

Data Submitted (UTC 11): 11/16/2019 11:00:00 AM

First name: Zac

Last name: Krohn

Organization:

Title:

Comments: Please reference attached document.

Copied from attached:

Dear Supervisor Erickson,

I appreciate the efforts the Custer Gallatin National Forest is making to improve access in the Crazy Mountains and understand the challenges that are present in this pursuit. Unfortunately, I can not support the South Crazy Mountain Land Exchange in its entirety.

The Rock Creek Ranch and Wild Eagle Ranch portions of this trade represent a fair trade for the public. The sections of land proposed to be traded are equal in value when viewed from a wildlife habitat, aquatic resources, recreational value, timber value, and open market value. With these two portions of the trade, the public would gain the ability to legally access three sections of land vs. the one section of land it can now.

However, I do not support the Crazy Mountain Ranch portion of this trade. Sections 4 and 8 represent some of the most premier wildlife habitat, fishing, old growth timber, aspen stands, and winter range in Southwest Montana. The loss of these sections of land would be a travesty when one looks at how little low to mid elevation country the public currently owns in the Crazy Mountains. This land also has a perfected easement to access, rare within the Crazy Mountains as a whole.

I find it troubling that the Preliminary Environmental Assessment lacks transparency, omitted facts and the perceived bias in which this document is written. It is my understanding, that as a public land agency, there should be a comprehensive assessment of the lands the Forest Service intends to trade to those that it proposes to gain. This would mean not only documenting the positive aspects of the lands which the Forest Service intends to gain but also documenting the positive aspects of the lands the Forest Service would trade and the public would lose forever. There should be no need to document one, but ignore or not state the other, if the lands in question hold the very same resources. I find it troubling that the burden of properly comparing the tradeoffs of this land exchange would in your words [ldquo]come out through the process of public comment[rdquo] when asked at the public meeting held October 23rd. How can this happen when the Preliminary Environmental Assessment has a bias towards the lands it intends to gain, and does not adequately describe the values of the land currently in public hands?

Here are the omissions of the Preliminary Environmental Assessment report I find most misleading:

1.

On Page 9 [ldquo]Roads and Trails[rdquo] Robinson Bench Road No. 193, the PEA states, [ldquo]As a provision of the exchange, CMR and RCR will grant and donate permanent public road easements to the United States for those portions of the existing Robinson Bench Road across CMR lands in Section 20 (East half) and Section 21 and RCR lands in Section 22. The public road easements to the United States will eliminate an apparent gap in

the recorded easements for Robinson Bench Road.[rdquo] There is no [ldquo]apparent gap[rdquo] in easements and the public already has an easement to access this entire section of Road No. 193 referenced. On December 23, 1968, the Sixth Judicial Court of the State of Montana, Case #12144, ruled that from the south proceeding to the east half of Section 20 and the entire Section 21 portions of Road 193 have a PUBLIC easement granted via Park County. The assertion that the public does not have access to this portion of road is false and misleading. This [ldquo]apparent gap[rdquo] on Road No. 193 is stated several times in the PEA and was referenced at the public meeting on October 23 as a key factor in the Crazy Mountain Ranch portion of this trade, I implore the Forest Service to uphold and recognize this court ruling and not unnecessarily trade the public[rsquo]s lands for access the public already has.

2.

On Page 9 [ldquo]Roads and Trails[rdquo] Robinson Bench Road No. 193, the PEA states, [ldquo]The United States also holds permanent easements for this portion of road, as well as the trailhead parking area and trail, all of which provide for permanent public access to the Rock Creek Trail in sections 10 and 15, T.2 N, R 11 E.[rdquo] Why doesn[rsquo]t this report acknowledge the permanent public access to Section 8 from Rock Creek Trailhead? This can be done via Trail 270, then west on Trail 272, then staying on Road 199 for 100 feet straight into Section 8. These are documented deeds the United States has from the Rock Creek Trailhead all the way to Section 8. There is already public access from Rock Creek Trailhead to Section 8 but that is not clear in the PEA.

3.

Another curious omission is that no where in the PEA could I find mention that the corner between Section 8 and 4 is offset by 48 feet, allowing for legal access between the two sections. This fact is vital for the public to understand this land exchange in its entirety. This is not a traditional [ldquo]checkerboard[rdquo] situation and should be documented as such in the PEA.

4.

