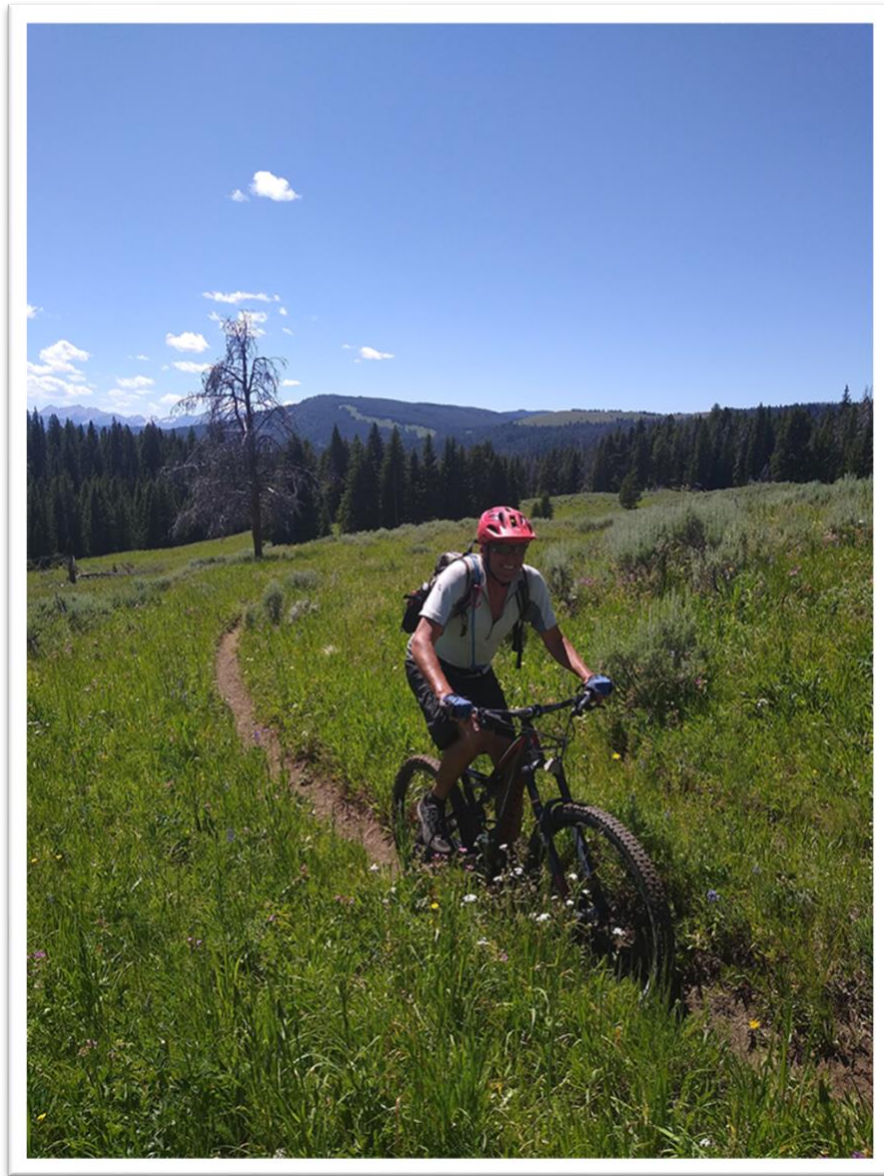


**WILDGROUNDS TO PLAYGROUNDS:
THE GALLATIN FOREST PARTNERSHIP
AGREEMENT**



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Executive Summary

The Gallatin Range in southwest Montana is an important component of the Greater Yellowstone Ecosystem and is the largest unprotected roadless area in the ecosystem. The Gallatin Forest Partnership (GFP) and its Agreement (GFPA) is a “forest collaborative” formed for the purpose of influencing the outcome of the National Forest planning process and revision of the Custer Gallatin National Forest Plan. They intend to enact their proposal with federal legislation. This approach is known as “place-based” collaboration¹ specific to individual Ranger Districts, National Forests and watersheds.

Forest collaboratives have shifted management of National Forest System lands towards local private economic forces in a manner that limits broader public involvement through the National Environmental Policy Act (NEPA) and influence on the final product. The national public interest is underrepresented or not represented at all. More recently, forest collaboratives have included the mountain biking lobby accompanied by a transformation of traditional wilderness advocacy groups to promoters of access for high-intensity recreation on public lands.

The focus of this analysis is the GFP, the factors that led to its membership and the contents of the GFPA, in particular how it treats the Gallatin Range and the 155,000-acre Hyalite Porcupine Buffalo Horn Wilderness Study Area. The GFP’s relationship with the Custer Gallatin National Forest and its influence on the Revised Forest Plan is also examined and the designations in the two are compared. The transformation of traditional wilderness and ecosystem advocacy groups that are members of the GFP is documented.

In conclusion the GFP is an exclusionary “coalition of the willing” and the GFPA and the Revised Custer Gallatin Forest Plan are recreation-centric with far-reaching impacts on the wildlife and wilderness values of the Gallatin and Madison Ranges that include fragmentation of the Wilderness Study Area. The Revised Custer Gallatin National Forest Plan largely mirrors the GFPA, but the Forest Service took advantage of the GFP to further weaken protections for wildlife and recommended wilderness.

¹ M. Nie and P. Metcalf. *The Contested Use of Collaboration & Litigation in National Forest Management*. Bolle Center for People & Forests. U. of MT College of Forestry & Conservation, Missoula. (2015)

Introduction

The Custer Gallatin National Forest (CGNF) has issued a final Record of Decision for the Forest Plan Revision² and it is appropriate to analyze the origins, dynamics and proposal of the GFP and its influence on the Revised Custer Gallatin Forest Plan.

The Gallatin Range in southwest Montana is a vital component of the Greater Yellowstone Ecosystem (GYE) and is the largest unprotected area north of Yellowstone National Park. It supports 99% of the vertebrate species native to the area and is home to the Gallatin Elk Herd.³ It is a vital connectivity habitat for wildlife including potential genetic connectivity between the Greater Yellowstone and Northern Continental Divide grizzly bear populations. All of the Gallatin Range is within the Demographic Monitoring Area for the grizzly bear in the GYE and virtually all of the Gallatin Range area is continuously occupied grizzly bear habitat.⁴

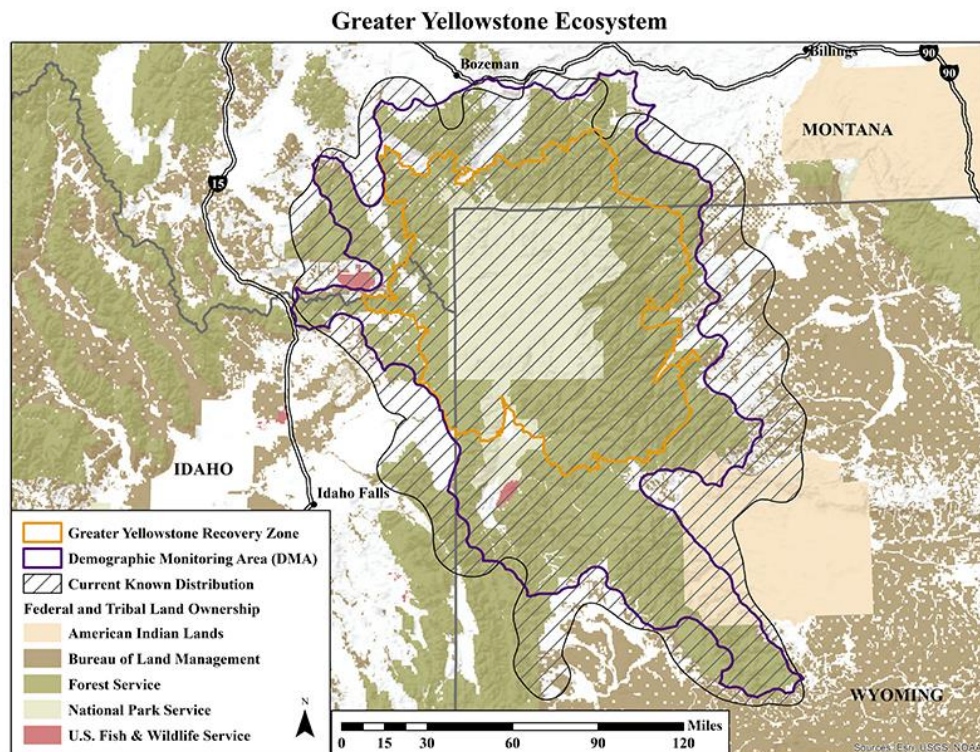


Figure 1. The Gallatin and Madison Ranges are Occupied Grizzly Bear Habitat and within the Grizzly Bear Demographic Monitoring Area for the Greater Yellowstone Ecosystem.

² Record of Decision, Custer Gallatin National Forest Land Management Plan. Fed. Reg. 87(19): 4553-4554, 1/28/2022.

³ L. Craighead. *Wilderness, Wildlife, and Ecological Values of the Hyalite-Porcupine Buffalo Horn Wilderness Study Area*. A Report for the Lee and Donna Metcalf Foundation. (2015).

⁴ U.S. Fish and Wildlife Service. *Biological report for the grizzly bear (Ursus arctos horribilis) in the Lower 48 states*. Version 1.1. (2021).

There is a long history of strong support for protecting the wildlife and wilderness of the Gallatin Range. The southern part of the range was protected by the establishment of Yellowstone National Park in 1872.⁵ In 1910, Forest Service Chief Gifford Pinchot advocated for protection of the southern Gallatin Range as a wildlife refuge.



Figure 2. The Porcupine Creek drainage in the Hyalite-Porcupine-Buffalo Horn Wilderness Study Area. Photo Joseph Scalia III.

A year later the State of Montana established a wildlife refuge in the Buffalo Horn-Porcupine drainages.⁶ Work to purchase inholdings began in 1925 and in 1947 the State of Montana purchased eight sections (5,120 acres) in the Buffalo Horn drainage to protect critical elk ranges. In 1958, the year the Montana Wilderness Association was founded in Bozeman they insisted the Regional Forester cancel plans to road and log Porcupine and Buffalo Creeks and he agreed.⁷

Federal legislation pertinent to this area includes the Montana Wilderness Study Area Act, S. 393 (1977)⁸, which designated 155,000 acres of the Gallatin Range in the Hyalite Porcupine Buffalo Horn area as a Wilderness Study Area (WSA). Currently, The Northern Rockies Ecosystem Protection Act⁹ which is before Congress would designate all inventoried roadless areas in the Gallatin and Madison Ranges as Wilderness.

⁵ An Act to set apart a certain Tract of Land lying near the Head-waters of the Yellowstone River as a Public park. March 1, 1872. 42nd Congress.

⁶ R. Noss et al. Letter from more than 100 scientists and conservationists in support of 230,000 acres of Wilderness in the Gallatin Range. In: T. Wilkinson, *Big Guns Want 230,000 Acres of Gallatins Near Yellowstone Protected as Wilderness*. Mountain Journal 5/14/2019.

⁷ Wild Montana, Journal of the Montana Wilderness Association. *Wild lands of the Gallatin*. 27(1):1,10. (1986).

⁸ Public Law 95-150, 95th Congress. *The Montana Wilderness Study Area Act*. (1977).

⁹ *Northern Rockies Ecosystem Protection Act*, H.R. 1755, S. 1276, 117th Congress. (2022).

It is clear that S. 393 requires protection of the outstanding wilderness character of the wilderness study areas until Congress would move on final disposition, stating:

“the wilderness study areas designated by this Act shall, until Congress determines otherwise, be administered by the Secretary of Agriculture to maintain their presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.”

