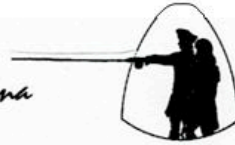


**LEWIS & CLARK CHAPTER TU of Southwest Montana**

PO Box 903 - Sheridan MT - 59749-0903



November 26, 2009

Senator Jon Tester  
724 Hart Senate Office Building  
Washington, DC 20510-2604

Dear Senator Tester:

The Lewis And Clark Chapter of Montana's Trout Unlimited is comprised of 160 members, most of whom call Southwest Montana their home. Our location is at the heart of the area most impacted by the Forest Jobs and Recreation Act, and we therefore feel compelled to weigh in on the topic. The "town hall"-style meetings you have been holding in area towns are clearly indicative of your willingness to listen to your constituents, and it is our hope that you will take our thoughts and incorporate them into the final version of the bill.

With a lens focused on fisheries, we are pleased with many aspects of the bill and believe the collaborative approach to arrive at the current draft of the bill, as well as many of its components, represent a step in the right direction with regard to Montana's cold-water fisheries. We appreciate, for example, the increase in wilderness that protects the headwaters of various watersheds in our area. While we would like to see even more area designated as wilderness, specifically in the Ruby and Tobacco Root Mountains, each of which have value as part of the vital wildlife corridor connecting Yellowstone to Glacier and the Canadian wilderness, the bill seems to be a move in the right direction in that respect.

Our concerns are as follows.

First, we are concerned about the way the bill deals with ORV use. We recognize that this group is a vocal group and their voice has a right to provide input. Too many of our members, however, have seen the damage ORVs can cause when driven off designated trails, and the bill does not provide for a way to enforce proper use of these hard-on-the-environment vehicles. While the bill designates specific areas for ORV use, it assumes that ORV users will behave responsibly; and while it is likely true that the majority of people are responsible and behave within the law, the damage caused by even one irresponsible ORV user is often visible for years, and for this reason, we see a tremendous need for funding for enforcement and clearer repercussions for those who violate the law.

Secondly, with full awareness of Montana's 150 years of agriculture-focused heritage, we find the bill's total lack of acknowledgement of the damage caused by grazing livestock to be surprising. Protecting the headwaters is beneficial for fisheries, but if that clear water is fouled by livestock further downstream, the benefit is lost. This failure to



address the well-documented damage caused by grazing seems incongruous with the bill's focus on "restoration".

Third, the fact that the Forest Service is supposed to report to congress in 5 years on how the components of the bill are working seems like a recipe for trouble given what we have heard is the Forest Service's current opinion about the bill. The Forest Service already has a plan in place that represented a collaborative effort, and this bill would supplant that effort. Further, the bill does not seem to instruct the Forest Service on metrics for reporting, and this vagueness is unsettling. It seems more sensible to place the onus for Congressional reporting on the shoulders of an unbiased third party and to provide metrics on against which success will be measured.

Fourth, we have serious concerns about any logging that might take place in the West Big Hole. The West Big Hole landscape is a special area of concern because it is immediately adjacent to the Upper Big Hole River and thus is important to fish spawning habitat and Big Hole water quality. The Big Hole is one of the few remaining free-flowing rivers in the Missouri River headwaters and a crucial stronghold for fluvial arctic grayling. The West Big Hole also represents a critical link for wildlife corridors. Post and pole timber harvest on a small scale should be allowed to continue but it will be wise to explicitly limit timber extraction in order to prevent ecological risks associated with large-scale timber harvest, including but not limited to runoff from new roads or increased use of existing roads and said runoff's corresponding risk to fish habitat.

Fifth, we believe the bill needs to be more explicit with regard to objectives for restoration projects. In much the same way that the bill is explicit with regard to timber harvest objectives, restoration projects should be quantified. As an example, that might mean X number of stream sections restored per Y number of harvested timber acres, including but not limited to culvert removal, road removal, riparian restoration, etc., with "stream section" length determined those best qualified.

Sixth, we consider the source of funding for the various components of the bill, specifically the requirement that the Forest Service manage to cut 70,000 acres over 10 years when their current budget does not allow for anywhere near that figure, to be disconcertingly nebulous. Spelling out where the funding would come from may be politically difficult in a time of economic weakness, but without spelling it out, the bill itself seems weak and destined for controversy.

Seventh, and lastly for now, we believe that enforcement of the provisions of the bill that change the way land is currently shared and used should be incorporated into the bill. This relates to the sixth point in that enforcement requires funding, and funding for this bill's provisions seems somewhat unclear. It also relates to the first point, in that allowing specific areas for ORV use is inviting concentrated scarring of the land in those areas; and if any stray from the designated roadways, the scarring will have detrimental effects beyond what it would otherwise; therefore, providing funding for enforcement

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seems logical and even necessary given the bill's focus on restoration and forest health. In fact, as this the title of this bill implies that "jobs" will be created, enforcement is one area where such jobs could be created. This would hearken back to the days of the CCC program in the 1930s when more people were put to work in the forests.

Again, it is our belief that the current draft of the bill is an important step in the right direction. Solving the above seven items would result in a much stronger endorsement from our Chapter. We would enjoy working with you, either directly or through the Montana's Trout Unlimited, to resolve the above issues.

We appreciate the significant effort you have made to be inclusive and to work collaboratively with constituents of diverse backgrounds. Tackling a task as challenging as this one is not for the faint of heart, and you are to be commended for your willingness to address such a politically difficult topic.

Sincerely,

David A. Delisi  
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