

United States House Natural Resources Committee's Subcommittee on Federal Lands

Legislative Hearing on H.R. 5148 and H.R. 5149

Testimony of Greg Chilcott, Commissioner, Ravalli County, Montana

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Chairman McClintock and Ranking Member Hanabusa, I thank you for holding this legislative hearing on H.R. 5148, The Protect Public Use of Public Lands Act, and H.R. 5149, the Unlocking Public Lands Act.

My name is Greg Chilcott, and I have been a member of the Ravalli County, Montana Board of Commissioners since 2003. I am a past president of the Montana Association of Counties, and currently serve as the Vice Chairman of the National Association of Counties' (NACo) Public Lands Steering Committee and 2nd Vice President for NACo's Western Interstate Region.

My family roots in Ravalli County date back to the 1860s. I care deeply about my community and want to see it thrive. Some of the ways it can thrive are with increased recreational access, healthy landscapes, clean water and a stronger economy. That is why I am here testifying in support of H.R. 5148, The Protect Public Use of Public Lands Act, and H.R. 5149, the Unlocking Public Lands Act.

Montana currently has 42 Wilderness Study Areas. Throughout the nation, Congress has chosen to designate many WSAs as Wilderness Areas, while releasing others from such a restrictive status. The Bureau of Land Management (BLM) and U.S. Forest Service manage the remaining WSAs, including those determined as NOT suitable for Wilderness designation, as de facto Wilderness Areas until Congress takes action. Congressman Gianforte has introduced H.R. 5148 and H.R. 5149 to initiate this process. I encourage the Committee to support these two pieces of legislation.

H.R. 5148—Protect Public Use of Public Lands Act

H.R. 5148 would release approximately 450,000 acres of WSAs controlled by the U.S. Forest Service, including the approximately 32,500 acres within the Blue Joint WSA and 94,000 acres of the Sapphire WSA, both in Ravalli County. All of the acreage to be released by this bill after extensive agency review and analysis was deemed not suitable for Wilderness designation by the Forest Service.

The bill would also release the following Forest Service WSAs:

West Pioneer – 151,000 Acres

Middle Fork Judith – 81,000 Acres

Big Snowies – 91,000 Acres

Should these WSAs be released, the Forest Service could open the lands to a greater number of recreational activities, including motorized vehicle access. Additionally, the agency could also more adequately maintain landscape health, such as through vegetation and hazardous fuels management. This bill will positively impact my county, which was scarred by catastrophic wildfire last summer.

H.R. 5149—Unlocking Public Lands Act

H.R. 5149, the Unlocking Public Lands Act, would release all or portions of 24 WSAs comprising 360,0000 acres deemed not suitable for wilderness designation by the BLM in 1980. The bill would release the following WSAs:

- (1) the Axolotl Lakes Wilderness Study Area;
- (2) the Bell/Limekiln Canyons Wilderness Study Area;
- (3) the Henneberry Ridge Wilderness Study Area;
- (4) the Hidden Pasture Wilderness Study Area;
- (5) the Twin Coulee Wilderness Study Area;
- (6) the Black Sage Wilderness Study Area;
- (7) the Blacktail Mountains Wilderness Study Area;
- (8) the Centennial Mountains Wilderness Study Area;
- (9) the East Fork Blacktail Deer Creek Wilderness Study Area;
- (10) the public land that is—
 - (A) included in the Farlin Creek Wilderness Study Area; and
 - (B) not depicted on the map entitled “East Pioneers Wilderness” and dated September 13, 2010;
- (11) the Ruby Mountains Wilderness Study Area;
- (12) the Bitter Creek Wilderness Study Area;
- (13) the Billy Creek Wilderness Study Area;
- (14) the Bridge Coulee Wilderness Study Area;
- (15) the Seven Blackfoot Wilderness Study Area;
- (16) the Terry Badlands Wilderness Study Area;
- (17) the Hoodoo Mountain Wilderness Study Area;
- (18) the Wales Creek Wilderness Study Area;
- (19) the Antelope Creek Wilderness Study Area;
- (20) the Cow Creek Wilderness Study Area;
- (21) the Dog Creek South Wilderness Study Area;
- (22) the Ervin Ridge Wilderness Study Area;
- (23) the Stafford Wilderness Study Area; and
- (24) the Woodhawk Wilderness Study Area.

35 of Montana’s WSA are managed by the Bureau of Land Management (BLM). Should this legislation pass, the 24 WSAs could be open by the BLM to greater recreational access, and broaden the number of tools available to make the landscape less prone to wildfire, flooding and other natural disasters.

All of the Wilderness Study Areas to be released in whole or in part under these two bills have been studied extensively at the direction of Congress and administrations of both parties. They have been deemed not suitable for Wilderness designation. The Wilderness Act of 1964 defines a wilderness area as:

“A wilderness, in contrast with those areas where man and his works dominate the landscape, is hereby recognized 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. An area of wilderness is further defined to mean in this Act an area of undeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural

conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.”¹

The federal government has determined that the WSAs specifically mentioned in these two bills do not meet this very clear legal standard. Additionally, H.R. 5148 and H.R. 5149 have significant grassroots support from county governments, agriculture organizations, public lands recreational enthusiasts and other interested parties based in Montana.