In 1981, led by the Madison-Gallatin Alliance, conservationists proposed the Gallatin Range as the eastern half of a 600,000 acre Lee Metcalf Wilderness but it was not included because it was protected under S. 393 and the Forest Service had not issued a first generation long-range Forest Plan (when the Forest Plan was issued in 1985, the Forest Service did not recommend a single acre of proposed Wilderness).¹⁰

One roadblock to outright Wilderness designation was the checkerboard ownership pattern, a legacy of the railroad land grant days. Efforts to purchase the inholdings began in 1925.¹¹ The Lee Metcalf Wilderness Act of 1983¹² authorized a land exchange in the Gallatin Range. While cited in the RARE II process¹³ as an obstacle to Wilderness designation, passage of the Gallatin Range Consolidation Act¹⁴, brought the heart of the range into public ownership. Throughout the legislative history of this Act, the outstanding wildlife values and the importance of the Gallatin Range to the integrity of the Greater Yellowstone Ecosystem were extolled by many. U.S. Rep. Pat Williams testified:

“Just north of America’s first national park, Yellowstone, the Gallatin Range connects the other mountains of the Yellowstone Ecosystem much like spokes in a wheel...the range’s importance to the integrity of Yellowstone has never been questioned, and it has essentially remained wild ever since the park was first designated.”

The Director of the Montana Department of Fish, Wildlife and Parks testified the Gallatin Range provides 70% of the winter range for the Gallatin Elk Herd that summers in Yellowstone National Park, has winter range for the highest concentration of wintering moose in the Gallatin, Madison and Yellowstone drainages, and has lands vital to recovery of the endangered grizzly bear population in the GYE.¹⁵

¹⁰ see footnote 7

¹¹ H.R. 873, Gallatin Range Consolidation and Protection Act of 1993.

¹² Public Law 98-140, 98th Congress, Lee Metcalf Wilderness and Management Act (1983).

¹³ USDA Forest Service. Roadless Area Review and Evaluation, Montana. (1978).

¹⁴ see footnote 11

¹⁵ Testimony of P. Graham, Director of Montana Department of Fish, Wildlife and Parks on H.R. 873 (1993).

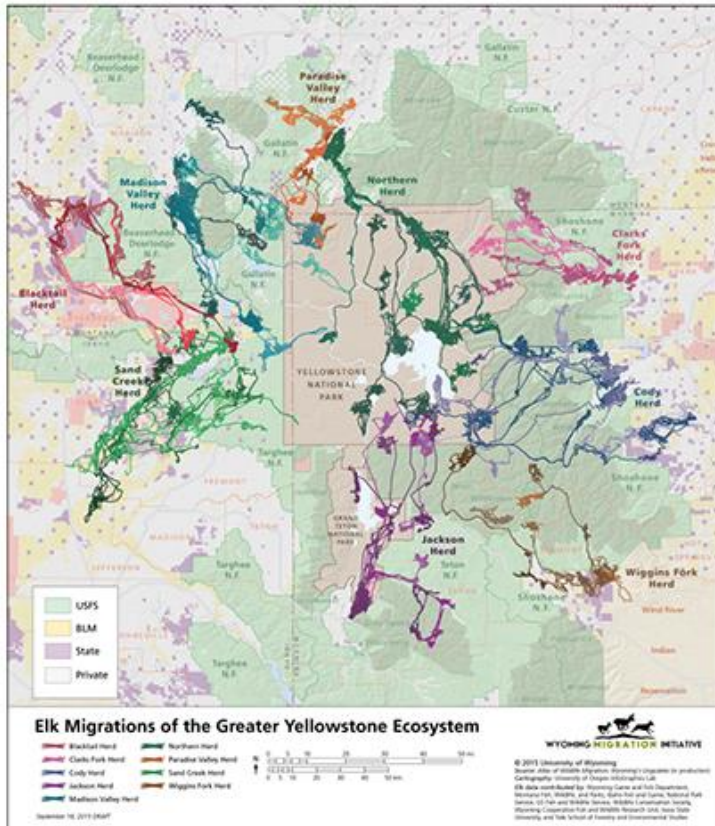


Figure 3. Elk Migrations in the Greater Yellowstone Ecosystem from: A. Middleton, Protecting Elk Migration in the Greater Yellowstone Ecosystem; National Geographic Society.

linking YNP to the Northern Continental Ecosystem.”¹⁷

More recently, world-renowned scientist Dr. Reed Noss and over 100 scientists and organization leaders including former Interior Secretary Bruce Babbitt, former Yellowstone Superintendent Mike Finley, principal GYC founder Rick Reese, former GYC executive director Mike Clark and a host of former GYC program directors and MWA council members¹⁶ called for 230,000 acres of Wilderness for the Gallatin Range:

“It has long been recognized by the scientific community that protected areas in isolation fail to preserve species and ecosystem processes adequately. Wildlife corridors provide connectivity, sustaining vital natural processes, wildlife populations, and biodiversity while allowing species to move in response to climate change. The Gallatin Range is a recognized wildlife corridor

Origins and Focus of the Gallatin Forest Partnership

Origins

The GFP was formed after a previous effort called the the Gallatin Stakeholders Collaborative could not reach agreement on the WSA. The initial meeting was organized by the Montana Wilderness Association (MWA), Greater Yellowstone Coalition (GYC) and The Wilderness Society (TWS). Invited participants represented Back Country Horsemen, Montana Back Country Alliance, Wild Sheep Foundation, several mountain biking groups, RY Timber Company, several private property owners with land adjacent to Forest Service land who were also outfitter permittees, and a couple of Big Sky recreation and retailer/service providers.¹⁸

¹⁶ see footnote 6

¹⁷ see footnote 6

¹⁸ Meeting notes of Nancy Schultz

Over a period of 14 months the GFP drafted the Gallatin Forest Partnership Agreement and submitted it to the U.S. Forest Service.¹⁹ While the Forest Service has been careful to state they did not form the GFP or control its proposals, Forest Supervisor Mary Erickson has often heaped praise on the GFP.



Figure 4. The Buffalo Horn drainage is highly valuable wildlife habitat. Photo George Wuerthner.

Membership

The GFP Charter states that:

“Membership in the Gallatin Forest Partnership is designed to be representative of those who care about the Custer Gallatin National Forest in southwest Montana.”

The GFP makes this claim to represent a broad collaboration while actually being narrow in membership and scope. The membership of the GFP is decidedly weighted towards mountain

¹⁹ www.wildmontana.org

biking and commercial guiding interests.²⁰ The mountain biking community has become more rigidly anti-wilderness. For example, the International Mountain Biking Association (IMBA) has a position of being opposed to any new Wilderness designation in the U.S.:

*“When proposed Wilderness areas include mountain biking assets and opportunities, IMBA advocates for and vigorously negotiates using a variety of legislative tools, including boundary adjustments, trail corridors and alternative land designations that protect natural areas while preserving bicycle access. IMBA can support new Wilderness designations only where they don't adversely impact singletrack trail access for mountain biking.”*²¹

Davis, et al.²² ask about collaboratives:

“Are they entirely inclusive bodies pursuing full consensus, or coalitions of the willing who embrace a specific shared vision representing some but not all public lands stakeholders?”

The record shows that the GFP is a coalition of the willing. Those supportive of maximizing Proposed Wilderness in the Gallatin Range based on the best available scientific information were overtly told they were not welcome and other groups in the Bozeman area were not invited, including Sierra Club and the Gallatin Wildlife Association. In fact, members of the Gallatin Wildlife Association attended the first meeting and asked to be included but were not. The Wilderness Society representative in the GFP said, *“We are only including groups with whom we know we can reach agreement.”*²³ Other organizations such as the Great Old Broads for Wilderness and Montanans for Gallatin Wilderness were also excluded. The Sierra Club is the only national wilderness advocacy group that still has a grassroots structure with state chapters and local groups and remains strong in its positions on public lands, grizzly bears and other wildlife. This is likely why they were not invited to be a part of the GFP.

While the GFP charter states they will *“periodically review membership; identify missing interests; and recruit, as needed new members to ensure diverse participation in the collaborative,”* there is no evidence they have done so. This is consistent with Davis et al. who found that once established, collaboratives are resistant to new members and new ideas.²⁴

GFP Charter

As noted above, the GFP process was rooted in consensus. In the GFP Charter the word consensus appears 24 times and members are required to compromise. The Charter states:

²⁰ gallatinpartners.org

²¹ Imba.com, *Wilderness and IMBA*

²² E. Davis et al. *Making and Breaking Trust in Forest Collaborative Groups*. Humboldt Journal of Social Relations Issue 40 (2018).

²³ see footnote 18

²⁴ see footnote 12.

“Engage in collaborative problem solving to find solutions that address the range of interests brought to the table. Members must be willing to seek agreements that meet the variety of interests included in Gallatin Forest Partnership not just their own.”

Focus and Public Relations

As noted above, the membership of the GFP is skewed towards recreational and guiding interests with an emphasis on mountain biking. The exclusion of Wilderness proponents resulted in a skewed emphasis on recreation which can clearly be seen in the way the GFPA is promoted online. TWS describes the GFP this way:

“Balancing conservation with community needs. We’re working with the U.S. Forest Service to ensure their plans for management of the Custer Gallatin National Forest balance wilderness conservation with the interests of a growing population.”²⁵

The GFP members tout the wilderness and wildlife values that will be protected, yet these values are secondary to recreation in its proposed designations. This message conflates recreation with conservation. A video promoting the GFP by the Greater Yellowstone Coalition is focused on recreational use and demand.²⁶



Figure 5. Opening Shot of the Greater Yellowstone Coalition Video Promoting the Gallatin Forest Partnership.

²⁵ <https://www.wilderness.org/wild-places/montana/conservation-gallatin-forest-partnership>

²⁶ <https://www.facebook.com/watch/?v=609759769436661>

The GFP's *Shared Interest Statement* has a description of ecological values that is very generic and does not refer to the biological diversity unique to the Gallatin. Much more space is devoted to Economic, Recreation and Social issues. Wilderness is the last bullet point. The GFP's *Gallatin and Madison Geographic Area, A Brief Sense of Place* includes this bullet point:

- *The region supports a rich diversity of habitats and plants and animals that depend on them. Examples of this diversity include, but not limited to: vital habitats supporting the recovery of grizzly bear and gray wolf, Yellowstone and westslope cutthroat trout, trumpeter swan and bald eagle, as well as big game species, like elk, bighorn sheep, pronghorn, and mule deer."*

This bullet is number 12 of the 13 listed, indicating that wildlife habitat is of secondary importance to recreation and other uses. The GFPA Summary of Designations includes the words recreation and outfitting in five different places.

The Agreement

The Gallatin Range and the Hyalite Porcupine Buffalo Horn WSA

Despite the long history of wilderness advocacy and overwhelming public support for designating Wilderness in the Gallatin Range, the GFPA recommends only 92,000 acres of Wilderness, just 40% of the eligible acres. These are mostly in the higher and less-productive elevations. Dr. Frank L. Craighead wrote:

*"Fragmenting the HPBH WSA into smaller pieces of protected habitat would greatly diminish its value for wildlife habitat and the provision of ecosystems services and could nullify its ability to function as a refuge from climate change."*²⁷

Despite this warning, the GFPA fragments the WSA and adjacent wildlands into four different designations with *"a combination of conservation and recreation designations in the heart of the Gallatin Range and portions of the Madison Range to protect wildlife habitat, clean water, undeveloped lands and diverse recreation access."* Most of the lower elevation lands critical to the Gallatin Elk Herd, bighorn sheep, grizzly bears and other species²⁸ are recommended for other designations that allow logging and high-intensity recreation including extensive trail development.

