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Comments: Comments on the 2020 LAND MANAGEMENT PLAN for the Custer Gallatin National Forest (Mary Erickson, Supervisor) for the GALLATIN RANGE AND HENRY MOUNTAINS

SUMMARY

The final decision designates too few acres of wilderness quality land in the Gallatin Range as recommended wilderness.

Less than half the area designated as suitable for wilderness designation in the draft analysis has been recommended for Wilderness status in this Final Plan. This decision appears to be arbitrary, and the plan contains no coherent explanation of why over half the area designated as suitable for wilderness designation in the draft analysis no longer qualifies for wilderness status. The lands no longer considered worthy of preservation as wilderness still contain an abundance of wilderness quality habitat that supports a full complement of native wildlife species.

This decision over-emphasizes the importance of recreation, particularly motorized recreation. Once wilderness-quality lands have been sacrificed to recreation, they are gone for millennia. The hikers, bicyclists motorcyclists and ATV riders can find somewhere else to go; the wolves and the grizzlies cannot. No more wilderness is being created on any human time scale; we need to preserve what we have.

1. THE PLAN FAILS TO ACCOUNT FOR GROWTH

This is only the second Land Management Plan this forest has ever written, the previous plan was issued 35 years ago. So we may assume that this plan will be in effect for decades. And it should take into account increased recreational use due to population growth and changes in types of use. Instead, without explanation or justification, the Forest Supervisor states, "In most areas, I felt that existing recreational uses should continue." By continuing existing recreational uses without any restrictions on volume, the Plan does not allow for future growth in population or the current rapid changes in off-road vehicle technology.

Population growth in Gallatin County is rapid and Bozeman is the fastest growing small town in the U.S. The population of Gallatin County increased from 42,865 in 1980 to 114,434 in 2019. In the last decade, the population of Gallatin County has grown by 20%. The volume of recreation use is rising in step with the population. Unfortunately, high volumes of recreational use, particularly motorized use, have negative effects on wildlife, water and air quality, the quality of recreational experience for non-motorized users, and trail conditions.

The Gallatin Range is special in its shared boundary with Yellowstone National Park and its ability to sustain a full complement of its original wildlife. Such wilderness quality land is rare in the US and should be cherished and protected, not divided up into recreational sectors. Protection of the wilderness quality of much of the Gallatin Range got off to a good start. Many local citizens and politicians worked for years to protect the wilderness qualities of the Gallatin Range. Their efforts had results:

*In 1977 the US Forest Service Roadless Area Review and Evaluation singled out much of the Gallatin Range to be protected.

*In 1977 Congress recognized this by passing the Montana Wilderness Study Area Act.

*In 2001 the Roadless Rule reinforced the need for protection.

Unfortunately, managers of the Gallatin National Forest over the years have consistently failed to realize the immense value of the wildness of the Gallatin Range. Instead, they have squandered its wilderness qualities by allowing and encouraging unrestricted mechanized recreation, and deliberately violating laws that mandated limits on mechanized use to 1977 levels. Indeed, Gallatin National Forest officials were so unconcerned with enforcing the terms of the Wilderness Study Act in 1977 that they failed to even record existing modes and levels of use.

For example, motorized and mechanized use was allowed inside the Hyalite Porcupine Buffalo Horn Wilderness Study Area (HPBH WSA) in violation of the requirement to maintain wilderness character of 1977 when motorized use was non-existent or infrequent. Mountain bikes, which certainly, did not exist in 1977, were allowed on all trails. Instead of regulating or prohibiting these uses inside the HPBH WSA, the 2006 Travel Management Plan codified them.

Gallatin National Forest has been repeatedly sued successfully for not maintaining the wilderness character of the HPBH WSA. The last time was in 2011 when the Forest was required to change the Travel Management Plan to account for increased volume of mechanized use and create conditions for solitude in the HPBH WSA. The Forest has yet to fully comply with the court order over the entirety of the HPBH WSA. Alternative F of the Final Forest Plan does not "meet law" regarding maintaining the 1977 wilderness character of the HPBH WSA now and into the future. Instead it divides the WSA into sectors, dedicating half of it to recreational emphasis. Where does that leave the elk in the winter?

