

ISSUE 4: CULTURAL RESOURCES

Changes from the Draft to the Final EIS

In negotiation with the Crow Cultural Committee (CCC), the Forest is attempting to secure the low-line trail on the west side of the Crazies in the Ibex Planning Area. Once accomplished, this trail would host motorcycle use instead of the Trespass Trail which would then become non-motorized. Also, in negotiation with the CCC, ATV use of the Cottonwood road would end on National Forest Lands just before entering the private section 9 rather than on National Forest Lands above section 9 and motorcycle use would be withdrawn from the Smeller Lake trail (220) and opened on the Rock Lake trail (270), which has an historic motorcycle use.

Introduction

Cultural or heritage resources include prehistoric and historic archeological sites and sites utilized by tribes for traditional or cultural purposes (Traditional Cultural Properties). There are nearly 1,000 of these sites or properties scattered across the landscape of the Gallatin National Forest. A review of the changes proposed in each of the seven alternatives identified the following concerns:

ATV Trail Impacts

Certain travel planning areas (TPAs) within the Gallatin National Forest have high archeological site density. They include the West Bridgers South, West Bridgers North, Gallatin Crest, Porcupine Buffalo Horn, and Cabin Creek Travel Planning Areas (TPAs). Trails located near these sites pose a potential problem if they are to be open to ATV use and trail width and tread does not accommodate that use. One concern would be that ATV users go off-trail or cumulatively widen existing trails in areas of high site density. Another situation of concern would be if the Forest Service were to construct/reconstruct, and thus deliberately widen trails to accommodate ATVs. Either of these scenarios could impact portions of prehistoric sites. ATV trail construction/reconstruction is not proposed in this travel plan; however the designation of ATV routes implies that some trails would be proposed for widening in the future.

Impacts to Traditional Cultural Areas

Motorized use in high-elevation areas of the Crazy Mountains (portions of the Ibex and East Crazies TPAs) could have an adverse effect to certain areas of traditional importance to the Crow Tribe. New or significant increases in motorized use would affect their ability to successfully conduct traditional practices in these high elevation zones of the Crazy Mountains.

Vandalism and Illegal Collecting

New or improved access into areas with archeological and historical sites could result in increased vandalism and illegal collecting of artifacts from those sites. Areas of concern include the Mill Creek, West Bridger South, West Bridger North, Cooke City and Big Sky TPAs.

Affected Environment

ATV Use of Trails

The Gallatin National Forest has over 900 recorded historical and archaeological sites. Investigations reveal on the average of 30 new sites recorded each year. Densities can reach as high as 10 or more sites per 600 acres. In addition, many Forest Service trails follow historic and even prehistoric routes, thus increasing the potential for motorized use to overlap or bisect historic and prehistoric sites.

Background research in the Montana/Dakota OHV decision found that off-route ATV travel has disturbed and damaged cultural sites by establishing new trails that cut through the protective sod layer that overtops sites, by rutting deep into the undisturbed deposits and by widening existing disturbance during use in muddy conditions.

Each 'user-built' ATV route that has been internally identified has been reviewed against the existing sites data base and site potential models. No conflicts with known archeological sites or high site potential areas were found. There are however, existing system trails located near, or in some cases bisecting archeological sites in a few key areas. This situation presents a problem to solve in the designed use of those key area trails. Studies of the Porcupine Buffalo Horn TPA demonstrate an unusually high site density and occurrence of sites alongside or bisected by Forest Service trails. Most of these sites are relatively large (1/2-acre or larger) and rather diffuse. No recent ATV evidence was observed and little motorcycle use was found through these site complexes. Trail use by hikers, horse-users and motorcycles appeared to stay within the existing tread and were not causing additional impacts. Existing trails that bisect prehistoric sites should be relocated to alleviate this concern.

Traditional Cultural Areas

The Crow Tribe has made known that Awaxaaippia (Crazy Mountains) is an important place. The Crazy Mountains are associated with various historical accounts and traditions amongst the Crow people. It is the high country, particularly those core areas above timberline, that are the areas sought by traditional Crow practitioners, who regard these areas in particular ways, based on oral traditions. They must walk to these areas to find the isolation from modern intrusions necessary to complete their mission that is wrapped in solitude. Because of this, the Tribe has advised Forest planners that non-motorized travel, both summer and winter, presents no known problems at this time. However, new or significantly increased motorized access, both winter and/or summer, into high elevation areas would potentially cause conflicts.

