



September 8, 2020

USDA Forest Service
Objection Reviewing Officer, Northern Region
26 Fort Missoula Road
Missoula, MT 59804

Responsible Official: Mary Erickson, Supervisor, Custer Gallatin National Forest

Submitted via Email to: <https://cara.ecosystemmanagement.org/Public/CommentInput?project=50185>

Re: Objections to the Custer Gallatin National Forest 2020 Land Management, Draft Record of Decision, and Final Environmental Impact Statement

To whom it may concern,

Park County Environmental Council submits the following objections in regard to the Custer Gallatin National Forest 2020 Land Management Plan (2020 Forest Plan), Draft Record of Decision (DROD) and Final Environmental Impact Statement (FEIS).

Park County Environmental Council (PCEC) would like to thank the Custer Gallatin National Forest (CGNF) for the opportunity to provide our objections and comments on the 2020 Land Management Plan.

PCEC engaged in the forest plan revision process from the beginning, previously submitting comments for both the Proposed Action, on 3/5/2018, and Draft Plan/Draft

Environmental Impact Statement, on 6/6/2019, to the CGNF. Our objections relate to the major issues and concerns we raised in our previous comments that we feel were not sufficiently addressed in the 2020 Forest Plan.

Introduction

PCEC serves as a local grassroots environmental group with more than 500 members and 2,300 supporters. We appreciate your time and consideration on this important matter. PCEC has worked to protect and preserve the vast natural resources of Park County, Montana, since 1990. We are a county-wide environmental group focusing on issues affecting Park County. PCEC works with residents to safeguard and advocate for the county's world-class rivers, diverse wildlife, landscapes, and outstanding natural beauty, while protecting the health and wellbeing of people who live and work here.

Initially formed by a small group of community members to advocate for wild places, wilderness and quality-of-life issues in Park County, PCEC has grown to cover numerous issues related to the Yellowstone River and its tributaries, public land management, land use and threats from development, while encouraging community engagement on these issues.

If we want to ensure that the Greater Yellowstone Ecosystem (GYE) continues to maintain its vital importance for wildlife, intact habitat and ecological diversity for generations to come, as well as our reverence for wild places, we encourage the CGNF to enact a management plan that can provide for protections that will make that a reality.

The GYE is home to some of the best, most diverse and intact wildlands in the Lower 48. It is still home to all the major species of mammals that were present on this continent prior to the arrival of Europeans, having long provided refuge for elk, bison, wolverine and grizzly (and room for the return of the wolf). Its wildlife migration corridors

are extensive and still mostly intact. All of this is possible because it contains habitat that remains largely unfragmented and still mostly intact in the 21st century.

Careful consideration and a cautious approach need to be applied to management of the CGNF in the face of rapid growth and development in the rural and urban areas adjacent to the CGNF in south-central Montana, and with the correlating demands and pressure that come with that growth. Dividing the national forest lands up into different areas based on varying recreational or developmental preferences will only open the door for further fragmentation of the forest and wildlands as more and more competing interests vie for what little is left of the place.

With the advocacy for, and recent passage of, the Yellowstone Gateway Protection Act, which protects 30,000 acres of public lands in the CGNF, our local communities demonstrated the need and desire to preserve the public lands in the CGNF as they are today. That same position and action needs your consideration with the 2020 Forest Plan.

Outside of Yellowstone National Park, wilderness is the greatest means of protecting the habitat and wildlands so crucial to preserving the uniqueness and diversity of wildlife in the Yellowstone region, as well as providing the necessary refuge we humans, and all species, will need as the effects of climate change become more pronounced.

Objection 1 - Recommended Gallatin Wilderness Area

PCEC respectfully objects to the proposed Gallatin Crest Wilderness Area in the 2020 Forest Plan.

The proposed 77,631 acres Gallatin Crest Wilderness Area falls short of the full potential for wilderness in the Gallatin Range. The CGNF recommending only half of the existing Hyalite-Porcupine-Buffalo Horn Wilderness Study Area (HPBA), even after recognizing a majority of user response and support behind both Alternatives C and D,

shows a lack of consideration to public input. Adding a mere 5,000 acres to the Gallatin Crest Wilderness Area over the original Draft Plan is a disappointment, considering the real value and potential for wildlands conservation in the Gallatin Range.

