

Northern Regional Office
Responsible Officer: Forest Supervisor Mary Erickson

Objection Reviewing Officer
ECID, 26 Fort Missoula, Road
Missoula, MT 59804

Forest Supervisor Mary Erickson, Northern Regional Office,
Custer Gallatin National Forest, Bozeman
Yellowstone Ranger Districts

Objections on behalf of Enhancing Montana's Wildlife & Habitat, Kathryn QannaYahu Kern
Submitted November 12, 2023

In addition to my current objections to the Draft Decision Notice, Finding of No Significant Impact, Environmental Assessment and Supporting Documents for the East Crazy Inspiration Divide Land Exchange published September 27, 2023, I'm linking to my previous Objections submission of December 20, 2022, as the points and documentation is still relevant.
<https://cara.fs2c.usda.gov/Public/Letter/3892792?project=63115>

The CGNF has refused to address the Northern Pacific Railroad deeds, which provide easements for public access. The RR grant deeds were the foundation of the public access we secured on Big Timber Canyon. Yet the Forest Service has not finished securing our other Crazy Mountain public access points, per the deeds. The current policy of abandoning our historical prescriptive easements is a huge loss to the public, benefiting big monied and private interests.

Recently, in looking back through my Government Land Office (GLO) maps, I found 4 GLO maps from the 1914 survey, filed 1916, which are attached to this objection. If you piece them together, you see that the trails loop in evidence on the 1925 and 1937 Forest Service maps, is very much there on the 1914 GLO survey maps. When you look at the first map, 4N 12E, you see that the Sweet Grass road went all the way into Section 9; not a trail, a road. The map also shows the old saw mill, which I documented in my previous objections and the surveyor noted a trail going into section 9, as well.

As I stated before, the public already has a trail loop system, we just need it defended. Why have you still not included an alternative that has the FS defending our current public access, rather than abandoning it to private interests? By your alternatives, you have created a bias that does not serve the public.

The PEA and Draft Decision Notice still don't address the public's loss of exchanging low elevation federal public lands, for higher elevation rocky lands, in this exchange.

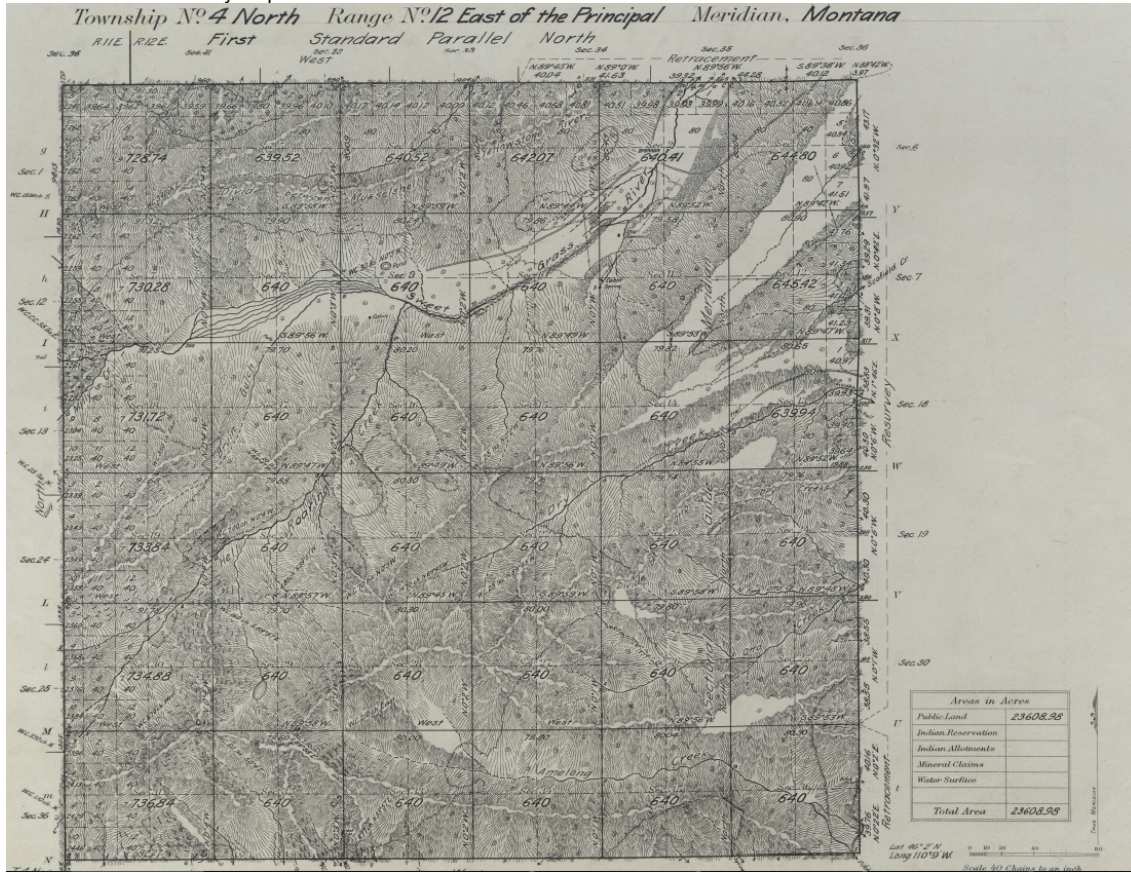
There is still a loss of public: water rights, mineral rights, big game habitat and those hunting opportunities, wetlands and fisheries. Where is the valuation of the land and severed water and mineral rights?

