

1. I strongly support the goals of the Castle Mountains Restoration, but forty-five days is a challenging amount of time for people with other things to do to thoroughly review such a large document as the FEIS. Request a 30-day extension of the comment period.
2. This comment ties to my first comment, as documented in the FEIS, Vol II. Most landowners adjacent to Forest-treatment areas are concerned about being burned out by a controlled burn that becomes uncontrolled. Referring us to the Federal Tort Claims Act, instead of promising us we will be 100% indemnified for any and all damage done to our property and economic livelihood is not reassuring or, in the least, convincing. First, I doubt anyone on the USFS Castles-Restoration staff knows or understands what the Federal Tort Claims Act says, and I surely don't. After a quick look on the web, it appears to be a typical, lawyer-speak Government document that would take many hours and a private attorney to interpret and translate into understandable terms. Further, I'd bet that, when translated, it would fall well short of covering actual losses in property and income adjacent landowners could incur. This is unacceptable. The Plan must have a strong, unequivocal statement of US Government commitment to compensate adjacent landowners for the full value of any losses incurred. The only acceptable alternative to this is no burning near private land.
3. This comment also relates to my first comment in the Draft EIS. During a 28 April blizzard, the south Castles experienced a natural disaster—a severe microburst that uprooted and blew down over 1200 fir trees and many aspens on our property, some TBD number on other private ground, and (my estimate) over 2000 fir trees on the Forest. Note: A contingent of USFS personnel, led by District Ranger, Carol Hatfield, viewed part of this impacted area with me on Aug 17, 2019. This disaster materially altered the Restoration Plan's initial/existing condition for this area by creating both a severe fire hazard and an open invitation for a fir beetle infestation of, first, the downed trees, and, then, surrounding live trees. These threats require prompt mitigation by the USFS. Timely treatment by mechanical means (logging), is the safest and most effective (and perhaps the only) mitigation means in the short timeframe before a beetle infestation will occur.

The Rhynard ranch has contracted loggers for the summer of 2020 to harvest our 1200 downed trees, clean up root balls, and fill the holes left by them. However, due to the large amount of manual labor required to process downed trees, the loggers must harvest a similar number of standing trees to make the project pencil-out. We recommend the USFS do the same—harvest/clean-up blowdown trees on all USFS land, and on land adjacent to private land, harvest standing dead trees and thin standing live trees. This would be the most effect, safe, and common-sense approach, and the right thing to do for Forest and adjacent-private-forest health and safety. The Rhynard Ranch will work with the USFS to provide Forest access across our property to facilitate this treatment approach.

Problem—the USFS microburst damage is entirely within the IRA, where routine, common-sense mitigations are prohibited; or, at the least, made extremely difficult, by IRA regulations. Thus, obtaining approval to do “the right thing,” before it's too late, will require high-level USFS sponsorship, and perhaps Congressional-delegation support. The Rhynard Ranch will solicit MT Congressional-delegation support and sponsorship for the expeditious approval of IRA regulation dispensations required for this treatment approach.

As a side comment, the Castles IRA is an IRA in name only. The public routinely ignores the roadless restrictions; and in the years since IRA inception I have seen zero decrease in motorized traffic on Forest roads that are now illegal, adjacent to our property. This is because there is little, if any, enforcement. Fact—an IRA without enforcement is no IRA at all, and fails to accomplish its own objectives; while simultaneously imposing a set of hamstringing administrative rules and regulations that preclude, or greatly-impede, the approval of needed common-sense treatments. In my opinion the Castles were a poor choice for an IRA, and it should never have been established/imposed or considered for a wilderness area, but that's a separate discussion. Meanwhile, I suggest the IRA designation for the Castles be rescinded.