The CGNF 2020 Forest Plan even recognizes this fact stating:

Much of the geographic area is wilderness, wilderness study area, or inventoried roadless area. When unroaded lands of the Custer Gallatin are coupled with nearby Yellowstone National Park and wilderness on the Beaverhead-Deerlodge National Forest, it results in a large expanse of largely undeveloped wildlife habitat. All the native animals still roam free in at least a portion of this geographic area, including grizzly bears and gray wolves (2020 Forest Plan, 166)

This is as fair a summary of the Gallatin and Madison Range as one could ask for. And yet the 2020 Forest Plan turns its back on this keen insight, reserving a fraction of the vast landscape contained within those mountain ranges for wilderness.

PCEC supports a full wilderness designation for the HPBA. Doing so will create a robust wilderness to the west of the Yellowstone River to match the grandeur and scope of the Absaroka- Beartooth Wilderness to the east, signaling an enduring responsibility by the USFS to protect the wildlands and wildlife north of Yellowstone National Park for generations to come.

The Gallatins are an invaluable part of the GYE. They provide critical habitat for many wildlife species like grizzly bears, elk, westslope and Yellowstone cutthroat trout, wolverine, and many others. Its flora and fauna are largely intact and diverse. It provides key linkage to the wildlands to the north and west of the GYE.

Carving a large portion of the HPBA out of both the existing WSA and potential Wilderness designation, to make the proposed Buffalo Horn Backcountry Area, will irrevocably fragment the Gallatin ecosystem, removing one of the best areas of wildlife habitat from wilderness protections needed to allow for migration and seasonal occupancy by numerous species.

In Appendix D, the reasons given for excluding a large portion of the Buffalo Horn and Dry Creek areas don't add up. When lands that possess the natural qualities needed for wilderness designation are excluded for reasons such as existing trail use, grazing rights, and mineral claims, this demonstrates an abdication of responsibility.

For instance, the CGNF states that "Management for wilderness character would be difficult where there are 19,435 acres of 'outstanding subsurface mineral rights.' Impacts resulting from mineral actions outside the purview of the Forest could take place in these split estate situations, thereby detracting from existing wilderness characteristics." (Appendix D, 293) This ignores the fact that mineral rights can be released, retired and purchased to ensure that no future mining activities can take place, thus ensuring intact wilderness character.

PCEC led the recent Yellowstone Gateway Mine Campaign, with overwhelming grassroots support to prevent industrial scale gold mining in the CGNF, and prevented such activity with the passage of the Yellowstone Gateway Protection Act, demonstrating that local and national constituents alike want our public lands to remain undisturbed by industrial activities. The CGNF should take these actions, which have had widespread support, into account in the 2020 Forest Plan.

Then there is the presence of trails and trail use. Declaring an area unsuitable for wilderness based on present-day use ignores the fact that in each and every example of wilderness creation, existing trail use was changed, roads were decommissioned and reclaimed. The current statement given by the CGNF regarding areas of the HPBA that "Manageability as wilderness in the northern and western areas would be further compromised by roading, highly developed recreation, motorized and mechanized activities, and the presence of infrastructure to manage urban visitation," (Appendix D, 293) are the very reasons wilderness is needed in the Gallatins. If the encroachment of roads, recreation pressure and development in south central Montana continues unabated, the basic functioning of the Gallatin ecosystem will be compromised for

generations. Rather than throw our hands up in the air and surrender to these industrial forces, we have an opportunity to provide a counterweight to the very threats that the CGNF appear to surrender to.

In the same section, the CGNF identifies in its Recreational Opportunity Spectrum that there are 172,448 acres categorized as semi-primitive, non-motorized. Additionally, there are 144,064 acres of inventoried roadless areas, as noted in the 2020 Forest Plan. Clearly those two areas overlap, but the point being is that there is close to double the acreage in the Gallatin Range suitable for wilderness designation than is being recommended by the CGNF in the 2020 Forest Plan.

Wilderness is not a place without people. That was an unfortunate construct of the 19th century, an idea that facilitated colonization: it's easier to claim a land supposedly devoid of people than one that has been occupied for millenia. Native Americans used the "wilderness" in the CGNF long before colonists arrived and redefined the place. People will continue to use wilderness, as we do now, and as we should: with the least impact we, as a species, can muster. Wilderness lands are simply public lands where the public must exercise restraint.

Lands labeled as wilderness, or with the potential for wilderness designation, have always had human presence, and that will continue. But we must not forsake wilderness for that reason. People must adjust their use and presence in wilderness areas. The CGNF limits the possibility of wilderness in the Gallatins when it says "Opportunities for solitude are primarily found in the southern and eastern areas and at the interior where visitation and recreation density is less." (Appendix D, 293) The merit of wilderness should be based upon its ecological value above all else, and not upon visitation numbers.