Within recommended Wilderness the GFPA management plan states: *"Allow restoration activities (like the use of prescribed fire or weed management) when necessary where the activities protect and/or enhance the existing wilderness character."* These are not conforming uses within designated Wilderness and while there is authority to suppress fires in Wilderness, there is no authority to start them.²⁹

²⁷ see footnote 3

²⁸ see footnote 3

²⁹ Wilderness Watch et al. *Objection of Mid-Swan Project, Flathead National Forest*. 10/25/2021.

Proposed West Pine Wildlife Management Area

This area is carved out of the WSA as a Wildlife Management Area. It allows active management to “*reduce wildfire hazards in the Wildland Urban Interface.*” That is an abuse of the definition³⁰ and most ignitions start on private lands and not Forest Service lands.³¹ Co-author Dunn said: “*The main source of our communities’ exposure to wildfire risk is clearly not our national forests.*”³² West Pine is part of a Wilderness Study Area and can hardly be said to be on the edge of urban areas. This language is inconsistent with the purpose “*To maintain the presently existing wilderness character of the area.*” If it has presently existing wilderness character then by definition it cannot be on the urban interface. In 1986 MWA decried Forest Service plans to log the area³³ and in 1994 the Greater Yellowstone Coalition and other groups protested this area was not Wilderness in the bill from Sen. John Melcher.³⁴

“*Allow mountain bike use on all existing Forest Service system trails in the area.*” This also conflicts with maintaining the presently existing wilderness character. Moreover, it allows construction of extensive loop trails for mountain bikes, significantly increasing wildlife dispersal and displacement, especially of the large elk herd reliant on the West Pine’s open and mixed meadow and forest country.

Proposed Hyalite Watershed Protection and Recreation Area

This new category of land management is proposed in response to high recreation use in the north end of the Gallatin Range. While it is co-billed as protecting the municipal water supply for Bozeman, it’s principal management goals pertain to recreation. It does not recommend Wilderness for the portion of the watershed within the WSA. Rather, it recommends no new trail construction within the WSA portion, which isn’t the same as Wilderness.

For the non-WSA portion, new trail development is encouraged including loops. New access points are envisioned for non-motorized winter recreation. This means new trails dedicated to non-motorized use in addition to the existing motorized use routes, expanding impacts on wildlife across a larger footprint. It calls for the Forest Service to “*develop partnerships with non-governmental organizations to increase maintenance and funding capacity within the recreation area.*” This is a step towards privatization of public lands management and encourages “pay to play.”

To pay for new recreation infrastructure in other parts of the Gallatin Range, this section of the GFPA calls for the Forest Service to develop a fee-based system for all or part of the Recreation

³⁰ R. Chaney. *Fire strategy stuck with old tactics, experts warn.* Missoulian 1/19/2022.

³¹ Downing et al. *Human ignitions on private lands drive USFS cross-boundary wildfire transmission and community impacts in the western US.* Scientific Reports 12:2624. (2022).

³² L. Lundquist. *Study: Most destructive wildfires have started on private land.* Missoula Current 2/28/2022.

³³ see footnote 7

³⁴ J. Bjarko. *Melcher produces wilderness bill.* Bozeman Chronicle 8/12/1988.

Area. Thus, one purpose of the Recreation Area is to manage for a high-use, high-intensity recreation environment and tap it financially to expand recreation infrastructure throughout the Gallatin Range. In that way the designation is an inroad towards establishing more dedicated recreation areas.

Finally, this proposed designation allows for “*active vegetation management*” in areas outside the WSA to “*address watershed health and wildfire hazards.*” According to the U.S. Forest Service revised NEPA regulations³⁵ this can include commercial timber sales categorically excluded from the NEPA process.

Proposed Porcupine-Buffalo Horn Wildlife Management Area

The Porcupine Buffalo Horn is the connection between the WSA and the Lee Metcalf Wilderness. The allowed uses will add to fragmentation in the GYE. The GFPA states one of the purposes of the designation is “*To maintain the presently existing wilderness character of the area.*” But despite it being part of GFP members’ previous Wilderness proposals, the GFP does not recommend Wilderness. Rather, the focus is on maintaining recreational access “*including mountain biking, motorcycling, hiking, horseback riding, cross country skiing and snowmobiling,*” many of which are non-conforming uses in Wilderness. Commercial timber harvest and new road construction would be prohibited.

The GFPA states: “*Immediately following completion of forest plan revision conduct travel analysis for all trails within the P-BH area, designate additional system trails as necessary, and allow no new trail construction following this process.*” This could encourage the Forest Service to convert illegal user created trails and incorporate them into the official, numbered trail system, rewarding renegade trail construction that was done without environmental analysis of the cumulative impacts on soils, water quality, wildlife and other resources. As in the Hyalite designation, this section encourages the Forest Service to develop partnerships with non-governmental organizations in the maintenance of the area or more “pay to play.”

Recreation

Under the category Recreation the GFPA identifies four areas outside of their proposed designations for which they make management recommendations. These emphasize high-intensity recreation use and logging in the guise of the “Wildland-Urban Interface.”

East Side of Gallatin Range— Parts of the east side of the Gallatin Range outside the WSA remain in a checkerboard ownership pattern, including a mix of state and federal lands. Many of these lands are roadless and their lower elevation location make them important to wildlife as both winter and spring ranges.³⁶ The GFPA recommends that efforts continue to consolidate ownership and its Management Goals for this area are: “*Facilitate cooperative stewardship and land management*” and “*Address wildfire hazards and public access issues.*” These management

³⁵ 36 CFR Part 220. National Environmental Policy Act (NEPA) Compliance. Fed. Reg. 85(224):73620-73632. (2020).

³⁶ *see footnote 3*

goals are a threat to the low elevation wildlife habitat through another misapplication of the Wildland Urban Interface concept.

Gallatin Roded Area— The Gallatin Roded Area is heavily roaded and has a history of timber harvest and fire. Rather than dedicate this area to restoration, the GFPA calls for a variety of actions that will exacerbate the trail and road density, cover issues and disturbance/displacement of wildlife. It's chief management goal is *"Enhance diverse recreation opportunities."* It's Management Recommendation is:

"After forest planning, conduct travel analysis and trails planning in order to provide more high-quality recreation experiences including some use-specific trails, 'destination' trails and improved trail connectivity from north to south to link the communities of Bozeman/Gallatin Gateway to Big Sky and West Yellowstone."

Use-specific trails mean new trails in addition to the existing trail system. The emphasis is on connectivity for high-speed recreation and not connectivity for wildlife.

The GFPA recommends *"Utilize restoration focused active vegetation management to move the landscape's forest habitats to a more resilient condition and reduce fuels in the Wildland Urban Interface."* This mimics the Forest Service. It's only true restoration recommendation is to reduce the number of unneeded legacy roads including conversion to recreation trails. This would also increase the mechanized and motorized trail density. Finally, in another nod to recreation the GFPA recommends consideration of *"trailhead facilities and access for vehicles with trailers for existing and new trailheads."*



Figure 6. Restoration Projects on the Custer Gallatin National Forest are Often Commercial Timber Sales. Photo George Wuerthner.

Gallatin Corridor Day Use Area— This highly scenic area is on the west side of the Gallatin Range bordering US 191 and within the Gallatin River Canyon. The Gallatin River qualifies for inclusion in the National Wild and Scenic Rivers System. In the center of this area is the community of Big Sky and its large resort. Like many traditional ski areas, Big Sky has transformed into a four-season resort complex with an ever-expanding footprint. The GFPA cites high or over-use of the area but prescribes management that would aggravate this problem. For example, the GFPA Management Goals are *"Mitigate the impact of growing use of CGNF lands along the Gallatin corridor, by maintaining and, in some cases, enhancing trailhead access and facilities."* This seems counterintuitive. Management recommendations include: *"Where feasible (given land available and other*

limitations), expand parking and provide turnaround for trailer rigs at trailhead locations." These sorts of facilities encourage more use through additional infrastructure and capacity. The

corridor is also adjacent to the proposed Porcupine Buffalo Horn Wild Management Area, which the GFPA says includes diverse recreation to accommodate the growing demand of the Big Sky community. Dedicating the Gallatin River Corridor to intensive, all-season recreation threatens the linkage between the Gallatin and Madison Ranges, further fragmenting the Greater Yellowstone Ecosystem.

East Side Paradise Valley-Mill Creek and Mission Creek Travel Planning Areas— This area is located on the lower slopes of the Absaroka Range west of the Absaroka-Beartooth Wilderness. Citing a lack of moderate grade non-motorized trails near Livingston, the GFPA encourages the Forest Service to:

“...build new or rehabilitate existing trails to meet this need. Invest in new trail development outside of Wilderness, while maintaining a semi-primitive, non-motorized recreation setting between Pine Creek and Mill Creek and the lands around Livingston Peak trailhead. Ensure land allocations do not conflict or prohibit these future trail opportunities.”

Invasive Weeds

The GFPA advocates for a cooperative approach to weed management and calls for the Forest Service to create a strategic plan that includes an inventory, assessment, action plan and development of best management practices.

Wildlife

This section of the GFPA does a good job of describing the outstanding wildlife values of the GYE stating:

“The 20-million-acre Greater Yellowstone Ecosystem is the realm of grizzly bears, bison, wolves, and the large elk herds and is well known as one of the last remaining intact temperate ecosystems in the world. As wild as it is rare in today’s rapidly changing world, Greater Yellowstone still represents one of the best examples of unspoiled nature once found across the American West.”

The Management Goals are sound:

- Ensure current diversity and abundance of wildlife species in the Gallatin and Madison Mountain Ranges.*
- Maintain and enhance core secure habitat*
- Maintain and enhance habitat quality and diversity of native species*

The Management Recommendations are also generally sound and call for identification of critical big game habitat, corridors for wildlife movements and obtaining best available science. However, these goals and recommendations are largely undermined by the designations in the GFPA and the management recommendations outside of the GFPA designations which will reduce core security habitat through displacement effects.



Figure 7. The Gallatin Range and the Wilderness Study Area Are of Critical Importance to Elk. Photo U.S. Forest Service.

Water

As with the Wildlife section of the GFPA, the section on water accurately describes the outstanding values of the waterways and their role in supporting a host of aquatic and terrestrial species and it has viable recommendations based on conserving these resources. Again, the efficacy of these strategies is compromised by the expansions in the trail system and user numbers along with logging, which have a direct effect on water quality.

Outfitting and Guiding

This section of the GFPA largely pertains to increasing and expanding uses, seasons and commercial business opportunities. In its Background, this section states:

“Existing permit holders are experiencing challenges in growing their authorized permit days and/or expanding into new uses or seasons. New permits are not being issued. The Custer Gallatin reports receiving dozens of requests annually from both commercial and noncommercial operators who would like authorized permits on the forest.”

Rather than set limits based on environmental impact and Wilderness values, the Goals are to:

“Establish sustainable (ecologically, administratively and socially) levels of outfitted and guided activities to protect public land resources and provide economically viable business opportunities.”

The Recommendations follow this line by calling for a programmatic analysis of overall capacity on the Custer Gallatin based again on an administratively and socially acceptable basis and for the Forest Service to:

“Work with outfitters to adapt the allocation of user days to address needs related to ensuring business viability and stability. Ensure the outfitter and guide program can respond to changing demographics and recreation interests by encouraging additional outfitting and guide services on the forest beyond traditional uses like hunting, fishing, and horseback riding.”

