or recommendations of the appropriate committee, be reported to the 67th Legislature.

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