The original intention of the Hyalite-Porcupine-Buffalo Horn Wilderness Study Area has always been wilderness. The Gallatins suffered from the checkerboard land management patterns common throughout the West, where every other section of land

was granted to the railroad near rail lines. This land ownership issue was finally resolved with the passage of the Gallatin Range Consolidation and Protection Act of 1993 – HR 873. This legislation consolidated the public lands in the HPBA. Written explicitly into the bill was the following confirmation of its intent:

Lands acquired within the Hyalite-Porcupine-Buffalo Horn Wilderness Study Area shall be managed to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System in accordance with the Montana Wilderness Study Act of 1977. (HR 873, 1993, 8(c)(2))

It's important to remember and highlight the original and continuing intentions of creating wilderness in the HPBA, regardless of the tumultuous history of use and management of that landscape since creation as a WSA in 1977 – to the passage of the HR 873 in 1993 – and now the development of the 2020 Forest Plan.

The most recent CGNF study, *Wilderness Character Monitoring Report Hyalite Porcupine Buffalo Horn Wilderness Study Area*, prepared by Erin Clark, Kimberly Schlenker, and Catherine Filardi (Clark et al. 2012), which built upon earlier WSA required studies, collected key baseline data in advance of the preparation of the 2012 Forest Planning Rule and the subsequent draft forest management plan.

The introduction of the Clark et al. study provides a very thorough narrative of the often controversial and contentious path that was taken to get where we are now (as the CGNF is certainly all too aware of), but it does conclude by saying “actions taken since 1977, however, have improved or restored wilderness character in the HPBH WSA, including the acquisition of private land, reduction in number of developments, and the enactment and revision of travel plans.” (Clark et al. 2012, 8) To the credit of the CGNF and many others, the HPBA currently remains suitable for wilderness designation in 2020; although getting from there to here was not an easy path, which may explain why attitudes may have shifted in the last few years and the idea of creating a BCA now seems more palatable. But we can't let that prevent us from completing the original vision of creating the intended HPBA (Gallatin) wilderness, as it retains the necessary characteristics needed for that designation.

We at PCEC certainly don't believe that now is the time to abandon more than 40 years of hard work, federal legislation, lawsuits, and numerous comprehensive studies that all support wilderness in the HPBA.

Public opinion hasn't changed during the intervening years. A recent study conducted by the University of Montana in the spring of 2020 illustrates that a majority of Montanans (52%) think that wilderness study areas should continue to be protected as they are, while an additional 23% feel protections should be increased for WSAs. All total, that's 75% of Montanans who value the existing protections afforded by WSAs. Support is even stronger for the Gallatin range, where 77% of Montanans support increasing protections. (2020 Voter Survey on Public Land)

The critical role the HPBA plays in the GYE is beyond measure. Its very location is key in maintaining undeveloped and unfragmented habitat for wildlife, either resident in the Gallatins, or for wildlife migration from Yellowstone National Park into the northern Yellowstone ecosystem. The fact that it borders the Park on the south and extends to the northernmost reach of the range in the West Pine Creek area creates an unfragmented stretch of protected land to tie into the Gallatin Key Linkage Area, allowing for uninterrupted wildlife migration into and out of the GYE. Additionally, the CGNF lands between Sawtooth Mountain and the HPBA, bordering Yellowstone National Park, need to be included in any Gallatin wilderness area.

Lance Craighead's 2015 study, *Wilderness, Wildlife, and Ecological Values of the Hyalite-Porcupine-Buffalo Horn Wilderness Study Area*, details comprehensively the ecological importance of wilderness in the HPBA. Craighead states:

To ensure that wildlife have sufficient habitat for population persistence into the future, and to confer resilience in the face of climate change and land use change, there must be an adequate amount of protected habitat available among the spectrum of lands that are accessible to those wildlife. The more permanent that protected habitat is, and the larger the area is, the more certainty there is that wildlife populations can persist. Fragmenting the HPBH WSA into smaller pieces of protected habitat would greatly diminish its value for wildlife habitat and

the provision of ecosystem services, and could nullify its ability to function as a refuge from climate change. (Craighead, 137)

Wilderness should be championed and celebrated for what it does for the flora and fauna, the refugia it provides, and the wildness that it nourishes. Wilderness is the bedrock of resilient ecosystems.