Wildland, Prescribed Fire and Timber

This section repeats the Forest Service rhetoric on fires and forest health and opens all the areas outside of the GFPA designations to *“all the tools in the toolkit including timber harvest...”*

“Outside of the GFP’s agreed upon designated areas, focus active management of fire and timber on restoring the forest habitats of the Gallatin and Madison Ranges to more resilient conditions based on the natural range of variation where necessary and appropriate. Focus active vegetation management in the Wildland Urban Interface to reduce the risk posed by high severity wildfire to homes, infrastructure, and municipal water supplies.”

It calls for development of projects consistent with the Montana Forest Restoration Committee.

The Custer-Gallatin Revised Forest Plan

Forest-wide, the Revised Custer Gallatin Forest Plan recommends just 139,425 acres of Wilderness out of the potential 1.1 million acres, or less than 13%. In the Madison-Henry’s Lake-Gallatin Mountains Geographic Area the Revised Plan recommends 110,174 acres for Wilderness, 14.6% of the Geographic Area compared to 33.2% dedicated to recreation areas and 22% to timber production.³⁷ While the Revised Plan significantly includes most of the recreation portions of the GFPA, for the Gallatin Range the Revised Plan recommends just 78,000 acres of the 155,000 WSA, or 50%, compared to the 92,000 in the GFPA. Much of the rest of the Gallatin Range is designated as “backcountry” or “recreation emphasis” while the GFPA had recommended backcountry areas as “wildlife management areas.” For example, the Revised Plan carves two areas out of the WSA, a 26,496 acre “backcountry area” in the Buffalo Horn-Porcupine drainage and a 22,632 acre “backcountry area” in the West Pine drainage. Another 13,763 acres are designated “backcountry” in the South Cottonwood drainage. Management in these areas is similar to what is allowed in the Wildlife Management Areas in the GFPA. For example, both claim they would prevent mineral extraction although the Revised Plan also says:

“Exceptions to the backcountry area standards in chapter 2 and chapter 3 shall be allowed to provide for reasonable access and mining activities pursuant to the 1872

³⁷ Custer Gallatin Revised Forest Plan. Chapter 3:169-171. (2022).

Mining Law. New access to and development of minerals shall minimize impacts to backcountry areas.”³⁸

The Madison Range also saw the proposed Lionhead Wilderness changed to backcountry.

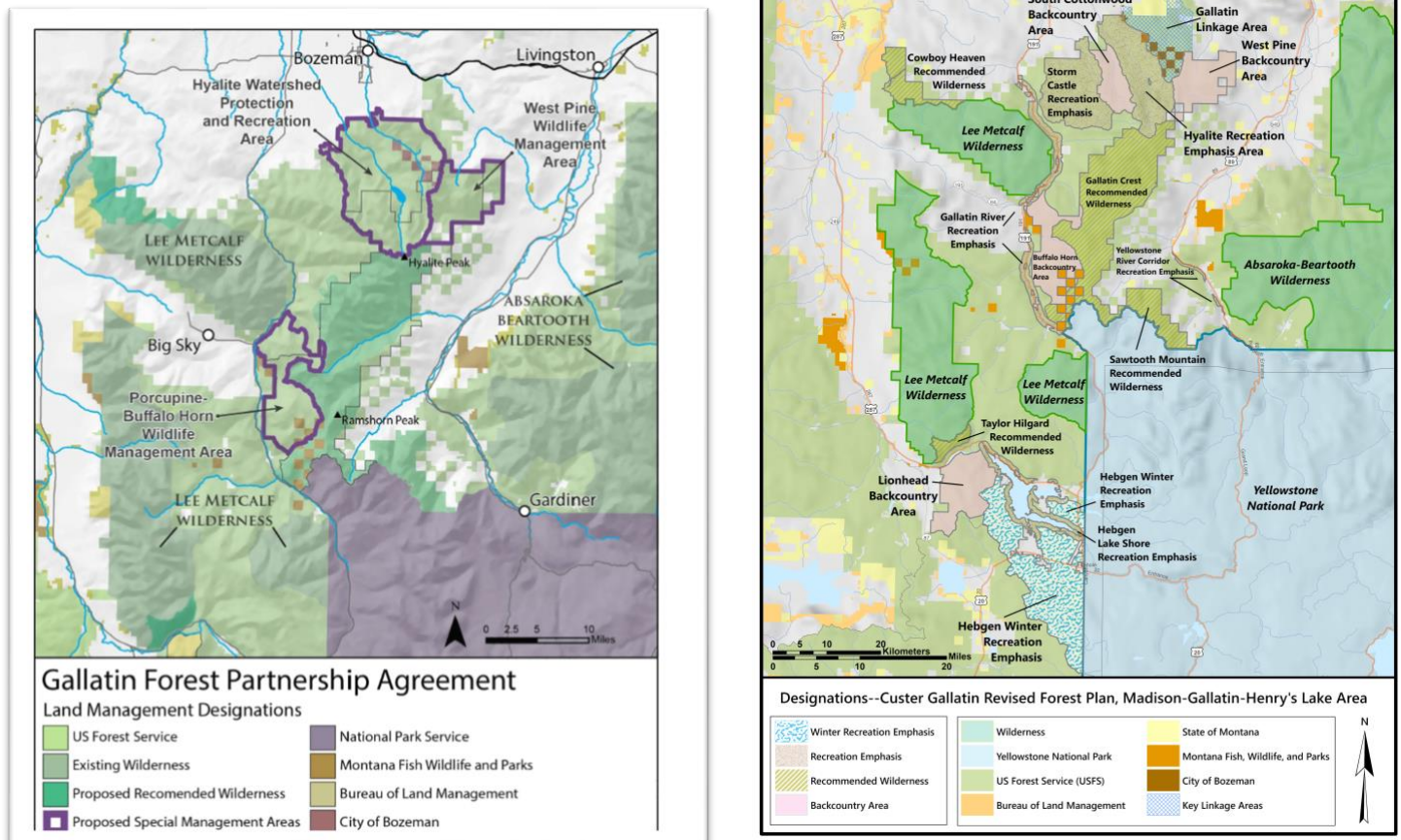


Figure 8. Proposed Designations in the Gallatin Forest Partnership Agreement (left); Final Designations in the Revised Custer Gallatin National Forest Plan (right). Forest Plan map by Paul Sieracki.

While the GFPA WMAs would prohibit commercial timber harvest, the Revised Plan says:

“The backcountry areas are not suitable for timber production. Vegetation management, including timber harvest, is suitable for purposes such as fuels reduction, restoration, or wildlife habitat enhancement.”³⁹

³⁸ Custer Gallatin Revised Forest Plan, chapter 2:126. (2022).

³⁹ Custer Gallatin Revised Forest Plan, Chapter 2:126. (2022).

As noted above, these activities could be categorically excluded from NEPA by the Forest Service. The GFPA would not allow new roadbuilding while the Revised Plan is silent regarding new roads in “backcountry” meaning they are not prohibited. Under either Wildlife Management Area management or “backcountry” these areas would not be anything like Wilderness, with logging, snowmobiling, dirt bikes, mountain bikes and new trail systems all allowed. Moreover, it is a purely administrative decision with no statutory authority, which could be amended or changed by the CGNF at any time.⁴⁰

The Recreation Emphasis Areas in the GFPA and the Revised Plan are nearly identical.

In regard to management in Recommended Wilderness, the Revised Plan mirrors the GFPA language stating:

“Recommended wilderness areas are suitable for low impact restoration activities that move desired conditions (such as prescribed fires, active weed management, planting) and that protect and enhance the wilderness characteristics of these areas.”

Wild and Scenic Rivers

The GFPA does not recommend any rivers or streams for protection under the Wild and Scenic Rivers Act.⁴¹ The Revised Plan found 6 streams that are eligible for designation as Wild, Scenic or Recreational Rivers in the Gallatin Range but stated that: *“Any administrative recommendations to Congress will not occur until a subsequent suitability study has been completed.”*⁴²

Relationship Between the GFP and the Forest Service

Many collaboratives skirt the borderline of The Federal Advisory Committee Act (FACA).⁴³ The Council of Environmental Quality (CEQ) specifies that FACA applies when three conditions are met:

(1) the “federal agency establishes the group” and exerts some level of control or management over the group, (2) “the group includes ...individuals who are not” associated with government, and (3) “the product of the collaboration is group or collective advice to the federal agency.”

The Forest Service did not establish the GFP and has been careful to keep an arm’s length and vice versa, yet it is clear they were delighted as evidenced by the consistent praise for the GFP by the Custer Gallatin National Forest Supervisor Mary Erikson. She repeated this in the Record of Decision for the Revised Plan:

⁴⁰ G. Wuerthner. *Custer Gallatin National Forest Plan A Disappointment*. The Wildlife News. 2/4/2022.

⁴¹ Public Law 90-542; 16 U.S.C. 1271 et seq. National Wild and Scenic Rivers System. (1968).

⁴² Custer Gallatin revised Forest Plan. (2022).

⁴³ 5 U.S.C. Federal Advisory Committee Act. (1972)

“While I did not incorporate the Gallatin Forest Partnership proposal in its entirety, I found the work of the Gallatin Forest Partnership to be the most compelling for this landscape... The plan includes backcountry areas in the Buffalo Horn, South Cottonwood, and West Pine areas, and a Hyalite Recreation Emphasis Area although with some different boundaries than the Gallatin Forest Partnership proposal.”⁴⁴

The Forest Service benefitted from having a collaborative with a green tint set a lower bar for Wilderness and wildlife which put conservation interests in a weak position in regards to the Revised Plan. The Forest Service took advantage by further weakening the GFPA protections. Nonetheless, GFP members had effusive praise for the final result. For example, GYC, which had once testified about opportunities for a 40-mile “unbroken wilderness” from Bozeman to Yellowstone said:

“Overall, the new plan represents a balanced approach to managing the national forest’s 3-million-acre landscape. We commend the forest managers for including many of the collaborative solutions that GYC advocated for to protect our wild backyard for humans and wildlife alike. Included are protections for the Gallatin and Madison mountains that largely mirror the recommendations of the Gallatin Forest Partnership, of which GYC is a founding member. While not perfect, the new plan is a decisive win for public lands in the northern Greater Yellowstone. Thanks largely to public comments from supporters like you, they did pretty darn well. The plan isn’t perfect, but it represents a bright future for the Gallatins and beyond. This forest plan is a huge step forward, but it’s not the end of the road. Ultimately, it will take an act of congress to permanently protect the Gallatins. Designations like new wilderness, for example, can only be created through congressional action. Along with our partners, we are already gearing up to for these next steps and you can bet we’ll keep you in the loop.”⁴⁵

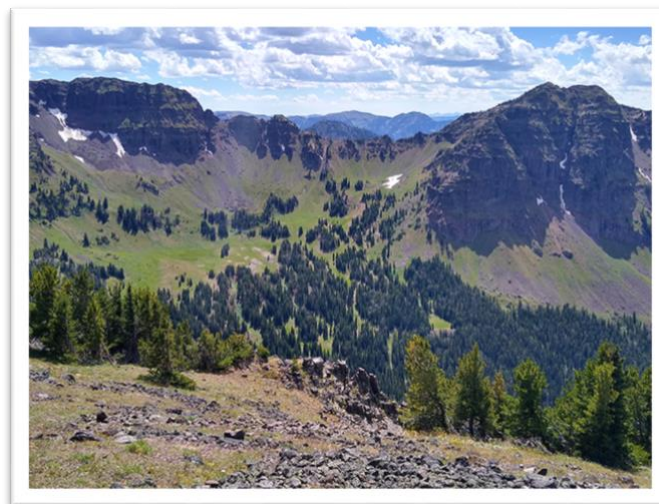


Figure 9. The South Cottonwood Drainage is Highly Qualified for Wilderness but was designated backcountry in the Custer Gallatin Forest Plan allowing logging, roads, motorized and mechanized vehicles and mining. Photo George Wuerthner.

