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Comments: The portion of the proposal I am in favor of is the consolidation of some of the land in the Crazies, however, the benefit gained by this consolidation is not worth the cost. I am opposed to this proposal for a variety of reasons, some philosophical and some practical.

On the philosophical side (and in somewhat chronological order, not priority order) a huge part of my objection is the loss of trust in the USFS in general and the process that has led us here. In my experience, faulty process leads to faulty outcomes and this has been a faulty process from the start:

1. When this proposal was first pitched to conservation groups in Montana, the Yellowstone Club through their representatives (Tom Glass and Jess Pedersen) told the groups including me, that the Yellowstone Club had no interest in the Crazies themselves, but were told by the USFS that the USFS would not be able to act on an unrelated swap on behalf of the Yellowstone Club unless the Crazies were solved. This has turned out to be untrue, as we now know, the Yellowstone Club has specific interest in the Crazies.

2. The USFS believes they have valid prescriptive easements up both trails being lost in this swap as indicated in their 2015 letter (posted here). There is an internal memo that the USFS themselves dated nearly 2 years after that letter affirming this belief. Finally, the USFS Deputy Chief French testified under oath on direct examination from Sen. Martin Heinrich that the USFS had not changed their position on these trails. If there is evidence to the contrary, I would love to see it as it would be particularly useful in the current litigation.

3. The USFS noted in letters to Senator Daines that the landowners were illegally obstructing these trails (in the same letter above). These are the very same landowners that benefit the most from this current proposal. Keep in mind, one of them is the person who did this to a member of the public accessing what the USFS has said is a public trail. This has become the playbook of landowners in Montana and we shouldn't reward illegal behavior.

4. I have strong suspicions that those groups (other than the Yellowstone Club) who are supporting this proposal have received direct or laundered funding from the Yellowstone Club. Not illegal, but potentially worthwhile information from those seeking to decide how they feel about this proposal.

5. Those advocating for this proposal have repeatedly said that the public is losing nothing up Sweetgrass creek. As we now know, this has also turned out to not be true. This falsehood is still listed on their website as a "myth" in spite of the clear evidence shown on this very thread of the USFS abandoning the public's interest in these trails. Check it quickly before they take it down. I don't think "myth" means what they think it means.

6. On the west side, the USFS opened up a proposal for comment until the negative comments came in, at which point they closed the process down and instead have relied on a 10-year-old vague analysis to support not needing current public input. This does not engender trust.

7. In the current litigation, the USFS acknowledged in court that they have stopped removing the illegal obstructions, and instead are intending to rely on this land swap. In fact, the USFS suspended the employee who removed these illegal obstructions. This does not serve the public's interest or public trust.

8. I reached out to Senator Tester's office and learned the Yellowstone Club (Same two consultants noted above) approached Sen. Tester years ago and sought a potential legislative solution and were told, no, they needed to go through a public process via the USFS which has led us here. Do not fall for the "local grassroots solution" narrative. This has come from the Yellowstone Club from the start.

9. The timing of this. Dropping the proposal during hunting season, the day after the election and cutting off comment 2 days before Christmas with Thanksgiving in between. I would say there is no window of time in which you are likely to receive fewer public comments. This does not strike me as accidental.

Philosophically, we all (at least those of us on a public hunting website) lament when the instruments of government are bent to the will of the wealthy at the expense of the everyday citizen. Although the area is different, the approach and the flawed process is the same as the Holland Lake example. The USFS does the bidding of the wealthy, misleads the public, then got caught, then tried to reverse engineer a process, but the trust has been lost. This process has been eerily similar. In Montana this has become severely aggravated over

the last few years.

In addition to my philosophical objections, I have some specific objections. At first blush, while I favor the concept of consolidating land, the consolidation is not worth the cost.

- 1.The public forever loses claim up Sweetgrass Creek.
- 2.The public exchanges two lowland public (or disputed - this distinction is meaningless, don't fall for it) trails in exchange for one high elevation trail.
- 3.The public trades low lying habitat for higher elevation habitat. My suspicion is between the snow and early public hunting that the bulk of elk will retreat to the now private lower landscape and not return during hunting season.
- 4.The wetlands analysis has been done twice and in each case the public is on the short end of the stick, so they are ordering a third analysis next year. It appears we are expected to trust that the Yellowstone Club dollars will remedy strike one and strike two of this analysis.
- 5.Leading Conservation groups (BHA, MWF and PLWA at a minimum) issued conditional letters of support for this deal and almost none of the conditions have been met (Sweetgrass Creek access, Conservation Easements, Right of First Refusals, etc). This is essentially saying thanks for the comments but we are rich and the public can screw off. It will be interesting to see who holds the line (Looks like PLWA already did, so a tip of the cap to them) and who caves to the cash.
- 6.The proposal is a take it or leave it proposal. Typically, this type of proposal has multiple options, not this one, only one choice is being presented to the public.

I appreciate the complexity of the issues and the challenges and for me, this proposal is simply not good enough. It does have some good things but is not better than the status quo and doesn't make this a good deal. If we don't demand better from the USFS, we will keep getting worse.