13103n CONGRESS 1ST SESSION H.R.873 "Gallatin Range Consolidation and Protection Act of 1993".

IN THE HOUSE OF REPESENTATIVES

FEBRUARY 4, 1993 Mr. WILLIAMS introduced the following bill; which was referred to the Committee on Natural Resources

It has been the clear policy of the Federal Government since 1925 to consolidate the checkerboard lands along the Gallatin Range north of Yellowstone National Park. These lands north of Yellowstone possess outstanding natural characteristics and wildlife habitat which give them high value as lands added to the National Forest System.

**STATEMENT OF HON. PAT WILLIAMS, A U.S. REPRESENTATIVE FROM THE STATE OF MONTANA**

On behalf of H.R. 873 I address myself this morning. I want to thank you for holding this hearing today and for moving so quickly in this year's agenda to consider this important piece of legislation, the Gallatin Range Consolidation Protection Act. This legislation, as I think you are aware, Mr. Chairman, from our previous discussions, consolidates checkerboard lands in Montana. It was included in the Montana wilderness bill that passed this subcommittee, the full committee and the House last session. That was the third time that legislation consolidating lands in the Gallatin has passed the House. It is being presented without the accompanying wilderness bill this year because of the real public lands disaster that is looming in Montana if this legislation is not adopted by this spring. Just north of America's first national park, Yellowstone, the Gallatin Range connects the other mountains of the Yellowstone Ecosystem much like spokes in a wheel. This range was not protected, of course, when the park was set aside because every other section in the area had been granted to the railroad as payment for the transamerican construction. But the range's importance to the integrity of Yellowstone has never been questioned, and it has essentially remained wild ever since the park was first designated. The range is the home of some of the largest elk herd in America, along with countless other species, including the endangered grizzly bear. The range also is the headwaters of some of the most pristine streams and rivers left anywhere in the lower 48 States. The first attempt to consolidate these lands happened back in 1925, and since then there have been countless attempts to bring the Gallatin Range into Federal ownership. The Federal Government has already spent more than $12 million to acquire elk winter range, and the House of Representatives have held countless hours of testimony on the importance of these lands. In fact, the first hearing that was held after I became a member of this subcommittee outside of Washington was in Montana concerning these lands 15 years ago. The House has passed, as I said earlier, three bills to complete these land trades and purchases, but still the range, the area remains chopped up in checkerboard land ownership.

**Statement of Mark Reimers, Deputy Chief Forest Service United States Department of Agriculture**

These lands contain important wildlife habitats and outstanding recreation opportunities. A broad spectrum of national and local conservation and recreation organizations, Federal land management, and State fish and wildlife agencies agree that these lands should be acquired.

inholdings are located within the Gallatin Range Wilderness Study Area. Acquisition would consolidate public ownership in the Congressionally designated wilderness study area and continue to maintain the wilderness character of the Gallatin Range until Congress can address the wilderness question. These lands contain outstanding wildlife, scenic, wilderness and recreation values.

The Porcupine, Taylor Fork, and southern Gallatin Range are all within the Greater Yellowstone Grizzly Bear Recovery zone. These private inholdings contain resident grizzly bear populations and habitat components necessary for the recovery of this threatened species. In total, nearly 25,000 acres of the lands to be acquired on the Gallatin Forest are considered essential for recovery of the grizzly bear. The acquisitions would consolidate public ownership in the upper Gallatin, Porcupine and Taylor Fork elk winter range, which is important habitat for over 3,000 elk which migrate from Yellowstone National Park.

IN THE HOUSE OF REPRESENTATIVES A BILL Entitled the "Gallatin Range Consolidation and Protection Act of 1993".