⁴⁴ see footnote 2

⁴⁵ greateryellowstone.org

Likewise, GFP member Winter Wildlands Alliance wrote:

“The forest plan is something to celebrate, but we’re not done yet. Now, we need Congress to act on the Forest Service’s recommendations and pass legislation that cements the protections and balance envisioned in this forest plan. It also includes a number of backcountry areas, which provide remote, semi-primitive recreation opportunities...motorized and mechanized recreation may be allowed...This is an important tool to protect wilderness experiences and undeveloped areas while allowing established motorized and mechanized recreation to continue.”⁴⁶

When two sides praise each other both essentially got what they wanted out of the relationship.

The relationship between the GFP and the Forest Service is more than purely advisory. For example, the GFP is part of the Gallatin Valley Forest Resiliency and Watershed Health Project described as “a cross-boundary collaboration effort between the Custer Gallatin National Forest and the Natural Resources Conservation Service.” They applied for \$886,450 in funding for 2022 for “timber harvest, shaded fuel breaks, small diameter understory thinning” and other vegetation treatments including in the Hyalite Creek watershed.⁴⁷ Partners listed include the “Gallatin Forest Partnership Working Group.” It appears that the GFP will be an active participant in logging in the Gallatin Range.

Moreover, the GFPA language calling for restoration projects indicates the GFP may be positioning itself to apply for ten years of Forest Service funding under the Collaborative Forest Landscape Restoration Program⁴⁸ (CFLRP), part of the Omnibus Public Land Management Act of 2009⁴⁹. For example, The Southwest Crown of the Continent Collaborative of which MWA and The Wilderness Society were key members, received large sums of taxpayer dollars through this program. In a hypothetical example provided by the Forest Service and shown on the collaborative’s web site, a partner can consider \$2,000 of its work expenses as a non-cash contribution to a project. The Forest Service would pay the partner \$5,000 cash, which may include CFLRP funds, “to pay for the partner’s salary, fuel for vehicles, and supplies toward the project.” In one actual example, one non-profit member of the collaborative received \$2.5 million in federal funds for its non-cash, in-kind contributions of \$903,000.⁵⁰ The members of the collaborative received direct remuneration from the Forest Service, providing an incentive to overlook problems and shortcomings since the Forest Service had become a significant source of income to pay staff salaries and expenses and expand the number of staff. It is a get paid to play scenario and is unethical, compromising objectivity and accountability and increasing conflicts of interest.

⁴⁶ H. Eisen. *Custer Gallatin forest plan is good news for winter recreation*. Bozeman Chronicle 2/19/2022.

⁴⁷ nrcs.usda.gov

⁴⁸ 16 USC sec. 7303, Public Law 111-11 (2009).

⁴⁹ The Omnibus Public Land Management Act. Public Law 111-11 (2009).

⁵⁰ Swan View Coalition Newsletter, Summer-Fall (2015).

While maintaining the close relationship with the Forest Service, the GFP will simultaneously pursue the GFP as Congressional legislation. Having already praised the Revised Plan, the GFP/Forest Service relationship will keep the GFP in a position of weakness and its proposal will likely succumb to further deletions of Proposed Wilderness and increases in areas subject to roadbuilding, logging and motorized recreation. The history of Montana collaboratives and legislation is to tie themselves to an individual member of Congress and become subservient to their political fortunes, giving the sponsor immense power over the fate of the proposal and the amount of Wilderness while stifling the national public interest.⁵¹

DISCUSSION

Collaboratives in General

Over the past 30⁺ years, the era of collaboration has marked public land and wildlife management, particularly on National Forests where collaboration has its roots in National Forest planning. Many collaboratives were formed to qualify for federal funding. The Forest Service provides this definition:

“collaboration or Collaborative Process - “a structured manner in which a collection of people with diverse interests share knowledge, ideas, and resources while working together in an inclusive and cooperative manner toward a common purpose.”⁵²

There are merits to collaboration such as dealing with controversial issues and bringing people with opposing viewpoints together to build common trust. There are also limits to the utility of collaboration, particularly in representing the national public interest and application of key national environmental laws and even proponents of collaborative process on National Forest System lands state there are hurdles to overcome.⁵³

A leading talking point of collaboratives is the process which is often put above proper protection and management of the landscape and is often billed as superior simply because it is a result of consensus and collaboration. A significant issue is trust. Davis et al. wrote “... *trust is also at times considered a successful outcome unto itself.*”⁵⁴ However, collaborative methods that encourage trust in the group often lead to the group doing what is best for the group and consensus process rather than what is best for the public resource.

Collaboration as represented by the GFP applies a socio-economic approach to a biological issue and the consensus process has resulted in the least common denominator for Wilderness.⁵⁵ Billed

⁵¹ M. Bader. *An Analysis of the Blackfoot-Clearwater Stewardship Act*. montanaforestplan.org (2017).

⁵² National Forest Planning 36 CFR 219.19.

⁵³ M. Albrecht, J. Buckley and G. Severson. *Understanding and Addressing Emerging Frustration Among Citizens’ Collaborative Groups Interacting with the USDA Forest Service*. White Paper. (2015)

⁵⁴ see footnote 22

⁵⁵ *An Analysis of the Clearwater Basin Collaborative Focusing On the Proposed Wilderness, Special Management Areas and Wild and Scenic Rivers*. Friends of the Clearwater, Moscow, ID.

as broadly representative of all interests, virtually all collaboratives including the GFP are stacked with members who have direct economic stakes (conflicts of interest) in the outcome.⁵⁶ The result is an anthropogenic approach based on allocation of the resource pie amongst the various user groups, some with economic conflicts of interest.

The GFP differs somewhat from some forest collaboratives in that its proposal does not set specific timber production targets. However, it does repeat Forest Service rhetoric on fire and forest health by calling “*for every tool in the toolbox including timber harvest.*”

Regarding the GFP Dr. David Mattson wrote:

*“First, as a matter of principle, even law, regional parochial interests should not supersede interests of the national public in matters central to the disposition and management of national public lands such as those on the Custer-Gallatin National Forest. If nothing else, parochial interests are notoriously biased towards direct exploitation in one form or another—whether for profit or thrill.”*⁵⁷

This can collide with the national interest when collaborative proposals are embodied in National Forest Plans and federal legislation. Michael McCloskey wrote:

*“The expectation that collaboration will operate under consensus rules would not be a problem if these processes were purely advisory in nature. Now that many seek to engraft them onto public policy, however, major problems appear. Most fundamentally the consensus rule serves to overthrow the basic suppositions of representative democracy.”*⁵⁸

Within-group power dynamics are endemic to collaboratives and “...power can be thought of as the desire and ability of a subset of the members of a collaborative group to influence the decision made on behalf of the group as a whole.”⁵⁹ Pro-environment members of collaboratives are often winnowed out through group power dynamics that isolate and even intimidate. For example, Davis et al.⁶⁰ report a pro-development member of a collaborative admitted to using isolation and intimidation tactics to get a pro-environment member to quit, further narrowing the proposals. This incident is far from being unique.

Dr. Jill Purdy outlines three major sources of power within collaboratives.⁶¹ These are authority, resources and discursive legitimacy. A common source of power outside of collaboratives are appeals and litigation. Authority power means those with it “*can apply their power by determining*

⁵⁶ see footnote 51

⁵⁷ D. Mattson. *The Gallatin Forest Partnership and the Tyranny of Ego*. Grizzlytimes.org 6/19/2019.

⁵⁸ M. McCloskey. *Problems with Using Collaboration to Shape Environmental Public Policy*. 34 Val. U. L. Rev. 423 (2000).

⁵⁹ P. Orth and A. Cheng. *Who’s in Charge? The Role of Power in Collaborative Governance and Forest Management*. Humboldt Journal of Social Relations (2018).

⁶⁰ see footnote 7

⁶¹ J. Purdy. *A Framework for Assessing Power in Collaborative Governance Processes*. Public Administration Review 72(3):409-17. (2012).

who will be invited to participate in the collaboration process and what range of interests the participants represent.”⁶² In this case, the conveners of the GFP decided who could and could not be part of the decision-making process.⁶³ Green collaborators often refer to serious wilderness advocates as “fringe” or “unrealistic” in an attempt to marginalize, which in turn diminishes the prospects for wilderness protection.

Resource-based power includes “*financial resources, people, technology, and supplies...*”⁶⁴ The well-funded and staffed green groups in the GFP have resource-based power. The GFP also has discursive legitimacy power in that it “*draws its power from the status of the values or logic it represents.*”⁶⁵ In this case, the long history and reputation of Wilderness advocacy gave them discursive legitimacy. Abuse of discursive legitimacy could be called “greenwashing.”

*“Greenwashing, also called “green sheen” is a form of marketing spin in which green PR and green marketing are deceptively used to persuade the public that an organization’s products, aims and policies are environmentally friendly.”*⁶⁶

Unfortunately, if proposals like the GFPA are legislated by Congress, these are the sorts of projects that will be used to count towards President Biden’s 30 X 30 plan to protect 30% of U.S. lands and waters by 2030⁶⁷ and more greenwashing. Similarly, the Yellowstone to Yukon Initiative endorses the GFPA and is also likely to count the recreation and backcountry areas where motorized use, roadbuilding and logging are allowed as victories for wildlife and wildlands protection and use this for fundraising efforts.

Collaborative process can also be contentious and very time consuming, further weeding out potential participants, leaving those with lots of time and direct financial compensation for that time. Non-agency, non-industry and small non-profit affiliated individuals are often put on an uneven footing or not invited at all. Motivations of collaboration members include self-gratification and as Mattson writes: “*Schwartz’s values schematic of Stimulation, Wealth, Achievement and even Power, the self-enhancing values.*”⁶⁸ Members of collaboratives also draw power and self-gratification “from being in the room” when the decisions are made.

Collaboratives and Wilderness

As a general rule, collaboratives are either selected through a process or are “coalitions of the willing” and never advocate for the maximum amount of Wilderness designation. For example, the Clearwater Basin Collaborative proposed far less Wilderness than even the existing Clearwater National Forest Plan (300,000 acres vs. 532,000 acres).⁶⁹ The Whitefish Range Partnership, which was a model for the GFP, recommended just 79,000 acres as Wilderness of

⁶² see footnote 51

⁶³ see footnote 23

⁶⁴ see footnote 53

⁶⁵ see footnote 53

⁶⁶ <https://en.wikipedia.org/wiki/Greenwashing>

⁶⁷ Executive Order 14008; President Joseph Biden. (2021).

⁶⁸ see footnote 57

⁶⁹ see footnote 55

the more than 200,000 roadless acres in the Whitefish Range, despite being adjacent to Glacier National Park and is an important part of the NCDE Grizzly Bear Recovery Area.⁷⁰ Wilderness is the very last section of their agreement. And as they did with the Custer Gallatin Revised Plan, MWA had praise for the Revised Flathead National Forest Plan on their website headlined:

“Big Win in the Whitefish Range, Forest Service embraces the Whitefish Partnership proposal in its final Flathead Forest plan.”⁷¹



Figure 10. Native Species Including Grizzly Bears Lose Habitat Through Forest Collaboration. Photo National Digital Library.

