

SENATE JOINT RESOLUTION NO. 21

INTRODUCED BY A. CURTISS

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A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA RELATING TO THE U.S. FOREST SERVICE GALTON STUDY AREA.

WHEREAS, the Kootenai National Forest is a multiple-use forest under the Multiple-Use Sustained-Yield Act of 1960; and

WHEREAS, enjoyment of the multiple uses available in this unique area have become integral elements of the heritage, customs, and culture of Montana citizens; and

WHEREAS, Montana citizens have used and currently use this area for a variety of uses, as provided for in the Multiple-Use Sustained-Yield Act of 1960, such as hiking, snowmobiling, cross-country skiing, firewood collecting, berry picking, swimming, boating, fishing, hunting, and scenic access by roads, off-road vehicles, and horseback riding; and

WHEREAS, in 1964, 6,541 acres of the Kootenai National Forest near the Canadian Boundary were established as the Ten Lakes Scenic Area; and

WHEREAS, the Ten Lakes Scenic Area was later increased by fiat to 34,000 acres; and

WHEREAS, in 1977, the Ten Lakes Scenic Area was included in the 81,000 acres to be studied for wilderness suitability under the Montana Wilderness Study Act of 1977; and

WHEREAS, those studies have extended 19 years past the deadline when conclusions were to have been reached from those studies; and

WHEREAS, the wilderness study status has resulted in a lack of management, and the lack of management has created a de facto wilderness area without any wilderness designation having been made by Congress; and

WHEREAS, the de facto wilderness status has resulted in damage to and destruction of a national resource by root rot, infestations of insects, and spread of Douglas-fir bark beetle; and

WHEREAS, private property has also been damaged through the spread of the beetle and disease to property adjacent to the national resource; and

WHEREAS, "let burn" wilderness policy led to the fires of 2000 burning into the study area; and

WHEREAS, the "Totally Involved in Managing Better Economic Resources" Committee, commissioned



1 by the Eureka Area Chamber of Commerce and the Tobacco Valley Community Development Council, who were
2 gravely concerned about deteriorating forest health, concluded that "in all areas, we endorse active over passive
3 management of the Kootenai National Forest"; and

4 WHEREAS, now another "study within a study" has been initiated by the U.S. Forest Service and the
5 local ranger district in what it calls the Galton Study Area, which includes 42,905 acres of private land in the
6 170,285 acres in the overall "study" area; and

7 WHEREAS, spokespersons for the U.S. Forest Service have repeatedly stressed that the Galton Study
8 Area is not about wilderness; and

9 WHEREAS, the Supervisor of the Kootenai National Forest and the district ranger recently told the Glen
10 Lake Irrigation District in a coordination meeting that the study is not about wilderness designation; and

11 WHEREAS, water supplying the Glen Lake Irrigation District and acreages in the Tobacco Valley arises
12 within this watershed; and

13 WHEREAS, access is needed to protect the watershed itself; and

14 WHEREAS, the greatest geographical portions of the study area do not meet either wilderness or
15 inventoried roadless qualifications.

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

19 That the Montana Legislature call on the U.S. Forest Service to abide by the will of Congress, which the
20 U.S. Constitution charges with management of the federal lands, including national forests, and to continue to
21 impose and follow management practices that allow open public access for enjoyment of these public lands in
22 the Galton Study Area.

23 BE IT FURTHER RESOLVED, that the Montana Legislature call upon Congress to insist that the U.S.
24 Forest Service implement the will of Congress and protect the Galton Study Area from disastrous fire, which
25 would subvert the will of Congress.

26 BE IT FURTHER RESOLVED, that the Montana Legislature call on the U.S. Forest Service to keep open
27 access to the study area, which will allow fire protection and other management practices to protect this important
28 watershed from catastrophic fire.

29 BE IT FURTHER RESOLVED, that the Montana Legislature call on the U.S. Forest Service to enhance
30 the qualities of the Galton Study Area through policies that allow access that will allow accommodations for

1 overflow of visitors to adjacent Glacier National Park, which is both a World Heritage Site and an International
2 Biosphere Reserve.

3 BE IT FURTHER RESOLVED, that the Montana Legislature urge the U.S. Forest Service to implement
4 the will of Congress as to multiple uses and the full use of the recreation area, as well as the will of Congress
5 expressed in the Americans With Disabilities Act, by maintaining open road systems with at least one loop road
6 in each drainage to ensure that the disabled are able to gain motorized access in order to enjoy the beauty and
7 use of the Kootenai National Forest.

8 BE IT FURTHER RESOLVED, that any changes to existing road usage, open access for the purpose
9 of enjoying multiple uses, or established multiple uses be coordinated with the Montana Legislature and with units
10 of local government seeking to exercise their coordination authority recognized by the National Forest
11 Management Act of 1976 and Forest Service regulations.

12 BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Governor of Montana, the
13 Montana Congressional Delegation, the United States Secretary of the Interior, the United States Secretary of
14 Agriculture, the Council on Environmental Quality, which oversees and regulates agency performance under the
15 National Environmental Policy Act, the Director of the Environmental Protection Agency, which exercises
16 jurisdiction under the National Environmental Policy Act, the Chief of the United States Forest Service, the
17 Supervisor of the Kootenai National Forest, and the head of the Environment and Natural Resources Division
18 U.S. Department of Justice.

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