Objection 2 - Crazy Mountains

The Crazy Mountains, or the Crazies, as they're referred to colloquially, are a dramatic island range that define the natural character of the north half of Park County. PCEC's goal is to protect the Crazy Mountains, ensuring they remain wild, primitive and surrounded by open land and working family ranches for generations. These mountains possess significant spiritual and cultural value for the Crow Nation. The range also provides critical wildlife habitat for endangered species like the Canada lynx. Naturally, the range is admired and enjoyed by hunters and recreationists alike.

In July, the Crazy Mountain Access Project (CMAP), an informal coalition of locals representing ranching, recreation, the Crow Nation, hunting and conservation interests (which includes PCEC), announced a new land exchange designed to help consolidate public land and improve public access in the Crazy Mountains.

The exchange in the East Crazy Mountains creates a large contiguous block of public land and helps resolve long-standing issues in a way that will benefit the public and conservation. We believe this exchange is one of the most significant opportunities we've had to help lead to permanent protections for the range.

The Crazy Mountains, with their wild character, flanked by large working ranchlands, remain largely undeveloped, both at the heart of the range as well as along their edges, making them ideal for wildlife habitat, especially for wolverines, but also numerous other species.

Their location also provides for an ideal migration corridor for wildlife species. While the Bridger and Bangtail mountains provide key linkage for wildlife in the Gallatin range, the Crazies are the key linkage for wildlife in the Absaroka Beartooth mountains (AB). In fact, the Crazies are the only real corridor for wildlife in the AB to connect with wildlife populations in the Northern Continental Divide Ecosystem (NCDE).

PCEC raises two objections regarding the 2020 Forest Plan with regard to the Crazy Mountains. One, we believe that the Backcountry Area in the Crazies must include all of the IRAs (90,690 acres) in that range. The 2020 Forest Plan does not provide for that. That inclusion would be a small move by the CGNF to create an even more positive and lasting impact in the preservation of the Crazies wild character. In fact, we don't understand the reasoning to exclude significant portions of the IRAs. Habitat and wildlife protections in the Crazies will be incomplete and inadequate if the entirety of the IRAs are not given management protections they ultimately deserve.

Two, the proposed management of the BCA in the Crazies allowing for mechanized use is not appropriate. In the Suitability section of the Plan Components (BC-SUIT-CMBCA), the CGNF outlines that "The backcountry area is suitable for mechanized transport. Mountain biking is suitable only on approved system mountain biking routes." (2020 Forest Plan, 164) We believe this component needs to be removed from the BCA designation for the Crazies.

When working with stakeholders on the East Crazy Mountain Land Exchange, it was agreed upon by a majority that the newly proposed East Trunk Trail would be limited to foot and horse traffic only to preserve the wild and primitive quality of the forest lands. The language in the 2020 Forest Plan contradicts this sentiment, and could even undermine it in the future. In order to maintain a cohesive vision for the Crazies, mechanized (and motorized) travel needs to be contained to the few existing trails that allow for it presently, ensuring that use in the rest of the range continues with existing trail use as it stands now.

Objection 3 - Grizzly Bears

While the CGNF is not the lead agency when it comes to the protection of grizzly bears, the CGNF will play a critical role in the long-term survival of the species.

The maximum amount of wilderness is the best way to preserve grizzly bear habitat. Limiting mechanized and motorized use, therefore limiting the impact of people, is the best way to ensure that bears do not have conflicts with humans. PCEC objects to the 2020 Forest Plan's decision to not include all eligible lands as designated wilderness based on the long-term survival of the species in the Greater Yellowstone Ecosystem, which is much more fragile than presented in the 2020 Forest Plan.

Wilderness is the best way to protect grizzlies, but it is not the only step the CGNF can take. PCEC objects to the limited steps that CGNF pledges to go to protect the species in the 2020 Forest Plan. The plan has a number of shortcomings in its desired conditions, goals and standards when it comes to the grizzly bear. These shortcomings include failing to address the highest reason for mortality for grizzly bears in the CGNF, which is hunting, and failing to address increasing recreation, especially mountain biking, which can disturb grizzly bears and lower the quality of their habitat.

We fear that the goals and measures proposed in the 2020 Forest Plan are not significant enough to make protecting the grizzly a reality.