Regardless of any landowner intentions, the public trust has no securities with “intentions” and the Forest Services’ history, per my FOIA documentation, shows that “intentions” have proved worthless. Development in the Crazy Mountains could put wildlife, fisheries and habitat at risk. By proceeding with this exchange, the Forest Service has rewarded all the private landowner blockages, locked gates, destruction of trails, removing and covering of FS signage, threats to FS employees and the public, harassment, privatizing of our public lands for their commercial and personal uses, etc. This is an appalling breach of the public trust.

I object and reject Alternative 1 and recommend that the Forest Service fulfill their role as our public trust steward, by once again defending our historical prescriptive easements and railroad grant deeded easements in the public.

Thank you,
Enhancing Montana’s Wildlife & Habitat
Kathryn QannaYahu Kern
924 11th Ave, Apt 2
Helena MT 59601
406-579-7748

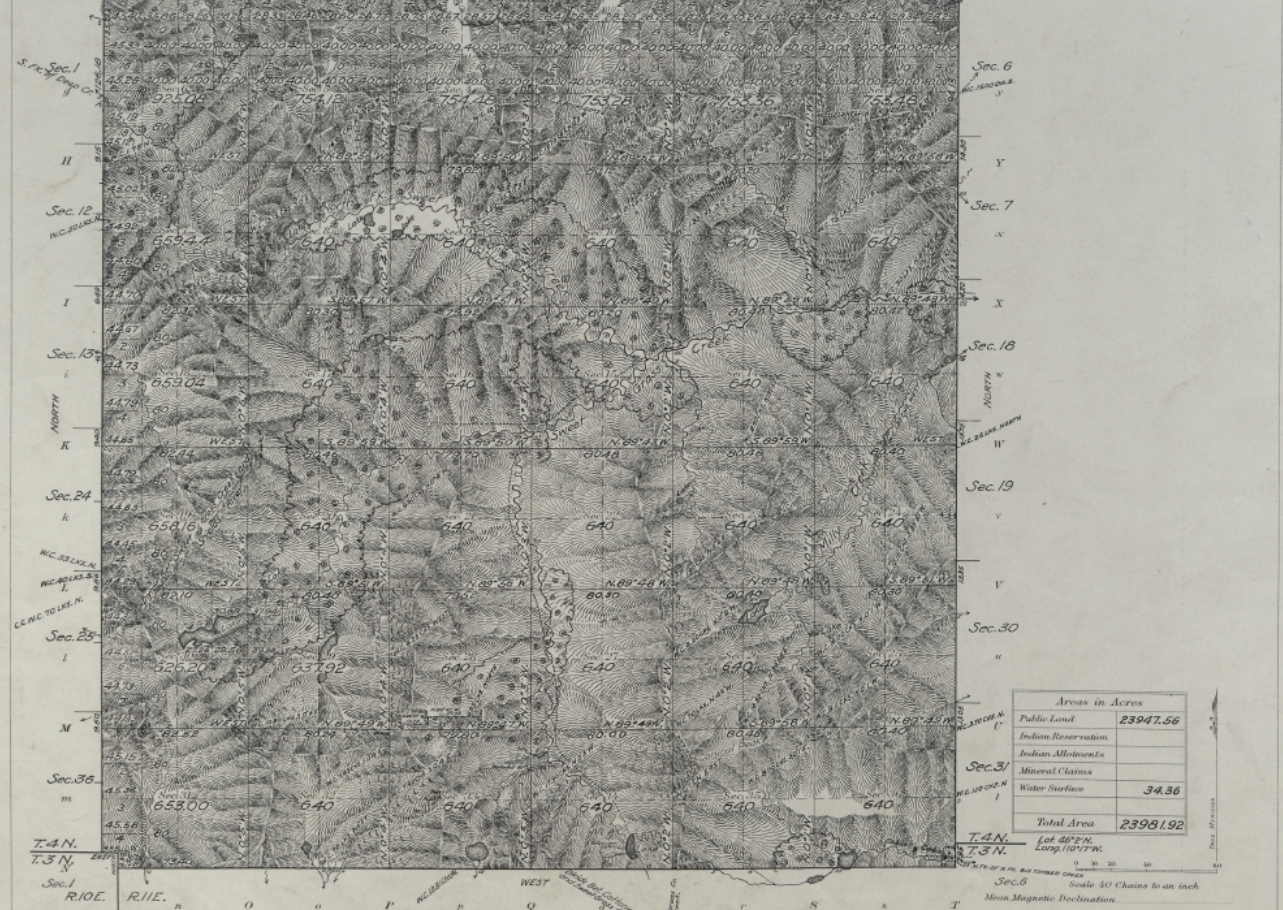
4N12E 1914 GLO Survey map



(4-47759)

Township No 4 North, Range No 11 East of the Principal Meridian, MONTANA.

FIRST STANDARD PARALLEL NORTH R.11E. R.12E.



Areas in Acres	
Public Land	23947.56
Indian Reservation	
Indian Allotments	
Mineral Claims	
Water Surface	34.36
Total Area	23981.92

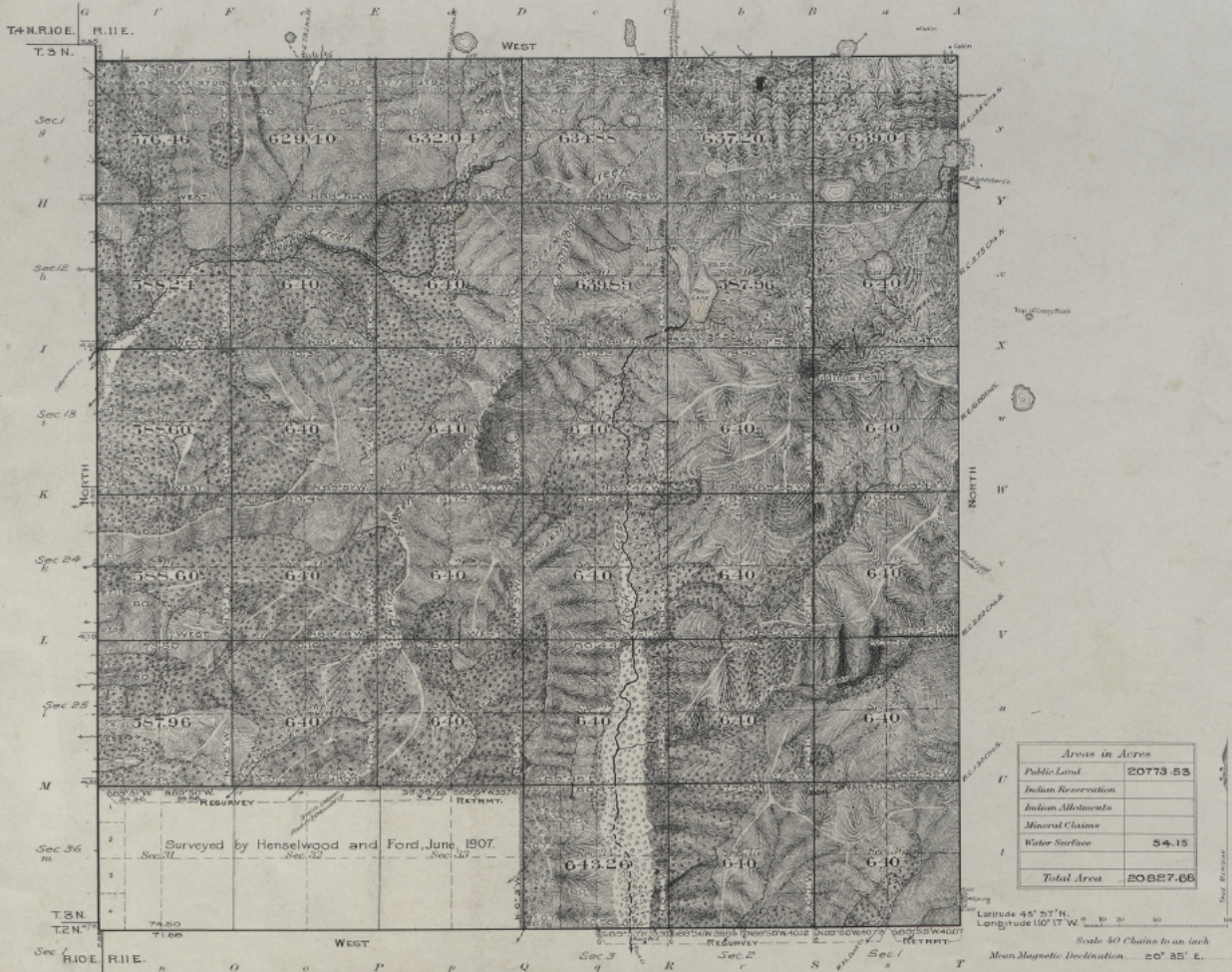
Surveys Designated	By Whom Surveyed	No.	Date of Instructions	Amount of Surveys		When Surveyed	
				3/4s	1/4s	Began	Completed
Subdivisions	R. S. Lyman	45	May 12, 1911	61	89	Apr. 24, 1911	Sept. 5, 1914
East Boundary	R. S. Lyman	"	"	6	14	July 6, 1914	July 30, "
West	E. S. Lyman	"	"	2	46	"	"
First Standard Par. N.	R. S. & E. S. Lyman	"	"	5	26	"	"
Connections	"	"	"	54	83	"	"

