

PM 8/1/20

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

**I object to the Custer Gallatin National Forest Plan for the following reason:**

I object to the designation of 77,631 acres of recommended wilderness in the Gallatin Crest of the Hyalite Porcupine Buffalo Horn (HPBH) Wilderness Study Area. When recommending areas for wilderness the Forest Service must look at both the eligibility and the suitability of these areas for designation by congress. When Forest Service ID Team leader Virginia Kelly was asked during a meeting of the Custer Gallatin Working Group collaborative whether the Forest Service was performing eligibility and suitability analysis of these areas being considered for recommended wilderness her reply was: "We are not doing a suitability analysis for recommended wilderness, but only completing an eligibility analysis."

On page 8 of the Draft Record of Decision under "Key Elements of the Decision #3", Supervisor Erickson makes the following statement: "Plan components that identify motorized and mechanized transport, communication facilities, and public rental use of the Windy Pass Cabin are not suitable in areas being recommended for wilderness." The Windy Pass Cabin has been an important destination and structure historically used by the public. Her decision to remove this opportunity simply because she is recommending this area as wilderness must be reversed. The public continues to lose more and more recreation opportunities and the Windy Pass Cabin has great recreational value.

Her decision to not allow communication facilities is another area of concern. These facilities provide critical communications for search and rescue, law enforcement, fire suppression, and are vital infrastructure to protect the health, safety, and welfare of the public. Over 3 million visitors travel through Yellowstone Park every summer season. Many, if not most, travel the 191 corridor between West Yellowstone and Bozeman. Communication towers and facility placement is critical to allow connection in the steep canyon of the highway 191 corridor. To restrict additional communication facilities in the future that may be needed is a poor decision. I request this restriction be reviewed and removed.

The 77,631 acres of the Gallatin Crest in the HPBH may indeed meet the eligibility criteria for recommended wilderness because of its size but according to the data collected by the University of Montana Wilderness Institute this area does not meet the suitability criteria of the 1964 Wilderness Act because of soundscape intrusions. In fact, the Forest Service failed to report soundscape intrusions that were collected in 2011 in the final report released in October of 2012.

Bozeman is the busiest airport in Montana, surpassing Billings, and most incoming flights from the south descend in the flight pattern over the HPBH and significantly affect the soundscape of the HPBH.

Commercial passenger and freight flights along with private jet traffic generated by the community of Big Sky have resulted in continuous low flying aircraft over the HPBH WSA.

The final Wilderness Character report was issued in October of 2012 and the noise incursion information collected by the field crews was missing. The report did address the missing base data information in the report by making the following statement on page 92. "Reason not used: During the summer of 2011, Wilderness Institute field crews opportunistically monitored the duration and intensity of noise intrusions within the HPBH WSA. The field crews recorded a total of 182 motorized noise intrusions. The majority of recorded noises were from airplanes (89%), with the remaining attributed to vehicles (6%), and helicopters (2%). The opportunistic nature of this data collection precluded and kind of repeatable, standardized survey of auditory intrusions."

"There are ongoing efforts to replace the 2011 survey methods with more robust sampling methods, and a new protocol is being piloted by the Wilderness Institute crews in 2012. Once a standardized method is established, this measure can be implemented."

Discussions with Region 1 and the Custer Gallatin Forest Plan ID Team Leader on this issue acknowledge no further protocols have been established in the past 8 years nor any efforts underway to establish a standardized method in order to record this information in the future. Nearly 8 years later and the Gallatin Airport is busier, the flights are more frequent, yet the Forest Service does not seem interested in including soundscape incursions in any report. Is this being done intentionally? Would these soundscape intrusions in the HPBH WSA prevent this area from being recommended or designated as wilderness? The Custer Gallatin Supervisor Mary Erickson and since retired Kimberly Schlenker, author of the Wilderness Character Monitoring Report, were aware of this information on flight noise intrusions missing from the final report. Supervisor Erickson is fully aware of the amount of noise intrusions from aircraft in the HPBH yet she has recommended 77,631 of new wilderness on the crest of the HPBH in the new Forest Plan. I object to the decision of recommending wilderness in an area they are fully aware does not meet wilderness suitability.

If this omission of noise intrusions was intentional as covering up the data, the Forest Service personnel could be in violation of Title 18, Part 1, Chapter 47, 1001, which states: "*(a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully-*

- (1) Falsifies, conceals, or cover up by any trick, scheme, or device a material fact;*
- (2) Makes any materially false, fictitious, or fraudulent statement or representation; or*
- (3) Makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;*

*Shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both."*

Clearly this does not rise to a level of international or domestic terrorism but it does raise the question as to why this information was covered up and not included in the report. It took nearly 2 years of requesting the raw data from Region 1 that was gathered by the Wilderness Institute field crew.

