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First name: Walker

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Organization: Hellgate Hunters and Anglers

Title: President

Comments: Dec. 22, 2022,

ATTN: Forest Supervisor Mary Erickson,

PO Box 130,

Bozeman, MT 59771

RE: East Crazy Inspiration Divide Land Exchange

On behalf of Hellgate Hunters & Anglers (HHA), I offer the following comments on the Forest Service's proposed East Crazy Inspiration Divide Land Exchange. HHA is a local, all volunteer rod-and-gun club based in Missoula. We represent over 400 local hunters and anglers who routinely hunt, fish, hike and recreate across Montana, including on public lands in the Crazy Mountains. We have a vested interest in managing and protecting publicly-owned lands, resources and wildlife. HHA's interest includes preserving and defending the public's right to unencumbered access to public lands for current and future hunters and anglers. For the following reasons, we urge the Forest Service to reject the proposed land exchange.

While the proposed land exchange is being touted as an equitable "compromise," it's important to remember the context in which this proposal was reached: i.e. a dispute between a handful of private landowners and the public (through the U.S. Forest Service) about historic public access to the East Crazy Mountains. In essence, these private landowners opted to illegally block public access through their property, harass members of the public who opted to exercise their rights to use the access, and force the public to go to court to preserve these rights. The landowners wagered that by playing the long game and exerting unequal political pressure, they could force the Forest Service (and by extension, the public) to cave to their demands. Unfortunately, this proposal is proof that the landowners prevailed. This is not a precedent that HHA can support.

Specifically, this proposal would forfeit the historic public access into the Sweet Grass drainage and its access to creek-front, low-lying, wildlife-abundant public lands - one of the most productive and over-objective elk areas in the hunting district - and replace it with a 22-mile higher elevation trail accessed from Half Moon Campground in Big Timber Creek drainage. This will result in an ever-growing number of users all funneled through a single trail head in the southeastern portion of the Crazies. The public will be pushed off the bottom and relegated to the high terrain even on the one remaining trail as the landowner receives the productive low land and the public gets the higher terrain.

Some claim that access along the historic Sweet Grass Trail #122 is open (as depicted on Forest Service maps) and the proposal preserves the status quo. The reality is the adjacent landowners are attempting to illegally block all public access by requiring approval to use the National Forest trails.

The EA states that the proposed action focuses on resolving access by constructing a new trail, "in lieu of the uncertain status of Sweet Grass Trail and East Trunk Trail that traverse substantial private lands," but the status of these access points as public is only "uncertain" in the minds of the intervening private landowners. The strategy employed by these landowners is clearly designed to erode the public's rights on a public right-of-way. A trail is not "open to the public" if access can be granted or rescinded at the whims of a landowner. Without a written guarantee ensuring public access down Sweet Grass Trail #122, the public must assume that public access into the Sweet Grass drainage will continue to be obstructed.

HHA also has concerns about the proposal's concession of publicly-owned mineral rights, wetlands and water rights on exchanged lands. Finally, there is inadequate valuation information within the EA to determine whether

the proposed exchanged lands are truly equal in value.

While HHA certainly appreciates the complexity of interests and the efforts of those who have sought to reach some form of compromise, there are core elements of this proposal that we cannot support and we do not believe that the rights of the public have been preserved throughout this process. If accepted, we believe that this proposal will set a precedent that encourages unaccommodating private landowners to inhibit public access through their properties knowing that the Forest Service is unlikely to defend the public's rights or that such behavior will result in a windfall in terms of a lucrative land exchange. For all these reasons, we urge the Forest Service to reject the proposal.

Thank you for the opportunity to comment,

Sincerely,

Walker Conyngham
President
Hellgate Hunters and Anglers