Collaboratives and NEPA

Another hallmark of collaboratives is the weakening of NEPA⁷², public participation process, judicial review and supplanting the National Forest planning process with politically derived proposals and timber production targets. Nie and Metcalf offer an extensive review of collaborative process on National Forests, concluding many arise from frustration with the pace of Forest Service project analysis and implementation.⁷³ Most push for streamlined and expedited environmental review. They wrote:

“National Forest management is increasingly complicated and its politics even more so...Most proposed remedies to this problem include restricting to various degrees the application of NEPA and judicial review. We respectfully disagree with this diagnosis

⁷⁰ *Whitefish Range Partnership- Pew & This American Land*
<https://www.youtube.com/watch?v=Sy3dxIXETbA>

⁷¹ <https://wildmontana.org/2019/02/05/insights/big-win-in-the-whitefish-range/>

⁷² Public Law 91-190, 42 U.S.C. § 4321 et seq National Environmental Policy Act. (1970).

⁷³ *see footnote 1*

and remedy. Our view is that the core environmental laws governing the national forests are more necessary and important today than ever before. And collaboration is no substitute for accountability.”⁷⁴

This desire to limit NEPA and marginalize NEPA advocates was noted in a position paper critical of forest collaboratives from several organizations with experience:

“Collaboratives divide people into two castes, those who can or choose to participate and those who can’t or decide that NEPA is the legitimate avenue for public involvement. In contrast, NEPA is a process that allows all citizens equal access to the process. Collaborative groups violate the spirit of NEPA. These collaborative groups usually come up with decisions, couched as recommendations, before scoping letters go out. As such, NEPA becomes a pro forma exercise.”⁷⁵

The Transformation: Wilderness to Timber and Recreation

When one asks how traditional wilderness advocates could so seriously retreat from their decades-long proposals for Gallatin Wilderness, one need only look at the influence of money and previously failed tactics.

In the 1970s several stand-alone bills designated Wilderness within Montana including the Absaroka-Beartooth, Scapegoat, Great Bear, and Rattlesnake. The last of these bills was The Lee Metcalf Wilderness Act in 1983. In the aftermath of the successful legal challenges⁷⁶ to the Forest Service RARE II⁷⁷, Congress decided it would settle which roadless areas on National Forest System lands would be designated Wilderness and which would be “released” to other uses. The agreed upon formula was state-wide “omnibus wilderness bills” presented to Congress by each state’s congressional delegations. Billed as “consensus” agreements, Congress by and large rubber stamped these into law.

In the early 1980s MWA released its proposed Alternative W, which was subsequently endorsed by the national green groups including The Wilderness Society and the Sierra Club. Alternative W was always a compromise proposal⁷⁸ and this was compromised further to end up at about 1.9 million acres. This proposal was never seriously considered by the Montana Congressional delegation and conservationists were told to come up with a more “realistic” proposal. Ultimately, the delegation introduced a series of omnibus bills that in addition to designating minimal amounts of wilderness had sufficiency language, more commonly known as “release language”, meaning the lands had been adequately studied for their wilderness quality and released to activities such as logging and roadbuilding and could not be challenged in court.

⁷⁵ <https://bluemountainsbiodiversityproject.org/collective-statement-on-collaborative-group-trends/>

⁷⁶ *California v. Block*. 663 F.2d 855. U.S. Ninth Circuit Court of Appeals (1981).

⁷⁷ RARE II, Final Environmental Statement Roadless Area Review and Evaluation. U.S. Department of Agriculture Forest Service FS-325. January 1979.

⁷⁸ Testimony of B. Cunningham, Montana Wilderness Hearings before the Subcommittee on Public Lands and Reserved Water. 7/15/1983.

Successive Montana bills died in acrimony and disagreement.

Following the 1984 bill dubbed the “wilderness axe”⁷⁹ MWA let go of popular Conservation Director Bill Cunningham, allegedly at the behest of the Montana delegation. Cunningham was instrumental in passage of the Wilderness bills for the Scapegoat, Great Bear, Absaroka-Beartooth and Lee Metcalf. Delegation control over MWA became a feature of the statewide process.

After disappointment in the delegation process, leading up to the failed 1988 Melcher bill the conservation movement openly split into two factions with grassroots groups accusing the national green groups of “*preparing to overcompromise.*”⁸⁰ The larger groups were afraid of angering the Montana delegation while many others were frustrated that despite offering a compromise proposal that would designate about half of the eligible acres as Wilderness, the delegation process led to less than 20%. In January of 1988 MWA decided to ask a member of the Montana delegation to introduce the pre-compromise 2.8 million acre Alternative W. However, MWA did not pursue the idea after it was criticized by national groups Sierra Club and TWS who said “*It would not promote a better bill and might well be looked upon unfavorably by members of the Montana delegation,*” and “*it would not be realistic.*”⁸¹

Ultimately, some green groups gave their support to the Melcher bill that would have designated 1.4 million acres as Wilderness of the 6.2 million acres eligible while many grassroots groups wanted to stop the bill. The Melcher bill was criticized by conservation groups including GYC for not designating Wilderness in the West Pine, Eight Mile and Rocky Creek areas in the eastern Gallatin Range:

*“Relying on this bill to protect the last of the big roadless areas of the Greater Yellowstone is a little like hanging a precious painting with a piece of dental floss; it’s just not strong enough to do the job.”*⁸²

The bill passed both the House and Senate but was vetoed near the end of President Ronald Reagan’s second term.⁸³

An increasingly large faction of the conservation movement adopted a conservation biology-based ecosystem approach to protection of federal lands represented by the Alliance for the Wild Rockies, who also sought an out-of-state sponsor for a bioregional bill. This was bolstered by an important court ruling recognizing the validity of “biological corridors.” The court described corridors as:

“...avenues along which wide-ranging animals can travel, plants can propagate, genetic

⁷⁹ see footnote 7

⁸⁰ D. Manning. *Wilderness bill sparks tiff among allies.* Missoulian, 3/2/1988.

⁸¹ see footnote 80

⁸² L. Willcox quoted in: J. Bjarko. *Melcher produces wilderness bill.* Bozeman Chronicle 8/12/1988.

⁸³ P. Shabecoff. *Reagan Vetoes Bill to Protect 1.4 Million Acres in Montana.* New York Times. 11/4/1988.

*interchange can occur, populations can move in response to environmental changes and natural disasters, and threatened species can be replenished from other areas.”*⁸⁴

At this time release language had also become a major issue of concern for conservationists and legal authorities. For example, 24 state Attorney Generals sent a letter to House Speaker Thomas Foley urging him to curb this language in legislation⁸⁵. Conservationists were concerned about the intent of release language in bills that the Montana delegation billed as “solving the wilderness/timber debate once and for all.” Conservation representatives who wanted the language removed from legislation were threatened by a delegation member who said he wouldn’t work closely with them again.⁸⁶ Conservationists were directly told by the delegation that without release language there was no point in passing a bill. Delegation control was complete. The message from the Montana delegation was that the price of wilderness designation was roads and clearcuts and this finality was made clear in the legislative history of the 1992 bill as sponsor Rep. Pat Williams said:

*“This legislation releases from court challenge 3.8 million acres of Federal land that will be moved into the completed Montana forest plans and managed for multiple-use purposes, including more than 300 million board feet of timber planned for harvest in the next decade.”*⁸⁷

In 1992, The Northern Rockies Ecosystem Protection Act (NREPA) was introduced in Congress.⁸⁸ After introducing NREPA, Rep. Peter Kostmayer said he wanted to kill the latest statewide Montana bill “...so Congress could begin considering an ecosystem approach to wilderness that would recognize endangered species’ habitat needs across state lines.”⁸⁹ NREPA immediately gained the backing of 50 scientists including the world-renowned John J. and Frank C. Craighead, Michael Soulé, David Suzuki and Reed Noss who sent a letter to Congress stating:

*“In summary, we believe that our land managers and politicians will either pass laws and adopt policies that capture the substance of the Northern Rockies Ecosystem Protection Act or they will preside over the demise of a truly unique, world-class wildland resource.”*⁹⁰

As much as they praised the NREPA approach, the scientists were also critical of the delegation bills stating they would lead to habitat and ecosystem fragmentation as a result of release language. In 1992 Sen. Max Baucus introduced S. 1696⁹¹ which received withering national

⁸⁴ *Marble Mountain Audubon v. Rice*. U.S. 9th Circuit Court of Appeals. D.C. No. CV-89-1701-EJG. San Francisco, CA. (1990).

⁸⁵ R. Abrams et al. Letter to U.S. House Speaker Thomas S. Foley. 7/22/1991.

⁸⁶ M. Bader. *Scrap Release Language Once and For Good*. The Networker 4(4) 1992.

⁸⁷ *Congressional Record of October 2, 1992*.

⁸⁸ The Northern Rockies Ecosystem Protection Act, H.R. 5944. 9/15/1992.

⁸⁹ T. Kenworthy. *Wilderness Showdown Draws Near*. House Panel to Weigh Montana Lands Bill. *The Washington Post*. 9/15/1992.

⁹⁰ *To the Congress of the United States of America*. Letter from 50 scientists in support of The Northern Rockies Ecosystem Protection Act. 9/1/1993.

⁹¹ S. 1696, Montana National Forest Management Act. 102nd Congress.

criticism from scientists including legendary Yellowstone grizzly bear researcher Dr. John J. Craighead,⁹² national music and screen stars, the US Olympic Basketball Dream Team⁹³ and General Norman Schwarzkopf.⁹⁴

Following the failure of S. 1696, in 1994 Baucus half-heartedly introduced a 1.19 million acre bill, about 300,000 acres less than the 1988 Melcher bill. In August Baucus declared the delegation process dead. *“I have an obligation to the people of our state to pass a balanced resolution. That seems impossible. The prudent course frankly, is not to proceed any further.”*⁹⁵

MWA

MWA is a prime example of the transformation from Wilderness advocacy to a recreation and timber advocacy group. For example, in 1987 MWA had a small office and two-person operation with a total annual budget of \$64,000.⁹⁶ In 1986 MWA was proposing 171,000 acres of Wilderness of 202,000 acres of inventoried roadless areas in the Gallatin Range including all of the WSA.⁹⁷

The collapse of the delegation process coincided with the rise of forest collaboratives with a focus on individual National Forests or Ranger Districts. Major foundations including the Pew Foundation began infusing large amounts of money into green groups with a hitch. These foundations insisted on collaboration as a condition of receiving funding believing this was the way to protect “the very best” areas and “put some points on the board.” The green groups did not resist the temptation and many eagerly joined forest collaboratives as a means towards Congressional designation of paltry amounts of Wilderness and began shedding their grassroots advocacy roots. They gave up on a statewide bill and began proposing legislation for individual National Forests based on collaboration and they have never looked back.

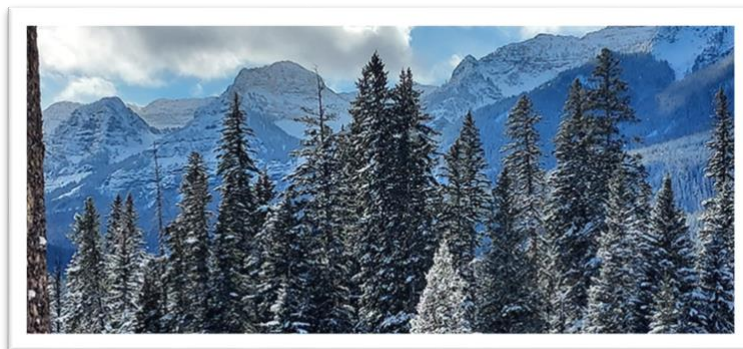


Figure 11. Hyalite Canyon portion of the Wilderness Study Area. Photo George Wuerthner.

