Data Submitted (UTC 11): 12/18/2022 4:30:15 PM

First name: Denise Last name: Boggs

Organization: Conservation Congress

Title: Director

Comments: The Forest Service needs new leadership in Region one. We, the public, are sick and tired of back room deals that rip off the public, while benefiting wealthy landowners, many whom live out of state. This land exchange should NOT go forward. Below is a column written by the Billings Gazette. We agree with it whole heartedly.

Just like Holland Lake, the U.S. Forest Service is at it again - trying to pull a fast one on the public by putting forward a significant proposal that would negatively impact our public lands, public access and public opportunities. All the while private interests would get exactly what they want.

The USFS recently put forth the proposed "East Crazy Inspiration Divide Land Exchange." The proposal is complex and convoluted, intertwining what should be a simple land exchange in the Yellowstone Club's Big Skyarea property with a very complex land exchange in the east Crazy Mountains, more than 100 miles away.

Turns out, the Custer-Gallatin National Forest refused to entertain a land exchange involving the Yellowstone Club property unless the Yellowstone Club used the weight of its money to "solve public access" in the Crazies. Now we have two very different, otherwise unrelated land exchanges, and the public must choose to reject both or accept both with no alternatives offered. This is the epitome of poor leadership at the USFS's Region 1 office.

If the process that led us here wasn't bad enough, after fully reviewing the details of the proposal, we find it wholly lacking. We urge you to join us in opposing this proposal unless significant changes are made.

While the final proposal does include land consolidation and a small increase in public acreage, by every other metric, this proposal would be a bad deal for Montanans but a great deal for private landowners and the Yellowstone Club.

First, the public (via the USFS) gives up any claim of the historic access up Sweet Grass Trail and lower drainage, one of very few important access points from the east into the Crazies. This will result in an evergrowing number of users all funneled through a single trailhead in the southeastern portion of the Crazies. The public will be quickly pushed off the rolling hills and productive habitat of the low country and relegated to the steep, high terrain largely consisting of rock and ice. The landowners, however, receive the valuable and productive low land.

As written, the proposal asks the public to give up 100% of mineral rights on land going to the landowners. In return, however, the public receives only mineral rights on two of the 11 sections it is receiving. In Montana, mineral rights supersede surface rights, so it is not unreasonable to assume that the owners of these claims may decide to assert these valuable rights in the future. At that time, under Montana law, those owners would have the ability to disrupt the surface by building roads, cutting down trees, diverting water, and using any and all legal means they choose to develop their mineral rights on the newly consolidated public lands.

The proposal asks the public give up all water rights on land it is giving to the landowners, while it does not receive the water rights on all the land it receives. This is yet another notch in the win column for the landowners and a loss for the public.

The proposal asks the public to give up 52 acres of wetlands and receives only 7.8 acres in return, meaning the public stands to lose 44.6 acres of wetlands.

The USFS fails to provide land and timber value analysis prior to conclusion of the public comment period, so even this potential benefit of the small additional acreage is impossible to ascertain.

Many of the touted benefits, including the non-federal parties paying for building the new trail and parking lot improvements to address congestion, are not available for the public to review. Worse even, other celebrated benefits within the environmental assessment, like access to Crazy Peak for the Crow Tribe, access across private land and consideration of conservation easements, are not agreements the USFS is a party to and cannot enforce or guarantee.

This deal was negotiated in political backrooms by the Yellowstone Club and the politically well-connected then dropped on the public the day after an election during the holiday with incomplete information. Both the process that led us here and the outcome are fatally flawed. Similar to the Holland Lake debacle, it appears the USFS is trying to bend the public trust to benefit the wealthy and the well-connected at the expense of working Montanans.

Nearly all Montanans feel the overwhelming weight of the changes being imposed on us with the recent influx of substantial out-of-state money; here is our chance to push back. Please join the following local, state and national conservation organizations in rejecting this proposal and keeping Montana, well, Montana.