The above map of Township No. 4 North Range No. 11 East of the Principal Meridian Montana is strictly conformable to the field notes of the survey thereof on file in this office, which have been examined and approved.

U. S. Surveyor General's Office.
Helena, Montana, Feb. 29, 1916.

Henry Gerhart

Township N^o 3 North Range N^o 11 East of the Principal Meridian, Montana

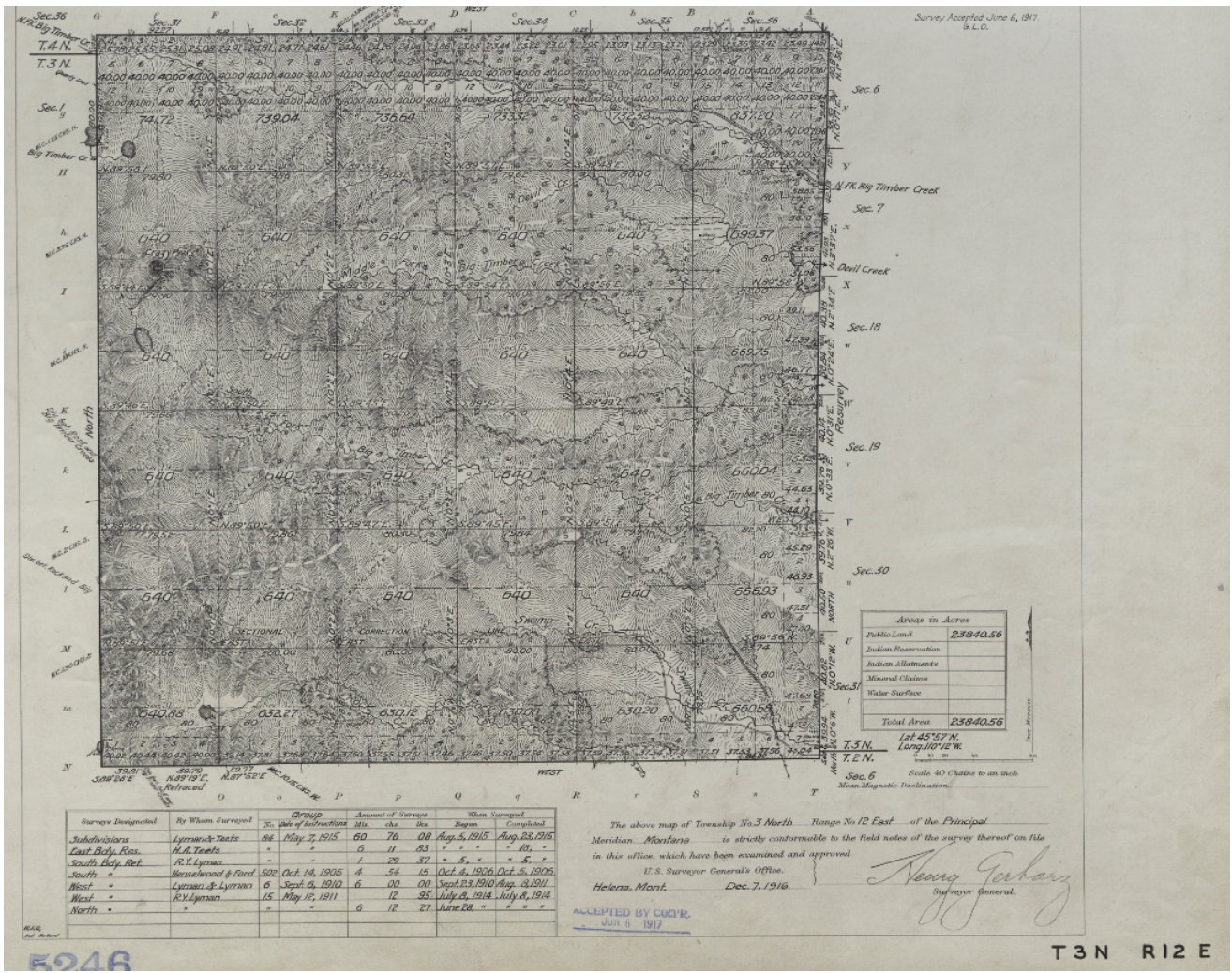


Areas in Acres	
Public Land	20773.53
Indian Reservation	
Indian Allotments	
Mineral Claims	
Water Surface	54.15
Total Area	20827.68

Latitude 45° 57' N.
Longitude 107° 17' W.
Scale 40 Chains to an inch
Mean Magnetic Declination 20° 25' E.

Survey Designated	By Whom Surveyed	Assignment No.	Date	Amount of Survey			When Surveyed	
				Mts.	chs.	lks.	Began	Completed
Subdivisions	Henry J. Lyman and Levelyn B. Lyman	6	Sep. 6 1910	53	53	35	Sept 27, 1910	Aug. 16, 1911
"	"	"	"	2	38	43	Oct. 12, 1910	" 14, "
"	"	"	"	"	28	76	"	Oct. 12, 1910
Connectives	"	"	"	17	48	"	Aug. 14, 1911	Aug. 18, 1911