Vandalism and Illegal Collecting

Forest Service trails have provided access to areas containing many significant archeological and historical resources to the public. In many remote areas, this has led to illegal collection of artifacts. If the Forest Service plans new access into areas with archeological and historical sites, this could result in increased vandalism and illegal collecting from those sites.

The Gallatin Forest has over 900 recorded historical and archaeological sites. A large percent of these sites are near roads and trails, for two reasons. First, most of the surveys have been conducted in areas near roads and trails. Second, much of the current Forest road and trail system developed along aboriginal and historic routes.

Archeological surveys in the Bridger Mountains, Hyalite Basin, Windy Pass and Buck Creek Ridge reveal that there is considerable difference in the number of preserved artifacts at sites that are separated from trail systems by substantial distance or topography, compared to sites near to Forest Service trails. Those in close proximity to trails appear to have been subject to collection of surface visible artifacts to a much greater degree.

Some of the proposed Travel Plan alternatives include new route proposals. The following proposed routes are of concern, due to their proximity to archeological sites.

Continental Divide Trail above the head of Crème Creek

There is little information available for this area. Planning archeological surveys should be conducted for this project, due to the high prehistoric use of the area and the proximity to some important Early Period archeological sites.

Arrastra to Emigrant connector

This proposed route would connect two historic mining districts. Vandalism of historic mining resources and structures seems to occur little from hikers, bikers, horseback riders and OHV users. Mining resources that are accessible from car/truck roads are vandalized to a much greater extent. Of concern is the evolving capacity of some newer ATVs (i.e., six wheels with beds, etc.) that can function essentially as mini pick-up trucks. The ATV trail width definition used for this Travel Plan helps to mitigate this concern.

West Bridgers North, Corbly Canyon north to North Cottonwood Creek

The Gallatin Travel Plan map currently shows a trail connecting these basins. The trail is currently lightly used and not clearly discernable on the ground in many areas. This has been an advantage for archeological sites in the Tom Reese Creek Basin and the North Cottonwood Basin. Both of these areas contain sites visible on the surface that have not been subject to much illegal collecting, to date.

Cooke City/New World Mine area, connectors to Huckleberry Lake to Sheep Mountain to Lulu Pass

Not all of this area has been surveyed, but there are a good number of archeological sites in the Lulu Pass and Huckleberry/Bob Lakes areas. These high altitude sites are surface visible and highly vulnerable to illegal collectors.

Cooke/New World area, connector from Henderson Mountain road to Crown Butte to Horn Miller Cabin

A number of historic sites and mining structures would be available to the public by use of this proposed connector route. As a road, it would present some management problems associated with vandalism. However, past monitoring of historic sites in the New World Historic District shows

that sites accessible by car/trucks receive the small amount of vandalism that is occurring, not the sites accessible only by hiking, motorcycle or ATV.

Taylor Fork area, Yellowmule loop to Buck Creek Ridge

Surveys near the Yellowmule route have shown few cultural resources. The Buck Creek Ridge, on the other hand, has an exceptionally high density of prehistoric sites. The sites near the trail have been subject to illegal collecting over the years; however, the sites away from the immediate area of the trails have been collected from to a much lesser degree.

Horse Creek access across state land to the Shooting Star Lake trail

There has been little archeological work completed in this area. The lower Tom Miner area has a very high density of sites and a vast array of site types, making it a very important archeological area.

Direct and Indirect Effects

Analysis Methodology

ATV Trail Impacts

The potential effects of ATV trails and use on cultural resource sites were identified by comparing the maps of the seven alternatives to the Gallatin NF's cultural resource data base (which is not part of the project file due to protected information). Every trail including user-built trails has been evaluated. No user-built trails were recognized as impacting known sites and are generally in zones where few sites occur. However, there are a number of existing system trails that bisect archeological sites and in a few cases; some of the alternatives would include ATV use. Therefore, an objective of the travel management design was to avoid designing ATV use on trails known to bisect archeological sites and site complexes. All the alternatives meet this objective except Alternative 1.