On Page 9, [ldquo]Roads and Trails[rdquo] Cottonwood Lowline Trail No. 272, the PEA states, [ldquo]There are no recorded easements for the Cottonwood Lowline Trail No. 272 in its existing location across private land from Cottonwood Creek to the intersection of Rock Creek Road No. 199 in section 9, T. 2N, R. 11E.[rdquo] It is true that there are numerous portions of this trail that are not perfected as it crosses Sections 25, 31, 6, and 5 when one looks at this trail from the Cottonwood area. It is true that there is a gap on Trail 272 in Section 9, BUT it could easily be rerouted to stay on Road 199 for 100 feet until it enters Section 8. The Forest Service holds a deed, 60 ft. wide, for a public access easement on that portion of Road 199. Once again, this is perplexing that the Forest Service does not mention the public[rsquo]s already perfected access to Section 8 that exists from Rock Creek Trailhead. This is important to view Trail No. 272 from Rock Creek Trailhead. If the Forest Service were to consider the Rock Creek Ranch and Wild Eagle portions of this trade and not the Crazy Mountain Ranch portion of this trade, it could reroute Trail No. 272 through Section 8 and 4, then into Section 33, to easily reroute this trail towards Cottonwood Creek. This reroute of Trail No. 272 would leave only private Section 25 in question, which this land exchange will not remedy.

5.

On Page 13, [ldquo]Dispersed Recreation[rdquo], the PEA states,

[ldquo]Federal Lands - There are no inventoried dispersed campsites within the Federal parcels and dispersed overnight camping is not common. Access into these parcels is difficult due to terrain and having to cross private property. Dispersed recreation primarily consists of day use big game hunting, fishing, hiking, backpacking and wildlife viewing. Winter use is minimal as there is limited snowmobile terrain and many of the roads in the area have seasonal restrictions.

Non-Federal Lands - The Non-Federal parcels offer a variety of recreational opportunities such as; hiking, wildlife viewing, fishing and hunting opportunities. There are two high-elevation mountain lakes, Smeller and Rock Lake, in the non-Federal parcels. These lakes provide fishing and dispersed recreation camping opportunities, though there is only permissive access to the lakes at this time.[rdquo]

Dispersed camping is common on the current Federal lands from the months of September-November, when I have frequently camped myself and have regularly seen other people camping on Sections 4 and 8. Second, why is it stated that the current Federal lands are hard to access due to terrain and having to cross private property and the same things are not stated for the Non-Federal Lands? The Non-Federal lands will cross more difficult terrain overall and require the public to cross a larger portion of private property. This can be verified by looking at a contour map and the nature of the switchbacks proposed to be incorporated to reroute Trail 272 adding greater distance through private property. This information needs to be fully disclosed in the EA, and it is misleading.

6.

The complete lack of an assessment of the timber and silviculture in this report is alarming. When I asked about this at the public meeting on October 23rd the response was [ldquo]that is because no existing or proposed timber sales existed[rdquo] in addition I was told that [ldquo]the Forest Service can make up the difference in the value of the land trade by up to \$25,000 to even any discrepancies.[rdquo] First, the timber resource holds a value that the United States public deserves to know about regardless of whether it is or planned to be harvested or not. I would argue it holds a larger value not being harvested and to ensure it is well managed by the public, and not by the Crazy Mountain Ranch, which has proven to log extensively on the lands it currently owns. The old growth Douglas Fir that can be found, in great numbers, on Section 4 and 8 are, in my travels throughout the Crazy Mountains, some of the oldest and largest around. Both Section 4 and 8 hold large aspen stands that are truly rare on the Custer Gallatin National Forest, and worth protecting from an ecological perspective. In regards to \$25,000 as monetary compensation for timber value, there is likely hundreds of thousands of dollars in timber value within Section 4 and 8. Knowing that the lands in Sections 11, 13, and 21 that the Forest Service intends to gain lack any mentionable timber resource, I find it interesting that these comparisons are not included in this document.

7. The lack of any mention that Section 8 is valuable winter range for large ungulates is perplexing. In my travels around the Crazy Mountains, I cannot think of any other area along the West or South side of the range where the public currently owns winter range for elk, deer, and moose. This is extremely rare within this mountain range, and extremely valuable to protect these wildlife resources in the future. The public should be provided all

this information prior to any land exchange.

Of note and it cannot be overstated, that we are talking about the Phillip Morris company when we reference the Crazy Mountain Ranch. This company made billions of dollars off knowingly selling a product that killed millions and they are the kinds of wealthy, absentee landowners that will soon have all the low elevation land around the Crazy Mountains. This company actively employs armed, retired special forces personnel to patrol the borders of its property. To me, that is not the behavior of a neighbor that I would want to engage in a business deal with or one that shows any interest to work with the public now or in the future.

In summary, I applaud the Forest Service trying to enhance access in the Crazy Mountains. I support the Rock Creek Ranch and Wild Eagle portions of this land exchange. I do not support the Crazy Mountain Ranch portion of this land exchange. In addition, I find the Preliminary Environmental Assessment lacking full disclosure of the facts. With several facts omitted, it is difficult for the public to draw a fair comparison of Sections 4 and 8 within the Crazy Mountain Ranch portion of this land exchange.

Thank you for opportunity to provide my comments on this land exchange.

Sincerely,

Zac Krohn

Extensive Public Land User of the Crazy Mountain Range