The Congress finds that: {l) It has been the clear policy of the Federal Government since 1925 to consolidate the checkerboard lands along the Gallatin Range north of Yellowstone National Park. (2) These lands north of Yellowstone possess outstanding natural characteristics and wildlife habitat which give them high value as lands added to the National Forest System. (3) Although these lands have remained pristine up till now failure to consolidate at this time will in the near .future lead to fragmentation and development. (4) The Federal Government has already invested a great deal in keeping the lands along the Gallatin Range protected from excess development

panel of witnesses Mr. Patrick Graham, the Director of the Department of Fish, Wildlife and Parks, State of Montana, Helena; Mr. Michael Scott, the Northern Rockies Regional Director, The Wilderness Society, and also representing the Greater Yellowstone Coalition, from Bozeman;

**Mr. Graham, Director of FWP**

This legislation will provide the following benefits:

* Winter range for 70 percent of the Gallatin elk herd that winters in Montana and summers in Yellowstone National Park.
* Winter range for the highest concentration of wintering moose in the Gallatin, Madison and Yellowstone drainages.
* The primary migration route through the Taylor Fork drainage for 2,500 elk that summer in Yellowstone Park and winter in Montana's Mad.ison range.
* Lands vital to recovery of the endangered grizzly bear population in the Yellowstone ecosystem.
* Habitat that may be important to Arctic grayling that have recently been reintroduced in the Gallatin drainage. This species is currently under review for listing under the Endangered Species Act.
* Consolidation of these lands will resolve numerous trespass and trail access conflicts for a wide variety of outdoor recreationists such as hunters, fishermen, backpackers, hikers and others who make use of these high value recreation lands. It will also aid with the problem of access to public lands.
* The Big Sky snowmobile trail, the longest trail in Montana, connects Bozeman with West Yellowstone and connects with trails in Yellowstone Park and Idaho. The trail goes along the Gallatin range, through the mixed ownership sections.
* Headwaters for world famous trout streams - the Madison, Gallatin and Yellowstone rivers.
* The state fish, cutthroat trout, depend on many of the headwater streams.
* Native bighorn sheep use the lands year-round.
* Deer, moose and about 4,500 elk use these lands in spring summer and fall.

**Michael Scott, Northern Rockies regional director of The Wilderness Society**

this bill is overwhelmingly in favor of the public. Not only does the public net out increased acreage of very, very high wildlife, but we also are well on our way towards consolidating the checkerboard ownership in the Gallatin Range Wilderness Study Area, which is, perhaps, really the heart of the matter. In the first phases of this acquisition we will end up with a clean Wilderness Study Area, the largest Wilderness Study Area in the Greater Yellowstone Ecosystem.

When this legislation passes it sets the stage for potential future discussion about the Wilderness Study Area as wilderness. What this land exchange would do would be to greatly benefit the northern half of the Greater Yellowstone Ecosystem. As mentioned earlier as well, there is many, many people that support this legislation. I would like to mention among them the Gallatin County Commissioners, the Montana Chapter of The Nature Conservancy, Sacajawea Audubon, Gallatin Outfitters Association, Concerned Citizens for Cottonwood, Gallatin Wildlife Association, Valley of the Flowers Chapter of the Native Plant Society, Montana Wilderness Association, Madison-Gallatin Alliance, Madison Wildlife Federation, Madison-Gallatin Trout Unlimited, Great Bear Foundation, Bozeman Viewshed Council, Bear Creek Property Owners Association, Black Ram Bowmen, Citizens to Save the Gallatin Face, Public Lands Access Association, Montana Bowhunters Association, Big Sky Owners Association, and several local State legislator

Our testimony speaks to two suggested changes in this legislation: one, to make it clear that the lands that would be acquired within the Gallatin Range Wilderness Study Area be managed to protect their wilderness qualities

 I am here today representing both **The Wilderness Society and the Greater Yellowstone Coalition.** The Wilderness Society is a 55 year-old national conservation organization dedicated to the conservation of America's public lands with 300,000 members nationwide and some 2,500 members in the Northern Rockies. The Greater Yellowstone Coalition is a ten year old regional organization dedicated to Preserving and protecting the Greater Yellowstone Ecosystem and the quality of life it sustains. The Coalition has 100 local, regional and national member groups as well as 4,000 individual members. I am pleased to be here today to offer the enthusiastic support of our two organizations for Representative Pat Williams' H.R. 873, "The Gallatin Range Consolidation and Protection Act of 1993". This important piece of legislation culminates 65 years of work by Montanans to resolve a troublesome checkerboard land ownership problem on the Gallatin National Forest

When completed, the four-stage package would:

 (1) resolve potentially serious land management conflicts engendered by the largest checkerboard ownership in the Greater Yellowstone Ecosystem;

(2) eliminate the threat of residential subdivision and other inappropriat.e development in critical watersheds and wildlife habitat;

 (3) secure a 40-mile-long unbroken habitat link for grizzl;y bears and other species between Yellowstone National Park and the outskirts of Bozeman

(4) ensure continued high-quality public recreational opportunities in the Gallatin Range.

