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Comments:

In addition to comments previously submitted, please accept these comments on management of the Crazy Mountains. In further reviewing the draft plan and DEIS, I believe the proposed standards do not adequately protect the unique values of the Crazies from potential development of private inholdings.

The Forest Service acknowledges this issue in the draft plan's general discussion of the Crazies, 3.6.2 Distinctive Roles and Contributions: "Land management is complicated by a checkerboard pattern of national forest and privately owned land," (p166).

An investment banker's recent purchase of the Van Cleve ranch, which included many sections of private inholdings in the Big Timber Canyon area, illustrates how quickly these inholdings can change hands, with potentially unexpected consequences for the surrounding national forest. It is now common for real estate listings to tout a property's proximity to public land. As traditional ranch properties in our area increasingly become luxury and recreational properties, these private inholdings are becoming more desirable and valuable.

Development of private inholdings in the Crazies could forever undermine the range's distinct roles and contributions, including opportunities for primitive recreation, wildlife habitat and the Crow Tribe's use of the area for traditional spiritual practice. Imagine a 16,000-square-foot alpine lodge at the base of Crazy Peak, with multiple helicopter flights in and out each day.

I support the stated goal in 3.6.8 Plan Components-Land Status and Ownership, BC-GO-LAND-01: "The Forest Service will work with willing landowners and partners to consolidate ownership and acquire access in the Crazy Mountains Geographic Area" (p170).

Before national forest is consolidated in the Crazies, it would seem that the only influence that the Forest Service could have over development of private inholdings would be indirect, by way of negotiation of road easements through national forest to reach the private land.

It is my understanding that the policy of easement "reciprocity" - in which the Forest Service grants an easement to a private inholding only in exchange for a public easement of equal or greater value - has a well-established legal precedent, and, to a degree, would be a safeguard. So would the forest-wide standard 2.4.3 Areas of Tribal Importance, FW-STD-TRIBAL-02: "New developments and land management activities shall avoid, minimize, or mitigate potential conflict with forest resources used for traditional cultural practices" (p73).

However, because of the large number of private inholdings and routes without documented easements, landowners have significant leverage. A prospective developer could even purchase private lands in multiple parts of the range or the national forest, including those with unsecured access, as leverage for an easement into a private inholding. That is what we've seen play out in the case of the BLM and their negotiations with the Wilks brothers over easements involving the Wilks' multiple large land holdings.

There is therefore a need to establish plan components that would serve as sideboards for any specific negotiations for exchange of easements or land in order to protect the range's long-term value to the national forest system. The existing provisions of the 2001 Roadless Rule are weak and insufficient.

Recommending suitable land in the Crazies for wilderness, as in Alternative D, would be the best protection, because Standard FW-STD-RWA-01 states that "New roads shall not be constructed."

Otherwise, if the revision team were to designate the Crazies as a Backcountry Area, as in Alternative C, the current standards for Backcountry Areas are insufficient. The forest-wide standard, 2.4.46 Backcountry Areas FW-STD-BCA-01, states that "New permanent roads shall not be constructed; temporary roads may be constructed." This would seem to open the possibility of a temporary road allowing for construction of a luxury or recreational resort that could then be served by helicopter. The plan components outlined for the Crazy Mountain Backcountry Area in 3.6.12 are also insufficient, as they lack any additional provisions about roads and consist only of a weak suitability component.

Would the plan revision team consider adding standards for the Crazy Mountain Backcountry Area that would address checkerboard land ownership and the risks that development pose to the range's distinctive roles and contributions, including the importance of the range to the Crow Tribe?

One way of doing this this would be to add to 3.6.12 Crazy Mountain Backcountry Area the RWA standard for roads: "New roads shall not be constructed." Or it could be tailored more specifically to easements, i.e. "New private road easements shall not be granted within the perimeter broadly defined by the backcountry area."

Another approach would be an objective or guideline such as: "Actions to consolidate ownership and acquire access shall not contribute to development of private lands within the area broadly defined by the perimeter of the backcountry area."

Perhaps the plan revision team will have other ideas for ways that the final plan could adequately consider and address the risks of private land development that would undermine the distinctive roles and contributions of the Crazies.