

Let's be honest about who's at fault in Crazy Mountain trail troubles

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I am writing to respond to Erica Lighthiser's column, "Alternative paths forward in Montana's Crazy Mountains," published in The Enterprise on Wednesday last week.

A couple weeks ago, two friends and I were found guilty of criminal trespassing for our attempt to walk the Porcupine Lowline, also known as Forest Service Trail #267, on the west side of the Crazy Mountains.

In her column, Lighthiser mentions our trial, as well as the civil lawsuit a coalition of public access groups filed in June against the Forest Service, citing the agency's failure to defend public access rights in the Crazies, including along the Porcupine Lowline.

"Let's be honest about trail #267," Lighthiser writes. Because the trail crosses private land to reach public land, "the multi-use and shared management of this trail have been challenging for landowners, the Forest Service and the public for years. We shouldn't be suing our neighbors, we should be working together to find solutions."

To that end, Lighthiser writes, she joined the Crazy Mountain Working Group — alongside ranchers, landowners, government agencies and others. Recently, the group negotiated an agreement to create a new trail to replace the Porcupine Lowline. A Forest Service contractor is set to begin building the trail as I write, and when it's complete the Forest Service will relinquish its claim to the Porcupine Lowline and the trail will be obliterated in favor of the new Porcupine Ibex Trail.

Lighthiser tells a nice story about what we can achieve if we work together. It's also a shockingly dishonest story. Lighthiser — and she knows better — withholds from readers the same crucial context that the court largely withheld from the jury in our case.

So, yes, let's be honest about the Porcupine Lowline. The trail, which served as a ranger trail between the Porcupine and Ibex stations, has been marked as a public access route on Forest Service maps for about a hundred years, and probably served as a trail for indigenous people for hundreds, if not thousands, of years before that.

Now, this historic trail is being strangled to death by landowners who would rather it wasn't there. For more than 15 years, area landowners have systematically intimidated public use of the trail. They have obstructed it with locked gates and illegal "No Trespassing" and "No Forest Service Access" signs (and I mean illegal — see section 45-8-115 in Montana Code Annotated). They have destroyed Forest Service trail signage (also a crime — see "Criminal mischief" in section 45-6-101). I saw these obstructions first-hand while walking the trail, but you don't have to take my word for it. I will share with anyone interested Forest Service documentation of landowners' illegal trail obstructions going back many years. Unfortunately, a subpoena for Forest Service personnel to testify in our case was quashed days before our trial, so the jury was not allowed to hear much of this vital information. By these means, landowners have all but eradicated the trail and made it nearly impossible for people like my friends and me, despite our best efforts with map and compass, to avoid losing the trail and straying onto private land. My friends and I were photographed on the trail by trail cameras and tracked down by Dave Laubach, the managing partner of a hunting club that leases the land, in an ATV. One phone call from Laubach later and with no real investigation, Park County hit us with criminal trespass citations — all for attempting to walk a public trail on a Forest Service map. These landowners have effectively taken the Porcupine Lowline hostage until they get what they want. Their actions have denied

and continue to deny the public's constitutional right to access their public lands and the public's right to know the trail they stand to lose. And, as the district ranger for the Crazies, Alex Sienkiewicz, put it in a 2013 letter to one landowner, "when government signage, boundary markers, and blazes are destroyed, you are inviting the very trespass that you and your colleagues are blaming on the Forest Service."

As a journalist, and as someone who has paid a price for my attempt to know this trail and the controversy surrounding it, I am appalled at the lack of public oversight with which the Crazy Mountain Working Group has gone about bartering with a public trail and at the dishonesty with which some of its members have gone about selling the deal to the public. If I did what these landowners have done, according to the Forest Service's own documentation, it would be grounds to bring me back to court — on charges of vandalism and illegal sign posting. When the landowners do it, apparently it's grounds to join them in a working group and cover for them in the press. I have to wonder at this discrepancy. Is it because I'm not a landowner? I grew up in White Sulphur Springs and have adventured into the Crazy Mountains since I was a kid. It's important to me to be able to continue to do so. As district ranger Sienkiewicz put it, "For most kids in Montana and in our nation, the national forest is the only 'ranch' they'll ever own."

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