One may suggest a final report that would disqualify the HPBH as wilderness would have gone against the desires of Wilderness and Recreation Program Manager Schlenker. Ms. Schlenker, during her tenure with the Gallatin National Forest, was clearly a proponent of more wilderness. Was the omission of this information intentional? Yes. Was the information relative to the HPBH area being considered as new

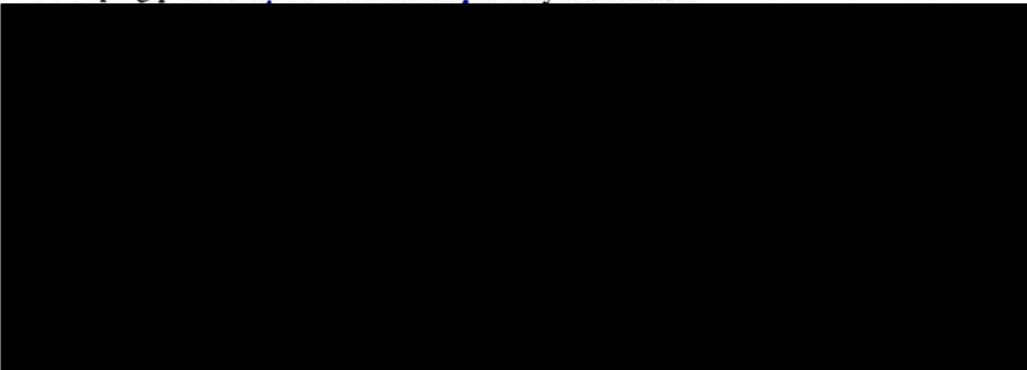
Many members of the public participated in years of collaborative efforts on the future use of the HPBH WSA. It was clear from the start the environmental groups would not settle for any shared multiple use recreation of the Hyalite Porcupine, Buffalo Horn Wilderness Study Area, and especially the Gallatin Crest Trail #96. The environmental groups simply went outside of the true collaborative groups of diverse stakeholders, including agriculture and grazing, timber and wood products, summer and winter motorized recreation, mining, gem and mineral hunters, local governments, etc. They crafted their own wilderness plan for the HPBH WSA, ignoring the lack of suitability of this area as wilderness. And now Supervisor Erickson has commended them for this effort in the proposed Forest Plan and ignored the other stakeholders and interest groups. Supervisor Erickson is displaying prejudice, discrimination, and bias against the majority of users in this area.

Supervisor Erickson makes the following statement on page 26 of the Draft Record of Decision. "There are currently limited inconsistent land uses and mechanized and motorized uses that will be excluded within the recommended wilderness area boundaries." The reason Supervisor Erickson is able to make this statement is the simple fact she removed these uses several years ago in the HPBH WSA by an interim order. This order removed both summer and winter motorized and mechanized historic use in the majority of the HPBH WSA, and set the stage for her rationale to recommend this area in the Forest Plan as new wilderness. An interim order should be followed by due diligence in an action to either justify the closure to motorized and mechanized use, or to rescind the order and allow the historic motorized and mechanized use to continue.

In all fairness Supervisor Erickson did solicit the U of M Wilderness Institute to complete a base line wilderness character assessment but the results did not prove favorable to this area being wilderness. The 2011 base line information was omitted from the 2012 final report and no further action was taken to adjust protocol to include aircraft noise intrusions, and Supervisor Erickson continually renewed the interim closure order every year. Now Supervisor Erickson is adopting a flawed plan, created by several environmental groups, ignoring the science and data collected for the area, and recommending 77,631 acres of new wilderness in the HPBH. I object to this action and request the objection review officer reverse Supervisor Erickson's decision to recommend 77,631 acres of the HPBH WSA as new wilderness.

Mary Erickson has personal knowledge of how to work with all to provide a inclusion of all interested parties to all enjoy the use of the Land. She was great to work with in the Richfield, Utah in assisting and growing the use of the Piute TRAIL and how this has greatly enhanced opportunities in multiple use in the Forest system.