The above map of Township No. 3 North Range No. 11 East of the Principal Meridian Montana is strictly conformable to the field notes of the survey thereof on file in this office, which have been examined and approved
U. S. Surveyor General's Office.
James G. Leach



Survey Designated	By Whom Surveyed	No.	Date of Instructions	Amount of Survey			When Surveyed	
				Ac.	Sq. Chs.	Secs.	Began	Completed
Subdivisions	Lyzman & Teets	56	May 7, 1915	60	76	08	Aug. 5, 1915	Aug. 28, 1915
East Bdy. Res.	H.A. Teets	"	"	5	11	83	"	"
South Bdy. Res.	R.Y. Lyzman	"	"	1	29	37	"	"
South	Winterswood & Ford	502	Oct. 14, 1906	4	54	15	Oct. 4, 1906	Oct. 5, 1906
West	Lyzman & Lyzmon	6	Sept. 6, 1910	6	00	00	Sept. 23, 1910	Aug. 2, 1911
West	R.Y. Lyzman	15	May 17, 1911	12	95	12	July 8, 1914	July 8, 1914
North	"	"	"	6	12	27	June 28	"

The above map of Township No. 3 North, Range No. 12 East, of the Principal Meridian, Montana, is strictly conformable to the field notes of the survey thereof on file in this office, which have been examined and approved.

5246

T3N R12E