⁹² J.J. Craighead. *Hastily drawn-up S 1696 should be dumped quickly*. Missoulian 6/11/1992.

⁹³ *see footnote 89*

⁹⁴ N. Martel. *Stormin' Norman. Gulf War's hero general is declaring war on Montana wilderness bill*. States News Service, 9/20/1992.

⁹⁵ S. Devlin. *Baucus declares latest wilderness bill dead*. Missoulian 8/6/1994.

⁹⁶ *Letter Be Wild*, Montana Wilderness Association February 1988.

⁹⁷ *see footnote 7*



Figure 12. *Montana Wilderness Association Cuts a Deal With the Timber Industry With Hard Release Language. High Country News. 9/24/1990.*

In 1990 MWA cut a deal with the timber industry called the Kootenai-Lolo Accords that was sponsored by Rep. Pat Williams and Sen. Max Baucus as the Kootenai and Lolo National Forest Management Act.⁹⁸ This bill had hard release language releasing more than 600,000 acres of roadless areas on the Kootenai and Lolo National Forests including more than 98% of the “suitable timber base” and exempted logging and roadbuilding from court challenges.^{99 100} The bill received hearings but never got a vote.

In the early 1990s MWA also encouraged its members to support statewide bills that protected no more than 1.4

million acres and which contained release language. There were members within their own ranks that disagreed with the direction they were taking. For example, MWA once had vibrant semi-independent grassroots chapters across the state including the Madison-Gallatin, Flathead and Missoula-Bitterroot in the west half of the state. In 1993 the Missoula-Bitterroot Chapter formally endorsed NREPA¹⁰¹ while the parent group did not¹⁰². Ultimately, many of the chapters threw in the towel allowing MWA to replace them with staff and consolidate its power in Helena, leaving its grassroots origins behind.

MWA’s support for the GFPA and the Revised Plan are not only a retreat from their previous positions on Wilderness, they are effectively relinquishing a 2006 lawsuit victory by MWA, GYC and TWS that got the Forest Travel Plan thrown out, closed numerous mechanized trails

⁹⁸ Kootenai and Lolo National Forest Management Act of 1991. 102nd Congress

⁹⁹ K. Knudsen and B. Erhart. *Montana’s wilderness imbroglio: Two views on how to end it.* High Country News 9/24/1990.

¹⁰⁰ D. Honnold, Staff Attorney, Sierra Club Legal Defense Fund. Legal analysis of Kootenai and Lolo National Forest Management Act. (1992).

¹⁰¹ Letter of endorsement for NREPA from Michael Jarnevic, President, Missoula-Bitterroot Chapter, Montana Wilderness Association. 4/12/1993.

¹⁰² Testimony of Louise Bruce on H.R. 2638, The Northern Rockies Ecosystem Protection Act, Washington, D.C. 4/12/1994. Government Printing Office, ISBN 0-16-046101-4.

and required the Forest Service to manage recreation impacts in the WSA at 1977 levels.¹⁰³ By supporting the fragmentation of the WSA into non-Wilderness components that allow mechanized and motorized recreation and large increases in recreation use and impact they undermined their own legal victory.

Throughout this period of decline in its wilderness advocacy collaboration has been very lucrative for MWA. In 2020 they had an annual budget of \$2.6 million,¹⁰⁴ 40 times its 1987 budget. It owns an entire building and the executive director's annual salary is nearly twice the entire 1987 budget. To complete the transformation, the group removed Wilderness from its name to become Wild Montana to "reflect their changing mission."¹⁰⁵

Table 1. Shrinking Wilderness Proposals for the Gallatin Range as a Percentage of Eligible Acres.*

MWA 1986	GYC 1994	GFPA	Revised Forest Plan
171,000/202,000	210,000/210,000	92,000/230,000	78,000/230,000
85%	100%	40%	34%

*The amount of eligible National Forest lands has increased with land exchanges and GIS technology.

GYC

GYC, like MWA, has grassroots, low-budget origins. GYC was founded in 1983 on the groundbreaking principle that "*an ecosystem will remain healthy and wild only if it is kept whole*"¹⁰⁶ and it popularized the greater Yellowstone ecosystem concept spanning three states. This approach gained further strength in 1989 with the publication of legal expert Robert Keiter's extensive law review article on law and ecology in greater Yellowstone.¹⁰⁷

In 1993, Congressional testimony on behalf of TWS and GYC stated:

*"The consolidation of the checkerboard in the Hyalite-Porcupine-Buffalo Horn Wilderness Study Area within the Gallatin Range sets the stage for future consideration of the WSA and surrounding lands for wilderness. It is the largest roadless area in the Greater Yellowstone Ecosystem not currently designated wilderness. In addition to protecting the values mentioned above, it would provide an unbroken wilderness from just south of Bozeman to Yellowstone National Park."*¹⁰⁸

¹⁰³ *Montana Wilderness Association, Greater Yellowstone Coalition, The Wilderness Society v. McAllister, Heath, U.S. Forest Service*. CV 07-39-M-DWM. (2008).

¹⁰⁴ https://wildmontana.org/wpcontent/uploads/2021/06/MWA_AR20_WEB.pdf

¹⁰⁵ wildmontana.org

¹⁰⁶ https://en.wikipedia.org/wiki/Greater_Yellowstone_Coalition

¹⁰⁷ R. Keiter. *Taking Account of the Ecosystem on the Public Domain: Law and Ecology in the Greater Yellowstone Region*. 60 U. Colorado Law Review 4 (1989).

¹⁰⁸ Testimony of M. Scott, Northern Rockies Regional Director of The Wilderness Society on H.R. 873 (1993).

In 1994, in published Congressional testimony on The Northern Rockies Ecosystem Protection Act¹⁰⁹ GYC not only supported NREPA but suggested additional areas for Wilderness and using GIS identified 210,000 acres of roadless areas in the Gallatin Range, recommending all of it for Wilderness. Additionally, they recommended the Gallatin Roadless area be designated as a Public Land Restoration Area and proposed several streams as Wild Rivers. For the Madison Range GYC proposed the Lionhead Area as Wilderness and everything south of Hebgen Lake to the Yellowstone National Park boundary as a Public Land Restoration Area. They also proposed an area between the Gallatin Range in Yellowstone and the Madison Range as another Public Land Restoration Area.

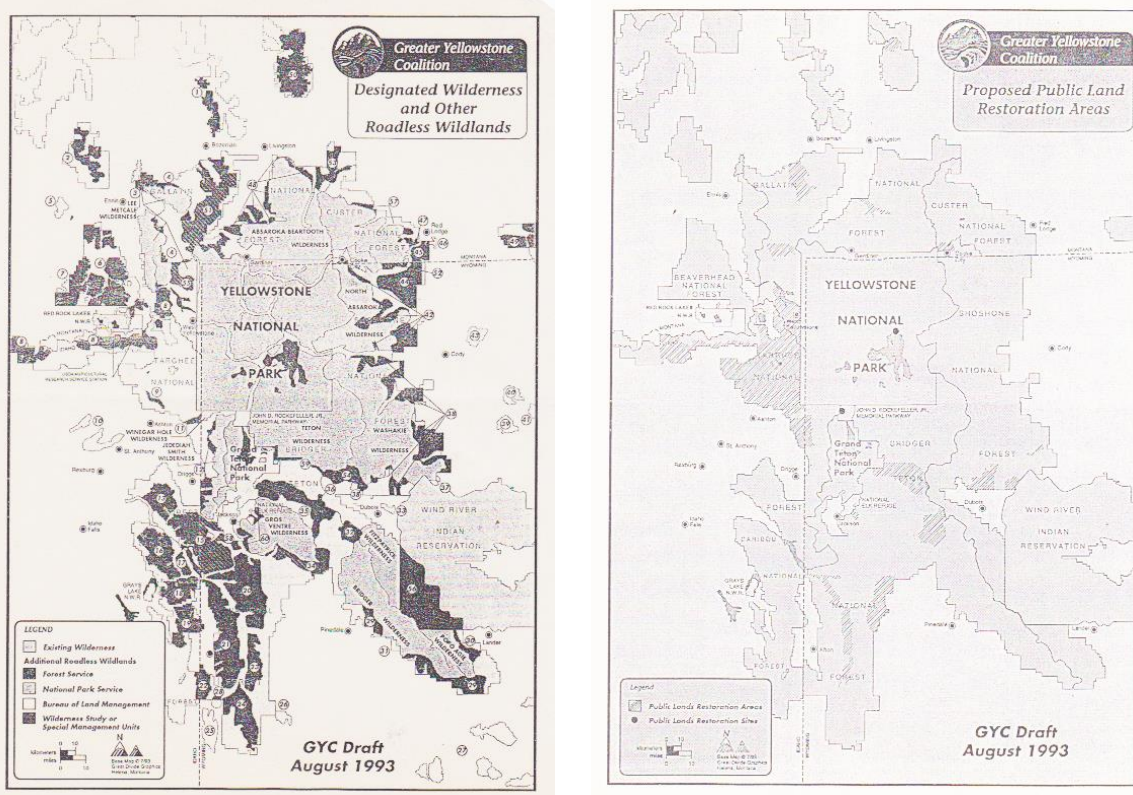


Figure 13. Maps Submitted to Congress by the Greater Yellowstone Coalition attached to their testimony on The Northern Rockies Ecosystem Protection Act, Washington, D.C. April 12, 1994.

Now GYC enthusiastically supports the Revised Forest Plan that designates the Lionhead as a Backcountry Area where just about everything goes and designates their previously proposed Public Land Restoration Area between Lionhead and Yellowstone as a Recreation Emphasis Area. The other proposed Restoration Area between the Gallatin and Madison Range is designated as Recreation Emphasis and general forest management. It supports just 40% of the Gallatin Range for Wilderness and praises the Revised Plan that recommends just 34%. They previously proposed several rivers for protection under the National Wild and Scenic Rivers System but did not propose any in the GFPA. Following this lead, the Revised Forest Plan did

¹⁰⁹ Testimony of B. Koehler on H.R. 2638, The Northern Rockies Ecosystem Protection Act, Washington, D.C. 4/12/1994. Government Printing Office, ISBN 0-16-046101-4.

not recommend any Wild, Scenic or Recreational Rivers to Congress.

While it had proposed an “*unbroken wilderness*” from Bozeman to Yellowstone, like MWA, GYC grew big with foundation money and now promotes and supports designations that are inconsistent with its founding principles. In 2020 GYC reported:

*“Thank you for taking an interest in our financials. In fiscal year 2020, revenue was \$4,864,370 (including investment returns, events, and other income) and expenses were \$3,972,309. We ended the year with net assets of \$12,944,761. Our financial success is due to generous bequests, sustaining donations, and **restricted funding for key campaigns and projects** within the ecosystem.”¹¹⁰ (emphasis added).*

The transformation from Wilderness and Ecosystem protection to recreation-centric is complete.

Since the time of the MWA, GYC and TWS wilderness proposals of the 1980s and 1990s, the sciences of conservation biology have shown that protected roadless areas are more critical than ever for protection of biological diversity and adaptation in the face of climate change. The dramatic retreat from the previous proposals led Bozeman community leader Dorothy Bradley, former Montana legislator and former Director of the University System Water Center at Montana State University to write:

“With thanks for the effort of collaboration regarding public land designations by the Gallatin Forest Partnership (GFP), I express my intense disagreement with the final product. For those who see the GFP touted as the great compromise, I want you to know it does not express the will and the concerns of many, many of us.”¹¹¹

The Environmental Costs of Recreation

To see the impact of recreational desire on the GFP, one only has to look at the claim that high-intensity recreation is compatible and can “*maintain the currently existing wilderness character.*” This tactic of equating increased recreation with conservation obscures recreation impacts.¹¹² Legendary Montana wilderness guide Smoke Elser observed there is a new breed of recreationist on the land:

“Mountain bikers are out to challenge the resource. It’s about how fast you can go and how many miles you can put on. Snowmobilers are after the highest mark on the hillside, the highest speed across the meadow.”¹¹³

In the 1980s manufacturers began producing recreational machines that could go farther into previously inaccessible terrain. High power snowmobiles can traverse deep powder snow,

¹¹⁰ greateryellowstone.org/financials

¹¹¹ D. Bradley. *We Need a New Model*. Missoulian 1/27/2022.