Much of this has to do with a fundamental misunderstanding of the state of the grizzly bear population. Grizzly bear populations are considered recovered by wildlife managers at the levels they existed in 1998. However, courts have repeatedly found the determination of managers to be incorrect, twice overruling delisting decisions. The 2020 Forest Plan is based on the 2016 Conservation Strategy, which accompanied the now-overruled delisting decision, and has a desire to maintain 1998 levels of disturbance. There is a reason that wildlife managers keep losing in court: Tthe grizzly

bear is not recovered. Therefore, the CGNF should take more proactive measures to help protect bears.

The first desired condition identified for grizzly habitat in the 2020 Forest Plan reads that habitat conditions should be associated with 1998 levels of the presence of developed sites and livestock grazing.

While we applaud the 2020 Forest Plan's decision to not increase the number or acreage of domestic livestock grazing allotments above 1998 levels inside the recovery zone/primary conservation area, we believe that a confluence of other factors makes it necessary for this decision to be extended beyond the recovery zone/primary conservation area. Grizzly bear populations are counted in the demographic monitoring area, but the standards set by the 2020 Forest Plan are focused on the recovery zone/primary conservation area, which makes up less than half of the grizzly habitat in the DMA. As noted grizzly bear researcher David Mattson points out in his objection (see attached), 79 percent of the grazing allotments in the grizzly bear demographic monitoring area are outside of the recovery zone/primary conservation area. We also believe that saying there will not be an increase is not enough. Instead, the CGNF should consider phasing out grazing allotments both inside and outside of the recovery zone/primary conservation area in order to help protect grizzly bears that are facing increasing threats from climate change and growing human populations.

With a changing climate and increased human population levels and corresponding disturbance, the stresses that grizzlies are facing has increased since 1998.

The cascading effect of the loss of food sources for grizzly bears, such as whitebark pine seed (climate change), elk in Yellowstone National Park and cutthroat trout in Yellowstone Lake and surrounding tributaries, has had a negative impact on the grizzly bear population, leading to increased conflict with humans and increased mortality. Over the past five years, more than 300 grizzly bears have died in the Greater Yellowstone Ecosystem, according to Montana Free Press. (Hettinger) With a

population of about 700 bears, this is an unsustainable annual population loss. The vast majority of these deaths are related to human causes, such as predation of livestock and bears visiting anthropogenic sites. Removing grazing allotments will lead to fewer conflicts.

In addition, one of the main reasons for Judge Christensen's ruling in 2018 was the U.S. Fish and Wildlife Service's illogical cobbling together of studies to show the population is genetically diverse enough for long-term survival. However, the finding of the studies was that GYE grizzly bears need new genetic material for long-term population viability. The best way to do this is linking the GYE population to the NCDE population through the CGNF.

The 2020 Forest Plan recognizes this, saying that CGNF needs to contribute to habitat connectivity. But the second desired condition says that grizzly bears should occur beyond the recovery zone/primary conservation area "where habitat is biologically suitable and grizzly bear occurrence is socially acceptable." (2020 Forest Plan, 62)

In order for habitat connectivity to happen, grizzly bears will likely need to occur beyond what is currently socially acceptable, farther north into the Gallatins, Bridgers, Crazies and other ranges. Instead, the entire forest in the potential connectivity zone should be managed as though grizzly bears may be present. This ties into the first objection because grazing allotments have a significant amount to do with what is socially acceptable. When bears eat livestock, the bears are often not accepted in that area.

The Forest Plan should recognize that humans and climate change are having an ever-increasing presence on the landscape and take steps like implementing designated wilderness, decreasing livestock grazing allotments and changing grizzly bear management from where they are "socially acceptable" to the entire forest.

Conclusion

PCEC would like to thank the CGNF for this opportunity to provide feedback on the 2020 Land Management Plan. We understand that the goal of the CGNF is to oversee and manage our public lands in an efficient and cost effective manner. While PCEC values the integrity of intact, functioning ecosystems that provide clean air, cold water and abundant wildlife habitat above all else, we don't see these two views as antithetical. Our objections are only meant to encourage the CGNF to strengthen certain aspects of the agency's management to benefit the landscape above all else.

Sincerely,

A handwritten signature in black ink, appearing to read "Max Hjortsberg". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Max Hjortsberg
Conservation Director

References

- Clark, E., K. Schlenker, and C. Filardi. 2012. "Wilderness Character Monitoring Report Hyalite Porcupine Buffalo Horn Wilderness Study Area." U.S. Forest Service, Region 1 Gallatin National Forest.
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<<https://www.govtrack.us/congress/bills/103/hr873>>
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<https://crown-yellowstone.umt.edu/voter-surveys/2020/2020-summary-analysis.pdf>