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Custer Gallatin National Forest

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Re: East Crazy Inspiration Divide Land Exchange

Thanks for the opportunity to comment on this land exchange. I used to live in Bozeman and have spent quite a few camping trips which included hiking in the Crazy Mountains. What a fantastic place and somewhat difficult to access. But it is worth it and it is a good thing that there is more challenging access. It is more preserved that way and the wildlife do not have to deal with the added stress of high human presence.

The action will exchange approx. 4,135 acres of public lands managed by the Forest Service (FS) for approx. 6,430 acres of non-Federal lands located in the Crazy Mountains of southcentral Montana and the Madison Mountains of southwest Montana. I have concerns that these land exchanges are so far away. The Yellowstone club wants something in the Madison range and right now they have too much and there is too much ski area there. Between Big Sky (a huge conglomeration of Moonlight, Spanish Peaks and Big Sky) and the Yellowstone club, there is little left for wildlife in the area. That should be shut down and no more development should be allowed. It just puts added pressure on wildlife.

The Yellowstone Club is currently in court along with the DEQ who rubber stamped Yellowstone Club's permit to use of waste water for snow-making on Pioneer Mountain. The Gallatin River is already severely impaired with nitrogen and pharmaceuticals. It makes no sense to allow more pollution from run off when the wastewater snow melts in the spring. Seems the Forest Service should be wary of a company that is polluting an important river and was also cited during construction for bulldozing into streams, a violation streamside management regulations.

In this proposal, the Custer Gallatin National Forest would provide 500 acres of public land to the Yellowstone Club near Eglise Peak for 605 acres of the club's private property. For so few acres, it seems a quick purchase of the 605 acres rather than tying it up in a convoluted, complicated plan that only benefits local land owners and corporations, as well as

The Yellowstone Club hired a company to negotiate this land swap and supposedly solve access issues in the Crazies. If the Forest Service did its job, there would be no issues in the Crazies. Native Americans have sovereign rights there, the FS and the Federal government need only enforce them and work with private land owners to make that happen. We do not need the entire proposal. The access that is proposed are private agreements, so they could be rescinded at any time with no chance of recourse.

While the project claims to restore trails and access, the public owns easements on trail 468 and 8. Again, the agency merely needs to enforce the easement and stand up to private land owners who purchased their lands knowing the easement was in place. The plan also says it will open access, but gives up historic access up the Sweet Grass Trail which is one of very few access points on the Eastern side of the Crazies.

The Custer Gallatin National Forest would provide 500 acres of federal land to the Yellowstone Club near Eglise Peak for 605 acres of the club's private property. For so few acres, it seems an outright purchase would be in order rather than coupling that small acquisition with a convoluted proposal that pretends to benefit the public but

really only benefits wealthy, private landowners and private outfitting and recreation companies.

The Sweet Grass drainage is important for wildlife and to choke it off with private land grazing would be devastating. While the proposal promised future easements, those easements would allow timber extraction and grazing, both are extremely harmful to wildlife.

The project would ask the public to give up 100% of their mineral rights with the land exchange and in return received mineral rights on only two of the 11 trade units. Mineral rights have jurisdiction over land rights, so private land owners could exercise those rights and the public would have no recourse. Mineral rights owners could bulldoze roads, divert water and develop the mineral rights on public lands.

The project asks the public to give up all water rights and receive none in return. With climate change and seriously dewatered streams from irrigation rights, the fish have no chance. If the federal government owns water rights, they can keep those waters in the stream and preserve native fish, many of which are endangered. The proposal does not mention if the federal water rights are senior to the remaining rights on the rivers. Giving up senior rights would most certainly put fish in peril and destroy our aquatic areas.

On top of that the project will trade 52 acres of wetlands for 7.8 acres in return. This makes no sense at all wetlands are very important areas to all sorts of wildlife and birds. Does this project pass muster with the Migratory Bird Act? It makes no sense to give up pristine wetlands to private use which will most likely be grazing. Cattle wreak havoc on wetlands, trampling these fragile ecosystems.

There seem to be a few back door deals where private parties have offered to upgrade trails or improve parking lots, but these are not described fully nor do we see if they are binding contracts or just promises soon to be forgotten.

While property exchanges are a custom practice in our tool box, the NFS should not overlook the almighty option of an outright purchase. At times, this option might be the best available alternative, and more specific to meet the goals of the public and the NFS.

The Switchback Ranch is developing one of its inholdings, so development will happen regardless of this switch and even with the few tenuous at best conservation easements, there could still be lots of recreational development. Some of which would be easier with this trade. On page 5 the proposal states:

"The Non-Federal Party's purpose in acquiring these parcels is to consolidate federal and private lands, to develop skiing opportunities, to facilitate more efficient wildlife management and to improve public access to public lands along the Inspiration Divide Trail where it crosses intermingled NFS lands and private lands." So private companies are going to develop recreational opportunities with the help of this land exchange. Developing recreation on public lands and giving up low elevation forage to private cattle grazing sounds like a big lose for wildlife.

On page 4, proposal states:

"Switchback Ranch, LLC has agreed, in conjunction with the land exchange, to grant a conservation easement to the Montana Land Reliance to maintain the open space character of Section 7 to preserve wildlife habitat, quiet enjoyment, and other values that enhance the surrounding character of the forested lands. The proposed conservation easement will prohibit all residential development on the property."

And

"WLG has committed to continued discussions with land conservation organizations and wildlife conservation groups regarding additional conservation measures that would be accomplished post exchange to include additional voluntary conservation easements."

None of these easements has happened and even if they did, they will not prevent cattle, timber or mining. They only thing they will prohibit is development. I imagine that is way Switchback is furiously building before applying for this easement. The easements might or might not happen after the proposal is approved and takes place. There is no guarantee.

Though the proposal promises to enhance wildlife connectivity in both the Madison and the Crazies. It seems the proposal might harm connectivity. In the Madison area, purchasing the land would be the best way to improve connectivity without giving it up elsewhere. Allowing greater public access immediately downgrades wildlife connectivity. One promise is to create a 22-mile section of trail 274 on public land rather than private. So rather than enforce historic access, the Forest Service would like to move the trail to an area that was a secluded wildlife corridor that would be fragmented with a trail through it.

Smeller Lake habitat would be secured, but lower elevation lands with high forage quality, necessary for winter survival. Those lower elevation lands could be opened up to grazing or private development. Seems a poor trade.

The proposal fails to disclose the direct, indirect, and cumulative effects to lynx, wolverine and grizzly bears. This hard to access island range is vital connectivity habitat for grizzlies working their way from the Northern Continental Divide to the Greater Yellowstone recovery areas. Yet the project states that this proposal will not impact movement or connectivity. With more private holdings ringing the crazies, no ordinances on attractant storage, and no restrictions on increased cattle grazing, how can this not be detrimental to grizzly movement and connectivity?

Though land trades can be effective in creating connectivity, wildlife still lose. For example, the area of the Big Sky Ski Resort used to be a wildlife migration route into the Madison Valley winter range. But now that is gone because Big Sky, that originally promised to be a small, family resort, has become a monstrosity.

The public will also lose miles of fishable streams and those water rights that could keep those fish swimming. The public will also lose hunter opportunity, mineral rights, and wetlands. This is not a good exchange for the public.

I ask that you cancel this proposal, purchase the land from the Yellowstone Club, and enforce public easements in the Crazy Mountains.

Thanks for considering my comments.