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Comments: I am in heavy opposition to this proposed land trade. Not only are crucial pieces of information missing (value of water rights exchanged, value of timberland exchanged), it is apparent that these pieces of missing information are likely left out because their inclusion would make the trade illegal. Federal Land Policy and Management Act (FLPMA) requires that timberland values received by the public in an exchange are equal to or higher than that of the timberland values received by the non-federal party in the exchange. Federal Land Policy and Management Act (FLPMA) requires that the value of exchanged lands be equal, adjusted for any difference in value by cash equalization payments up to 25% of the value of the Federal lands to be disposed. Therefore, I believe the preliminary environmental assessment is faulty, misleading, and possibly illegal.

The preliminary environmental assessment is faulty because it violates Executive Order 12962 requiring a no-net-loss of wetlands in land exchange. It estimates the total wetland value within the currently non-federal parcels to be 7.8 acres, with the total wetland acreage within the currently federal parcels to be 52.4 acres. This means that the Proposed Land Exchange would result in a significant loss of wetland acreage under federal control: a net loss of 44.6 acres to be specific.

NEPA requires an agency to "study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources." 42 U.S.C § 4332 (2)(E). The law does not support the limited range of alternatives presented in the preliminary environmental assessment, as it is reasonable to consider others - such as defending current access rights - as viable alternatives in the PEA. The underlying rationale of one two alternatives creates the perception of a pre-determined outcome: do what the Yellowstone Club and adjacent landowners want. This lack of alternatives, which subsequently leads to a predetermined outcome, is precisely the type of "foreordained formality" decision-making that violates NEPA as a matter of law.

The preliminary environmental assessment is faulty because it relies on public benefits which it does not provide, and therefore cannot consider as a part of the Project proposal because those benefits are not guaranteed. It claims non-federal parties will construct the new trail, make the trailhead, and provide parking lot improvements. No contracts between federal and non-federal parties have been disclosed to the public for review. It claims non-federal parties will provide access to Crazy Peak to the Crow Nation, allow access across private lands, and consider conservation easements on lands received in the exchange. These agreements do not include the federal party involved in the exchange and therefore are misleading and cannot be considered by the public as an additive value resulting from the exchange. There are no guarantees these agreement can be trusted/guaranteed or enforced, rendering their benefits inappropriate to include.

The Project sets a dangerous precedent by reinforcing and rewarding the negative and anti-public behavior of the landowners involved. The Proposed Land Exchange would set a terrible precedent and is poor public policy. Encouraging private landowners to stand their ground in obstructing legal public access until the USFS acquiesces to their demands is dangerous to all members of the public and all public federal land, particularly in Montana. State, federal, and local agencies should be promoting the enforcement of their own rights, rules, and regulations, rather than capitulating to parties who are undermining the public's rights.

Aside from the blatantly illegal nature of this land trade, the proposal is also faulty due to the purposeful spread of misinformation regarding land use. First, the the agency erroneously contends that it meets the projects goals because in its current state Sweet Grass Trail is "a long out and back trail with no scenic destination" where "current use levels are low." I hate to call this a blatant lie, but frankly, it is. The purpose of a trail is not to necessarily end at a scenic destination, it is to provide access to opportunities for outdoor recreation, which this

trail certainly does (and also does so in a way that is pleasing to the eye - "scenic" is a matter of perspective). Low trail use is not an excuse here - I myself have used the trail a number of times this year alone and many other individuals, especially hunters, do so as well. Sweet Grass Creek is absolutely in active use and it is a blatant lie to say otherwise. Use of Sweet Grass Creek for recreational opportunities, including hunting and fishing access, is very well documented. Additionally, as the USFS acknowledged, most use of Sweet Grass Trail occurs during the fall hunting season. Eliminating access to those areas would preclude historical access opportunities for hunting and angling.

s proposed, a new 22-mile East Trunk Trail would be constructed with only one access point from the south. This new route would not only eliminate a separate, existing public access point but would severely alter the nature of and use of the trail for compatible recreational opportunities. For the public to enjoy previously accessed property from the northern route, the public would need to hike at least 11 miles. This distance, in conjunction with a single access point, renders previous hunting, fishing or day-hike opportunities inaccessible; it would shift historical recreation use of the area. Additionally, the single access point also creates additional concerns as it relates to increased trail use in areas not previously accessed, bottlenecking and creating congestion at the trail head area, increasing remote, long-distance use, straining maintenance crews and emergency-rescue personnel while increasing expenses for trail maintenance, and creating unfeasibility of use for certain recreational users due to severely steepened trail topography and inconvenient trail distances.

I fully appreciate the complexity of the issues and the access challenges presented in the Crazy Mountains; however, this proposal is inadequate, faulty, likely illegal, and - perhaps most damning - would lead to a significant loss to the public, a loss that far outweighs anything gained.