The Forest Service needs to spend more time on actually on the land rather than spending many dollars on developing plans that are obsolete before they are written.



wilderness? Yes. Did Supervisor Erickson know about the aircraft noise intrusions and the omission of this information in the report? Yes. Did Supervisor Erickson ignore this information and recommend this area for wilderness in the new Forest Plan? Yes. I object to the Supervisor Erickson's formal recommendation of this area as wilderness. This is an arbitrary decision to recommend 77,631 acres of the HPBH WSA as wilderness in the new Forest Plan while knowing of the noise intrusions.

The U of M Wilderness Institute monitored the HPBH periodically during the summer months of 2011. They were not in the area every day and not in the HPBH WSA all of the time. Field notes record 189 noise intrusions with notes included which state: "3 airplanes during 1-hour lunch" and "airplane, heard many throughout the night". This information is critical in making any decision regarding recommending this area as wilderness but Supervisor Erickson has ignored the facts of this study, the raw data collected, and the intentional exclusion of this information in the final report. Instead Supervisor Erickson makes the following statement on page 15 of the Draft Record of Decision under "Gallatin and Madison Mountains" she states: "Many individuals and groups provided input on recommended wilderness areas, and I reviewed and found information and insights of value in all of them. For this landscape, I found the work of the Gallatin Forest Partnership to be the most compelling. This was due to the area specific recommendations combined with local knowledge, and the outreach and coalition-building across diverse interests that accompanied their proposal."

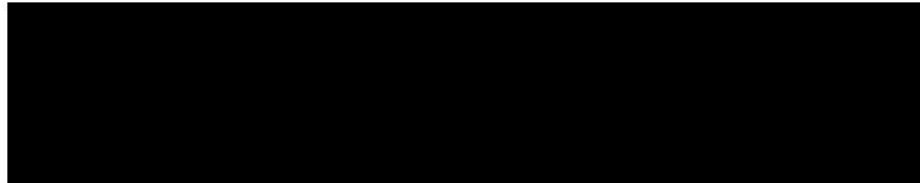
In accepting the Gallatin Forest Partnership, Supervisor Erickson has ignored the science and facts when it comes to recommending the 77,631 acres of the HPBH WSA as new wilderness. This is an arbitrary decision based on user preference rather than science and facts. The fact remains the recommended wilderness in the HPBH WSA does not qualify for wilderness because of the recorded noise intrusions.

In addition, her statement that the Gallatin Forest Partnership is made up of diverse interests is false. This coalition did not have any motorized recreation interests. When the Gallatin Forest Partnership was asked to include motorized recreation in their discussions, they were rejected. The Gallatin Forest Partnership did not include any winter and summer motorized recreation interests. The Gallatin Forest Partnership did not include any agriculture representation. The Gallatin Forest Partnership did not include any timber representation. The Gallatin Forest Partnership did not include any mining interests, rock and gem hunters, private land in holders, and they certainly did not include any state or local government.

So, who are the Gallatin Forest Partnership? This group was led by Hilary Eisen with Winter Wildlands and drafted the proposal in cooperation with Barb Cestero with the Wilderness Society, Darcy Warden with the Greater Yellowstone Coalition, Sally Cathey with the Wilderness Association, Christian Appel with the Montana Backcountry Hunters and Anglers, and Mike Fiebig with the American Rivers and Montana Backcountry Alliance. The Gallatin Forest Partnership is nothing more than a coalition of environmental groups. The group did reach out to select individuals to sign on to the plan after it was written as to make the appearance this was a true cross section of representation, but in reality this is a pro wilderness proposal which Supervisor Erickson is defending as her rational to recommend 77,631 acres of new wilderness in the HPBH WSA, even when she is totally aware this area does not qualify for new wilderness.

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**I object to the Custer Gallatin National Forest Plan for the following reason:**

The Draft Record of Decision on page 1 states "the Custer Gallatin National Forest has a history of multiple co-existing uses, including recreation.....", yet the Custer Gallatin National Forest Draft Plan focuses on segregating uses to in their words, "avoid user conflict."

In my time of recreating in the Custer Gallatin National Forest I can honestly say conflict between users is very rare, if ever. People wishing to enjoy our area of public lands are inspired by the unique landscape and appreciate others they meet and share their experiences. In my mind the Forest Service should not be making decisions based on prejudice, discrimination, intolerance, and bias but this is what has been included in the plan.

The Forest Plan decisions on appropriate recreation activity is not being based on science but rather an arbitrary land allocations based on an assumed condition. I request the Forest Service revisit this decision and adjust these land allocations more fairly based on their statement of having "a history of multiple co-existing recreation uses."

