

I am writing to share my comments on the East Crazy Inspiration Divide Land Exchange. I object to Alternative B, the proposed exchange as it's currently presented. The following are areas where I'd like to see changes made before any action is taken.

First, East Crazy and Inspiration Divide should be two separate projects. They are in completely different areas and deserve their own, separate consideration. As such, my comments pertain to the East Crazy portion of the land swap proposal.

Deed restrictions:

- The deed restrictions must be more permanent and protective of the Crazy Mountains: The deed restrictions outlined in the EA are not permanent conservation easements, and do not prohibit any kind of commercial or residential development like luxury resorts and subdivisions. The covenants that do exist only apply to the lands exchanged in the Sweet Grass and Big Timber Creek drainages, not all the land being traded to private landowners. In the South Crazy land exchange, all landowners agreed to voluntarily place permanent restrictions on the federal lands to be conveyed into private ownership at the closing of the exchange. This land exchange lacks this permanent protection.
- More analysis is needed to determine if reasonably foreseeable future uses of the land being traded will harm wildlife and the ecosystem: The EA relies on an assumption that landowners receiving federal land in the exchange will not develop their property, an outcome that is not guaranteed. It is also shortsided considering the growth and development pressures in Southwest Montana. The Forest Service must analyze these reasonably foreseeable land uses unless there are much more protective land use restrictions put in place.

Other voluntary commitments:

- The land exchange should not be finalized until voluntary commitments are formalized: Other commitments made by private landowners involved in the trade such as allowing seasonal access to Sweet Grass Creek trail, and permanent protection and Tribal access to Crazy Peak are not addressed, or in some cases not even mentioned in the EA. PCEC participated in many conversations where additional public benefits were discussed and we are concerned that if not formalized, these widely advertised commitments may not be carried forward.

Access:

- I object to the forfeiture of the Sweetgrass Creek Road/trail 122. This road has been used by the public for generations and was maintained by the Forest Service within its boundaries. Access to USFS land was well established on the portions of the road through Sweetgrass county and on private lands leading to public land in Sweetgrass Canyon. There must be plenty of evidence to prove this access was the “open, notorious, adverse, continuous and uninterrupted use of the claimed easement for the full statutory period.”
- Habitat Loss and Conservation:
- In the Pre-EA section in Anticipated Benefits and in the Need For Action, the desire to consolidate land for easier and more efficient land management is mentioned. I agree with this concept, but I take issue with the way it may be implemented here. Any and all federal land traded to private landowners must be completely protected with permanent conservation easements before any deal is made.
- In Need for Action, the sixth purpose is “To conserve wildlife connectivity and protect key habitat”. We should not trade our productive and relatively less-steep lowlands without guarantee of no future development on these lands. We need to strongly consider the development potential of the lands being considered in this swap. Many of these lower parcels are ripe for development and it would be irresponsible land stewardship practice to jeopardize their future as quality habitat. High, steep, scree and timbered slopes checkered within USFS lands (where travel plans don't allow motorized use) are much less vulnerable to development than rolling meadows, timbered hills and wetlands, (many sections already accessible by primitive roads used by the adjacent landowners) and the biodiversity supported by these zones is much better than that of the "rock and ice" up above. This is an opportunity to protect more wildlife habitat, not just on those lands owned by the public (managed by the USFS) but also on lands that are potentially traded. We need only look at the development happening on private lands on the southwest side of the Crazy Mountains (an airport, golf course, etc) to see what could be coming to the east side someday in the not so distant future. Habitat loss and degradation is one of the top five threats to biodiversity, globally, and it's the greatest pending threat present in this proposed exchange.

Corner Crossing:

- This land swap should not take place now that the Wyoming corner crossing case has turned a new page in the public land access fight. The public stands to lose out on access if new legal precedence is set in the coming years. There's no need to rush this decision when changes may be coming in this area of the law.
- IRON BAR HOLDINGS, LLC v. BRADLEY H. CAPE, et al. heard in the US District Court in Wyoming has settled corner crossing in that district. This case will likely be tried in other district courts and potentially the Supreme Court.

At the very least, I can accept the land consolidation with appropriate and permanent deed restrictions, but only if further access is discussed and secured in Sweetgrass Creek drainage. A permanent trailhead in that drainage that allows foot and stock travel is not too much to ask for when we are giving up some of the most prime public land on the east side of the Crazy Mountains. Permanent conservation easements on every acre of traded federal land should be non-negotiable and must be legally binding before any land is traded.

Please consider these comments and proceed with the best interests of the broader public, the land, biodiversity, and stewardship at the top of your priority list. Thank you for your time.

Sincerely,