¹¹² M. Bader, *Industrial Recreation Isn’t Conservation*. Counterpunch. 8/18/2020

¹¹³ R. Chaney. *Bike deal adds heartache, hope to Bob Marshall Wilderness proposal*. Missoulian 4/23/2017.

enabling off-trail “high marking.” Mountain bikes became widely available and now feature shock absorbers, gas and electric-powered motors and spiked tires for over-snow use. ATVs are bigger and go faster. New technology includes snow bikes which are modified motorcycles with tracks instead of wheels which can access off-trail areas and negotiate tight spaces. Mountain bike advocates say that electric powered bikes are not motor vehicles but that’s like saying a Prius or a Tesla isn’t an automobile because they have electric-powered engines.

The record shows the GFP and its green member organizations are willfully ignoring the scientific information on the impacts on wildlife and wildlands resulting from increased recreation, particularly mountain biking. Dr. David J. Mattson and other leading grizzly bear scientists have analyzed the impacts of different forms of recreation on grizzly bears, finding that mountain biking is many times more likely to result in a grizzly bear-human encounter.¹¹⁴ Dr. Mattson is well-known in the Greater Yellowstone area as the former Field Team Leader of the Yellowstone Interagency Grizzly Bear Study Team.

Likewise, a Board of Inquiry Report chaired by former National Grizzly Bear Recovery Coordinator Dr. Chris Servheen¹¹⁵ on the death of a mountain biker who crashed into a female grizzly bear with cubs was well-publicized. Dr. Servheen has also said that mountain biking in grizzly bear habitat is particularly conducive to bear-human confrontations due to surprise encounters.



Figure 14. Trail Damage and Soil Erosion Caused by Dirt Bikes Inside the Wilderness Study Area. Photo Joseph Scalia III.

“High speed and quiet human activity in bear habitat is a grave threat to bear and human safety and certainly can displace bears from trails and along trails. Bikes also

¹¹⁴ D. Mattson, video grizzlytimes.org

¹¹⁵ C. Servheen et al. *Board of Review Recommendations related to mountain bike safety in bear habitat based on the fatality of Mr. Brad Treat on June 29, 2016.* (2017).

degrade the wilderness character of wild areas by mechanized travel at abnormal speeds."¹¹⁶

Mountain bikers can also displace grizzly bears and other wildlife including elk from primary habitats. Biologists with the U.S. Forest Service recently found all trail-based recreational uses have negative impacts on elk, with mountain bikes and ATVs having the most.¹¹⁷ Wildlife managers with the Colorado Parks and Wildlife determined that burgeoning year-round recreational use has nearly decimated a large elk herd near Vail.¹¹⁸



Figure 15. Mountain Biker in the South Cottonwood drainage. Due to its high-speed and quiet nature, mountain biking in grizzly bear habitat is a high-risk activity. Photo George Wuerthner.

The Craighead study of the ecological values of the WSA cited increased recreation use as an increasing threat to the wildlife and fish of the Gallatin Range including habitat connectivity.¹¹⁹ The GFP also received an open letter from ecologist and former MWA council member George Wuerthner pleading with them to consider the impacts of their proposal.¹²⁰ If that weren't enough, conservation organizations in the Greater Yellowstone region were publicly taken to task by the Mountain Journal for not "*seriously addressing the transformative ecological impacts of more people using the landscape,*" and for becoming part of "*the outdoor recreation industrial complex.*"

*"Amid all the cheerleading to create more access to the backcountry, building more trails, filling the rivers with more boaters, monetizing visitors every way possible...few are reflecting on the ecological toll being exacted...how is the blind promotion of more recreation on public lands, without knowing the cumulative effects, any different from the colonizing, destructive forces of Manifest Destiny?"*¹²¹

Despite all this available information, traditional conservation groups do not seem to understand or want to admit that the recreation infrastructure they are proposing under the GFPA combined

¹¹⁶ T. Wilkinson. *Griz Expert Says 'Mountain Bikes Are A Grave Threat To Bears.'* Mountain Journal 5/26/2020.

¹¹⁷ M. Wisdom, et al. *Elk responses to trail-based recreation on public lands.* Forest Ecology and Management (411) (2018).

¹¹⁸ <https://www.theguardian.com/environment/2019/aug/25/hiking-elk-driven-to-brink-colorado-vail>

¹¹⁹ see footnote 3

¹²⁰ G. Wuerthner. *Open Letter to the Gallatin Forest Partnership.* The Wildlife News (2019).

¹²¹ T. Wilkinson. *The Question That None of Greater Yellowstone's Conservation Groups Are Willing To Confront.* Mountain Journal 8/7/2020.

with ever-growing use levels may be more impactful than some forms of resource extraction including logging¹²², which in theory can have temporary effects while the recreation infrastructure and impacts will be permanent features on the landscape.

The Forest Service reaps the rewards of pushing mechanized access deeper into roadless areas so they can claim it disqualifies them from Wilderness designation. Logging companies are also central partners. Having become part of “forest collaboratives”, they are eager to agree to expansive mountain biking trails, ATV and snowmobile use in roadless areas that should be designated Wilderness. The roads and clearcuts follow, the sensitive species are diminished and the watersheds impaired.

Collaboratives also push an outdated idea of what a high-quality Wilderness is. There is a bias towards what is pleasing to the eye such as the rugged mountain peaks while continuing a trend of Wilderness areas underrepresenting lower-elevation habitats that are the most important to wildlife and biological diversity.¹²³ This again coincides with the desires of the timber industry, which has no commercial interest in the “ice and rocks” and is happy to have Wilderness designated there so it subtracts from areas with mature forests.

The GFP is similar to other forest collaboratives in Montana including the Blackfoot Clearwater Stewardship Project, the Whitefish Range Partnership and the Lincoln Prosperity Project which have proposed dedicated recreation and logging areas in key grizzly bear habitats and connectivity areas. MWA (Wild Montana) and The Wilderness Society are both proponents of these collaboratives and have helped organize them.¹²⁴

Conclusion

If inequities in membership, governance and power are resolved and trust established, collaboration may have utility in some situations. Management of national public lands is not one of them. By design, the national public interest is underrepresented or not represented at all in forest collaboratives, recommended Wilderness minimized, and application of NEPA streamlined or exempted.

The Wilderness Act is the “gold standard” for protection of wilderness, wildlife and fish habitat and biological diversity^{125 126} and is our societal badge of honor because a wise civilization can stay its own hand.

¹²² S. Doherty et al. *Human disturbance causes widespread disruption of animal movement*. Nature Ecology & Evolution (5) 2/1/2021.

¹²³ M. Dietz et al. *The world’s largest wilderness protection network after 50 years: An assessment of ecological system representation in the U.S. National Wilderness Preservation System*. Biological Conservation (184) (2015).

¹²⁴ <https://www.lincolnprosperity.com/lincoln-prosperity-proposal>

¹²⁵ M. Bader. *Wilderness-Based Ecosystem Protection in the Northern Rocky Mountains of the United States*. Wilderness Science in a Time of Change. USDA Forest Service Proceedings RMRS-P-15-VOL-2. (2000).

¹²⁶ see footnote 126

In 2020, Robert Keiter revisited his Law Review on Greater Yellowstone and wrote in his conclusion:

“Looking ahead, as we enter the Age of the Anthropocene, an ecological approach to resource management in the GYE is more important than ever. Visitation and recreation pressures continue unabated across the GYE public lands, private land development and subdivision activities are escalating, and potentially devastating climate change and wildlife disease impacts now hang over the area. These serious new threats portend adverse ecological impacts at least tantamount to those confronting the GYE thirty years ago, including wildlife displacement, habitat fragmentation, open space loss, warming temperatures, increased wildfires, and altered water regimes. To address these new challenges and solidify existing achievements, current GYE conservation efforts must be expanded in scale to embrace a larger landscape—one that connects the GYE to more distant ecosystems stretching across the central Idaho wilderness complex to the Crown of the Continent region and into southern Wyoming.”¹²⁷

The GFP fails the test by succumbing to the hedonistic demands of the outdoor recreation lobby. As the human population and visitation both grow, will these formerly staunch wilderness advocacy groups agree that more wilderness must be sacrificed for recreational desire and economic profit? The tremendous reduction in their wilderness proposals for the Gallatin Range do not speak well for their planned legislation.

The designations in the GFPA and the Revised Plan are not well-suited to the unique landscape they are applied to and will fragment wildlife habitat and diminish the effectiveness of a key linkage between the Greater Yellowstone and NCDE. While paying lip service to the outstanding wildlife and unique ecosystem values, these resources will be negatively impacted by industrial strength recreation and naïve, improper broad-scale application of the Wildland-Urban Interface concept to portions of the WSA and adjacent remote roadless areas far from any “urban areas.” Rather than representing a broad cross section of interests, the GFP is a “coalition of the willing” and the “green” members of the GFP have willingly compromised their long enjoyed discursive legitimacy by using it to “greenwash.”

The GFP seeks to accomplish essentially the same thing as release language by legislating management areas for National Forests that degrade and/or destroy the wilderness values that qualify them for Wilderness designation. This “finality” removes tools from wilderness advocates and removes management flexibility necessary to respond to changing conditions such as climate change and new science on species needs and impacts from recreation. The new recreation infrastructure will be essentially permanent features of the landscape with little chance of reversing course.

Rather than heeding Professor Keiter and leading scientists advice to take a broader landscape scale approach covering essentially the same lands as The Northern Rockies Ecosystem Protection Act, the GFP including members GYC, MWA (Wild Montana) and TWS have

¹²⁷ R. Keiter. *The Greater Yellowstone Ecosystem Revisited: Law, Science, and the Pursuit of Ecosystem Management in an Iconic Landscape*. U. of Colorado Law Review 91(1). (2020).

promoted designations, activities and legislation that will result in far-reaching impacts on the wildlife and wilderness values of the Gallatin and Madison Ranges. The Revised Custer Gallatin National Forest Plan largely mirrors the GFPA. However, the Forest Service took advantage of the GFPA to further weaken protections for wildlife and recommended wilderness.

The GFPA sets a negative precedent for management of National Forests nationwide, whereby self-appointed collaboratives and their supporters in Congress legislate special management for portions of the National Forest System without representing the national public interest. The political management of National Forests by Congressional fiat, District by District, Forest by Forest, threatens the integrity and consistency of National Forest System management. Agency management based on the best available science as required by the 2012 National Forest Planning Rule¹²⁸, and full public involvement through the NEPA process are compromised, ultimately compromising The Public Trust.

¹²⁸ National Forest Planning Rule of 2012. <https://www.fs.usda.gov/detail/planningrule//home/>

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Author disclosure: The author is not a member of the Gallatin Yellowstone Wilderness Alliance or any other organization in southwest Montana and he did not participate in or comment on the Revised Custer Gallatin National Forest Plan. He was a co-founder of the Alliance for the Wild Rockies and helped draft The Northern Rockies Ecosystem Protection Act.

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