2. THE PLAN UNDERVALUES THE MAJOR QUALITIES OF THE GALLATIN RANGE

Eight items are listed as "Issues that Drove Alternatives" in section 2.4.1 of The Draft Environmental Impact Statement for the Draft Revised Forest Plan. Of these eight items, five concern recreation, one concerns wildlife connections, one concerns timber, and one concerns aircraft landing strips. Listed among "Issues that Did Not Drive Alternatives" in section 2.4.2 are the most important major attributes of the Gallatin Range: water supply, wildlife species diversity and viability, and congressionally or administratively designated wilderness or roadless areas. Thus, it is clear that insufficient weight has been given to the outstanding and irreplaceable qualities of the Gallatin Range.

One of the major features of the Gallatin Range is the fact that its southern portion is within Yellowstone National Park, where wildlife and the environment are protected. This connection makes it a vital corridor for many species of native wildlife, large and small, common and rare, mammals and birds. Despite the lack of permanent protection, much of the Gallatin Range has managed to preserve wild, intact habitat over the years and due to its remoteness from major population centers. However, the remoteness is quickly diminishing as population and visitation pressures increase.

Analysis in the draft plan identified 193,709 acres or 56% of the Gallatin Range as suitable for wilderness designation. Surely, 44% or nearly half of the range is sufficient for recreation. Nevertheless, the final plan recommends only 92,072 acres or 26% for Recommended Wilderness. This is a travesty!

It is apparent that the very qualities that distinguish the Gallatin Range and make its protection important were not seriously considered in designing the alternative on which the final decision is based. Recreation seems to be the overriding factor in defining alternatives and making decisions. Once the wilderness qualities of the forest lands are gone, they are gone forever in human terms.

Surely, we can preserve some very small fraction of the wilderness that existed in this country 400 years ago. And the remaining wilderness in the Gallatin Range is among the best.

Finally, it is noted that all revised Plan alternatives had to be consistent with existing travel plans, despite the fact

that the travel plan for the HPBH WSA had been found defective by the courts.

3. FAILURE OF THE PLAN TO MEET LEGAL REQUIREMENTS

The 2006 Travel Plan was found to violate the 1977 Wilderness Study Act by the United States Court of Appeals for the Ninth Circuit in 2011. The justices wrote, "We hold that the travel plan improperly ignores the impact of increased volume of motorized and mechanized use on current users' ability to seek quiet and solitude in the study area. Because the Service entirely failed to consider this important aspect of its duty to maintain the study area's 1977 wilderness character, its decision is arbitrary and capricious." In light of this legal decision, the attempt by the Forest Supervisor to make the Forest Plan conform to a defective Travel Plan would seem to be illegal.

The Court also held that the Forest Service must continue to manage the HPBH WSA to "maintain [its] 1977 wilderness character and potential for wilderness designation," for current users as well as future generations. By continuing existing uses within the HPBH WSA, the Plan cannot possibly maintain 1977 wilderness character. This also would seem to violate the orders of the court.

From these actions one may infer that the Custer Gallatin National Forest dislikes the constraints of the Wilderness Study Act and is molding its Plan in a way to ensure that HPBH WSA is "released by Congress".

The Forest Supervisor states, "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 spite of this statement, however, major parts of this work were rejected.

Compare the response of this Forest Plan to overuse and resource degradation by motorized use, with the response of Yellowstone National Park to ever-increasing snowmobile traffic some years ago. When snowmobile traffic threatened to overwhelm the human and natural resources of the Park, the leaders took strong measures to reduce and control use. As a result, winter travel is now relatively quiet, the air is clean, and visitors seeking these qualities who stayed away, now flock to the Park. This kind of leadership is needed for the Custer Gallatin National Forest Plan.

DESIRED CHANGE

In the Gallatin Range, the Forest Plan should designate all 193,700 acres as Recommended Wilderness according to Alternative D of the Draft EIS.

To preserve wilderness character in the HPBH WSA, the Big Sky Snowmobile trail needs to be moved to the west side of US 191 at the Porcupine Creek trailhead. It can easily be rerouted up Buck Ridge road and onto the Cinnamon-Buck trail and existing and decommissioned logging roads to the south. The trail is discontinuous now at the Buffalo Horn trailhead. This route change would solve this problem and allow preservation of wilderness character in this area of the HPBH WSA.