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Organization:

Title:

Comments: Dear Regional Forester Leanne Marten,

I would like to submit my objection to the Helena Lewis and Clark Land Management Plan. My objections specifically relate to the following issues:

\*WSA Management

\*Primitive ROS

WSA Management

I am very concerned that the wilderness character and potential for designation of the Big Snowies and Middle Fork Judith WSAs will be diminished by the expansion of mountain biking and other non-conforming uses. These are two of the most important areas to me personally on the forest, and I want to make sure that they are protected in order to maintain their unique qualities.

The Forest acted to protect wilderness character and potential for future designation when it analyzed and geographically limited motorized uses to protect WSA wilderness characteristics and potential through 2004 and 2007 travel plans.

When challenged in 2006, the Ninth Circuit upheld the Forest's protective management of WSAs, providing a landmark ruling that lays out the twin duties of the USFS to preserve wilderness character and potential for designation.

Now the HLC needs to take the same approach for mountain biking. Mountain biking, and its potential to affect wilderness character and limit the possibility of wilderness designation was not fully analyzed during the travel planning of the 1990s for the Big Snowies WSA or the Middle Fork Judith WSA. To prevent further loss of future wilderness it is essential to set limits.

The Montana Wilderness Study Act requires the USFS to actively protect wilderness character and wilderness potential against loss, whether from oil and gas leases, mining, motorized or mechanized uses.

Responding to the same Montana Wilderness Study Act law and court direction, the Custer-Gallatin National Forest provides different forestwide management direction for WSAs including:

The Forest Service can apply more restrictive guidance than the wilderness study area act. The Forest Service cannot apply less restrictive guidance, unless the wilderness study area were to be released by Congress. Therefore, recommended wilderness area guidance will be applied in the wilderness study area.

The HLCNF must amend the final plan to recognize the same responsibility to protect wilderness resources, potential by making this explicit in the forestwide direction for WSAs.

I request that the following plan components be included for WSAs:

Desired Conditions

-Within each wilderness study area, wilderness character and potential for future designation as wilderness are fully maintained.

## Standards

-New activities, permits, structures, events, leases, etc that diminish either wilderness character or potential are not allowed in WSAs.

-Activities that may diminish wilderness character or potential for future designation are not allowed. New uses, permits or activities must first be analyzed to determine effects on wilderness character and potential before they may be allowed in WSAs.

## Primitive ROS

The HLC's approach to the suitability of Primitive ROS does not make any sense. The entire purpose of having ROS classes is to define different zones of appropriate uses. By saying mountain bikes belong in every zone, the HLC is essentially making the entire exercise of designating ROS classes pointless. What is the difference between a semi-primitive non-motorized area and a primitive area? You are turning the two classes into one and eliminating the intent behind the primitive ROS by adding suitability language for bikes.

In my experience, areas that are managed for primitive uses only (ie. foot and stock) provide extremely different opportunities for solitude than areas that are open to mountain bikes. As a mountain biker myself, I am not saying that mountain bikes are bad, or that they should be relegated to roads only. I just think there are some places that need to be protected to maintain their wildness that may not otherwise be eligible for recommended wilderness status. The primitive ROS can do exactly that. I have not seen any other forest take the confusing approach that the HLC has to add suitability language to the primitive ROS for mountain biking. This is directly conflicts with the intent behind creating ROS classes.

I very strongly object to the HLC's inclusion of specific suitability to include mechanized use. By taking this action, the forest will give the impression that all primitive areas are assumed open to mountain bikes. However, by staying silent on mechanized use, the HLC will properly give the impression that the areas assumed closed, unless approved through a travel analysis process. This is the interpretation that many other forests have taken and the HLC should follow in order to make their management consistent.

Please Strike (FW-ROS-SUIT-02) from the Primitive ROS suitability section.

Please amend (FW-ROS-SUIT-07) to clarify that cross-country wheeled use off FS trails is not suitable: Mechanized means of transportation and mechanized equipment are suitable on FS designated trails unless prohibited by law, forest plan direction, or forest closure order.

I submitted comments on the DEIS and was pleased to see certain elements of my comments incorporated into the final plan, but I believe by addressing the two objections I have raised above, the final plan will be much more durable. Thank you for considering my comments and for all your work on this draft final forest plan.