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Comments: Cottonwood is opposed to the land exchange.

First, and most importantly, there is already access to the land in question. The Forest Service did not disclose that there is an existing easement that provides public access.

We also believe the public is permitted to cross corners of private land to access public land.

The land in question was secured via the Pacific Railway Act, which states land that was reserved or was otherwise subject to homestead claims could not be dispossessed. The Federal government was the original homesteaders. All of the public land at issue in this action was therefore reserved or preempted. The U.S. Supreme Court noted in an opinion that while the Federal Government cannot build a road across a private corner to access public land, it cited with approval a case for the proposition that a footpath is allowed. *Leo Sheep Co. v. U.S.*, 440 668, 679 n.15 (1979) (citations omitted).

As such, we believe the public can legally cross private corners on foot.