

**STATEMENT OF CHRIS FRENCH
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**Before the
SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES
SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING**

Regarding

S. 1765 – BLACKFOOT CLEARWATER STEWARDSHIP ACT

September 16, 2020

Chairman Lee, Ranking Member Wyden, members of the Subcommittee, thank you for the opportunity to present the views of the U.S. Department of Agriculture (USDA) regarding S. 1765– the Blackfoot Clearwater Stewardship Act.

S. 1765 is a multi-faceted bill affecting the Lolo National Forest (Lolo) in Montana. The bill directs the Secretary of Agriculture to develop a landscape assessment of watershed conditions and restoration needs on the Seeley Lake Ranger District within three years of enactment. It further directs the Secretary, in collaboration with interested parties, to develop a 10-year schedule of restoration projects as soon as practicable following the assessment. Restoration projects developed pursuant to the Act may be implemented using the authorities found in the Healthy Forests Restoration Act of 2003.

Additionally, the bill establishes a 2,013-acre Otatsy Recreation Management Area in which recreational motorized and mechanized uses and temporary roads are generally prohibited, and snowmobiles would be allowed during the winter, and as determined by the Secretary. S.1765 also establishes a 3,835-acre Spread Mountain Recreation Area in which motorized use is generally prohibited, but mechanized use is allowed. It requires the Secretary to analyze, within three years of receipt, a collaboratively developed proposal to improve motorized and non-motorized recreational trail opportunities within the District, if such a proposal is submitted within five years of enactment. Finally, the bill designates an additional 79,060 acres to the National Wilderness Preservation System.

We recognize and appreciate that the bill is the product of a collaborative effort. The concepts embodied in this legislation—such as recognizing collaboratively developed landscape scale restoration and recreation proposals—are fundamentally sound. While we share Senator Tester’s respect for and commitment to collaboration, we have concerns about implementation of certain provisions. In particular, USDA would like to work with the Subcommittee and Senator Tester to ensure that implementation of the bill will not affect other Lolo priorities or affect priority work on other units in the Forest Service’s Northern Region.

Our primary concerns pertain to Title II, Section 203 which would require the Forest Service to prepare a National Environmental Policy Act analysis for any collaboratively developed proposal to improve motorized and non-motorized recreational trail opportunities within the Ranger District within three years of receipt of the proposal. This requirement could affect the Lolo's ability to plan and prioritize work for efficient use of public resources in a dynamic work environment. The Lolo intends to initiate revision of its land and resource management plan in 2023. If passed in its current form, this bill could require recreation use allocation planning for site-specific portions of the Seeley Lake Ranger District ahead of the broader plan revision process, which would forestall the Lolo's ability to broadly inform land use allocations across the forest through the plan revision process. Section 203 also may affect the Lolo's ability to respond quickly to unanticipated events. If enacted, the explicit timeframes currently contained in the bill could result in prioritizing the analysis of a collaboratively developed proposal to expand the trail system over other emergent work.

We also have concerns about implementing section 202, which establishes the Spread Mountain Recreation Area for the apparent purpose of enhancing mountain biking opportunities. The Lolo's current land and resource management plan identifies this area as recommended wilderness. This area is characterized generally by steep topography, sensitive soils, and contains sensitive fish and wildlife habitat. Trail 166 is the main access into this area. This trail is not maintained, not passable by riders on horseback, and becomes difficult to locate after the first mile. While we acknowledge the interest in expanding opportunities for mountain biking on the Lolo, we are concerned that the site designated for the Spread Mountain Recreation Area is not well-suited for this use, and that this designation could create conflicts with wildlife and other recreation uses.

Two of the three wilderness designations in Title III are consistent with the recommendations made in the existing Lolo National Forest land and resource management plan. The third designation (West Fork Clearwater) was not recommended in the management plan to be Wilderness, it was allocated to be managed to optimize recovery of the Grizzly Bear.

In closing, USDA strongly appreciates Senator Tester's commitment to Montana's natural resources and public lands. We recognize that the proposed bill is the product of a collaborative effort, and we appreciate that this legislation would provide benefits to Montana's communities and the Lolo National Forest. We look forward to working with the Committee and Senator Tester to develop modifications to the bill that could provide greater opportunities to foster healthy rural economies and accomplish the shared goals of increasing restoration and facilitating recreation on our public landscapes.

Thank you for the opportunity to provide USDA's views on this bill. This concludes my prepared statement and I would be pleased to answer any questions you may have.