Montana

My home county, Ravalli County, is located in Western Montana, bordering Idaho. We are a rural county with a population of approximately 42,000. The county makes up approximately 2,400 square miles and contains the majority of the Bitterroot National Forest. The Bitterroot National Forest is home to three large wilderness areas: the Anaconda-Pintler Wilderness, Selway-Bitterroot Wilderness, and the Frank Church River of No Return Wilderness, which is the second largest wilderness area within the National Wilderness Preservation System.

Ravalli County is approximately 73% national forest land. It is no exaggeration to say that the way the Bitterroot National Forest is managed impacts the way we live our lives. Much of our heritage is directly tied to the forest that surrounds us. Citizens from our communities have had to leave their homes not only due to the threat of wildfire but also due to the unhealthy and hazardous smoke emitted. Hazardous air quality in our community during the fire season not only affects the public health and safety of our citizens, but negatively impacts our economy—including hunting and fishing guides, tourism, retail, and agricultural producers, to name a few. The watersheds are significantly impacted by wildfires that reduce the forest canopy and ability to retain snowpack for late season instream water flows and increase water temperatures, sedimentation and erosion.

Lifting the WSA designations from the Blue Joint and Sapphire WSA’s by no means leaves these areas unprotected. 100% of both the Sapphire and Blue Joint WSAs are inventoried roadless areas and subject to the Roadless Rule. The Blue Joint WSA is managed for primitive and semi-primitive recreational experience while the Sapphire WSA is managed for semi-primitive recreational experience.

Montanans understand the need to protect our natural resources. We enjoy the pristine beauty of our unique federal lands and want to share them with the citizens of this country. Public lands recreation and tourism contribute to our local economy.

Restrictions placed by the federal government on the types of recreational activities allowed can and do limit public lands counties’ ability to attract diverse user groups. Public lands tourism goes beyond hiking

¹ <https://www.law.cornell.edu/uscode/text/16/1131> 16 U.S.C. 1131

and camping—it includes all-terrain vehicle use, mountain biking, hunting, fishing, recreational shooting and many other activities. The use of all-terrain vehicles, mountain bikes and snowmobiles is restricted in the majority of the WSAs. Releasing the WSAs designated as unsuitable would give the Forest Service an opportunity to reevaluate management decisions and consider new options for greater recreational access. The public would also have a chance to weigh in on how the landscape is managed.

Furthermore, tourism alone will not provide us with the diverse economic base necessary for the long-term. If a WSA is set aside, it locks away potential responsible resource development that can bring good-paying jobs to rural areas. Four of the five WSAs that would be released under H.R. 5148 may contain significant mineral deposits, including tungsten, copper, silver, gold and zinc, among others. The United States currently imports significant amounts of many of these resources. Making these resources available may provide opportunities to create good paying jobs here in America to supply much needed minerals to our manufacturing sector.

We can have a balance between a healthy landscape and responsible use of our natural resources. Should H.R. 5148 and H.R. 5149 pass, the public will have opportunities to offer specific input on any draft Resource Management Plans or Forest Management Plans on these landscapes as well as any projects proposed in the future. The land will stay in public ownership and be safeguarded by the NEPA process.

Additionally, Montanans are worried about forest health and the increasing threat of wildfire. These catastrophic wildfires have had a disproportionately large impact on the ecological, social and economic life in western states. Fire seasons last an average of 78 days longer compared to 40 years ago. Last year, 10 million acres burned, and cost the federal taxpayer nearly \$3 billion to suppress. Over one million acres burned in the state of Montana alone, at a cost of almost \$300 million. Two firefighters tragically lost their lives in Montana in 2017.

These fires have had a detrimental effect on local public health, air, soil and water quality, and wildlife habitat. Our forests are overgrown with dense vegetation that is more susceptible to insect and disease infestation, along with greater wildfire risks. Opportunities to reduce fuel loads within WSAs are limited to non-existent. While certain lands should be preserved for their “primeval character” , those WSAs deemed unsuitable for Wilderness designation should be released and treated according to the best scientific practices of active forest and rangeland management to reduce threats to landscape health.

To be clear, should H.R. 5148 and H.R. 5149 become law, the released WSAs would not open for mineral exploration and timber harvests. Any projects proposed on these lands must be consistent with and subject to requisite management plans, agency regulations, roadless designations and other federal laws, including NEPA, FLPMA, and the National Forest Management Act .

Conclusion

Chairman McClintock and Ranking Member Hanabusa, thank you for the invitation to testify. Local governments and local federal land managers work together to build willing partnerships, and I ask

Congress to join that partnership by releasing these WSAs in Montana. I urge Congress to adopt H.R. 5148 and H.R. 5149. These WSAs were studied by the federal government, comments were received from the public and determined to be, all or in part, not suitable Wilderness designation. Not a single acre of land to be withdrawn from WSA status under these bills has been deemed suitable by the U.S. Department of the Interior or the U.S. Forest Service as a Wilderness Area. Should Congress pass these bills, the public will have opportunities for increased recreational access and a greater say in how these lands are managed.

Thank you for the opportunity to present the views of my local community.