IMPORTANCE OF H.R. 873 TO THE GREATER YELLOWSTONE ECOSYSTEM

The Gallatin and Madison Ranges comprise a very important piece of the Greater Yellowstone Ecosystem. The Greater Yellowstone Ecosystem is the largest, essentially intact, functioning ecosystem in the temperate zones of the world. This legislation will ensure that a good part of the ecosystem's processes stay intact. Many of the species that summer in Yellowstone National Park, including elk, moose and bison, move onto the Gallatin and Madison Ranges during winter or use them as migration corridors. Development of the interspersed checkerboard would inhibit, or stop, these migrations resulting in a significant reduction in Yellowstone's wildlife. Large parts of the Madison and Gallatin Ranges are home to the threatened grizzly bear. Protecting the integrity of these ranges is crucial if we hope to recover the grizzly bear to sufficient population levels.

H.R. 873 WILL FACILITATE FUTURE WILDERNESS DESIGNATION FOR THE HYALITE· PORCUPINE-BUFFALO HORN WILDERNESS STUDY AREA The consolidation of the checkerboard in the Hyalite-Porcupine-Buffalo Horn Wilderness Study Area within the Gallatin Range sets the stage for future consideration of the WSA and surrounding lands for wilderness. This WSA has existed since the late Senator Lee Metcalf included it in his Montana Wilderness Study Act in 1977. It is the largest roadless area in the Greater Yellowstone Ecosystem not currently designated wilderness. In addition to protecting the values mentioned above, it would provide an unbroken wilderness from just south of Bozeman to Yellowstone National Park.

LONG HISTORY OF EFFORTS TO SAFEGUARD WILDLIFE HABITAT

Over the years, the Forest Service, the State of Montana and the Congress of the United States have taken a great interest in safeguarding key wildlife habitat areas -many of which are located on the private lands involved in this exchange.

Forest Service

>In 1909, Chief Pinchot was petitioned to establish a game preserve adjacent to Yellowstone National Park. Pinchot agreed as long as it would be established by the State or Congress. >In 1911, Montana's State legislature established the preserve. >In 1909, the USPS closed lands south of Tepee/Buffalo Hom Divide and Taylor Fork/Sage Creek Divide and Shedhom Mtn. to livestock grazing.

>Since 1920, all USFS land from the Porcupine Drainage southward along the east side of the Gallatin River has been closed to livestock grazing. >In 1933, Northern Pacific Railroad dedicated over 23,000 acres of their holdings east of the Gallatin River for elk grazing.

State of Montana

>In 1945, Mt.Dept.of Fish,Wildlife and Parks purchased all lands south of Porcupine Creek to Yellowstone National Park, from Burlington Northern. >In 1954, the Dept. acquired the Bear Creek Wildlife Management Area - which is located just west of Taylor Fork. >In 1968, the Dept. began leasing much of the private lands in Porcupine drainage to provide forage for wintering elk. >In 1977, the Dept. noted that" The management of the Gallatin elk herd has been one of the primary conerns of the Montana Fish Game Dept. for the past 50 years. More time, effort and money has been devoted to this elk herd than to any other in the State."

U.S. Congress

>In 1977, the Congress passed legislation ,which was signed into law, to establish the Hyalite-Porcupine-Buffalo Hom Wilderness Study Area - as part of S.393. >Since 1977 this area - which includes the private lands in the Porcupine drainage and private lands along the backbone of the wild Gallatin Range - has been managed to protect its wilderness characteristics. This WSA is the largest chunk of roadless country in Greater Yellowstone which is not designated Wilderness. >In 1989, the Congress appropriated one million dollars (LWCF) to the Forest Service to help purchase 4 sections of private land in South Cottonwood Canyon -which is known locally as Bozeman's "vest pocket wilderness". 2 1/2 sections of South Cottonwood Canyon are part of the Porcupine acquistion, and 3 sections are part of the lands which would become public as a result of the Gallatin Exchange.