Impacts to Traditional Cultural Areas

A review of traditional cultural properties literature, archeological surveys, interviews and consultation with the Crow Cultural Committee and Traditional Practitioners have contributed to an awareness of the importance of the Crazy Mountains to the Crow Tribe. From the information acquired to date, a core area has been identified, for which the Forest Service must carefully review policies as they might affect traditional practitioners. From this standpoint, alternatives that do not introduce new or significant increases in motorized use, outside of forested areas at or above timberline, are favorable.

Consultation with the Crow Tribe was undertaken on a number of occasions (see Allen, 5/11/2006), leading to the following conclusions:

- 1) *“Travel management should accommodate those access privileges greater than walking only when they do not change or affect the values of the land and landscape.”* (Cultural Committee consultation, January 6, 2004) As such, Gallatin Forest travel management analysis should not consider new or significant increases to motorized traffic into certain high elevation areas of the Crazy Mountains.

- 2) Past consultation with the Crow Cultural Committee has provided a framework of Crow needs and concerns. Awaxaippia (i.e., Crazy Mountains) is an important place to the Crow. However, it is a place the Crow do not go to routinely, and are generally directed to avoid because it is the home of the Big People. The Crow perspective is that it is a privilege to be able to go into the high country of the Crazy Mountains and that it should be done with respect. Respect to the natural resources and respect to the cultural traditions of the Crow (Cultural Committee consultation, April 30, 2004).
- 3) The clear message from the numerous meetings with the Crow is that they are opposed to motorized recreation in the Crazy Mountains and that the high elevations are of particular concern.

Vandalism and Illegal Collecting

To address the potential for vandalism and illegal collecting from archeological sites, the Forest Archeologist conducted a review of information regarding potentially affected cultural sites. Records searches included the Gallatin heritage resources database, and in cooperation with the State Historic Preservation Office a search of the “ArchRecords” database housed at the University of Montana. Recorded sites, surveys and site leads were considered. Four study areas have been monitored periodically over the past five years to identify what changes (erosion, vandalism, illegal collecting, pot-hunting, etc.), if any, may be occurring. The study areas are the West Bridgers, the New World Historic District, the Porcupine Buffalo Horn-Gallatin Crest and Buck Creek Ridge.

The studies are far from conclusive, but have provided some indicators of change. In particular, historic structures are vulnerable to vandalism when they are in close proximity to roads suitable for trucks and cars. Little vandalism of historic sites occurs when sites are only accessible by ATV, motorcycle, foot or horse travel. Archeological sites are most vulnerable in the high elevation areas where the soils are thin and most of the sites are exposed at the surface. These sites are even more vulnerable when they are in close proximity to trails and/or heavily used camping areas accessed by Forest Service trails. There is no evidence that one type of user presents more of a problem than another, but there is evidence that the more use there is, the more artifacts are removed.

General Comparison of the Alternatives

ATV Trails and Use

Motorcycles, bikes, horses and hikers can use the existing trail tread, and as a usual matter of course, do not impact archeological sites. ATVs will inevitably widen the tread through use or from construction to meet ATV use standards.

In the West Bridgers North and South, Gallatin Crest, Porcupine Buffalo Horn, and Cabin Creek TPAs, Alternative 1 would eventually lead to increased damage to a number of archeological sites that are near or bisected by Forest Service trails, if increases in ATV use occurs. Alternatives 2 through 7-M do not increase the potential for impacts to sites in these areas.

In the Cabin Creek TPA, Alternative 1 would eventually lead to increased damage to a number of archeological sites that are near or bisected by system trails if increases in ATV use occurs.

Alternatives 2 through 7-M do not increase the potential for impacts to sites in these areas. Alternatives 5, 6 and 7-M are slightly better than Alternatives 2-4. In Alternatives 5, 6 and 7-M, ATV use in Sage Creek Basin and Carrot Basin is reduced to trails already suitable for ATV use.

Table 3.4. 1 Effects to cultural resources from summer motorized ATV use, by alternative.

Travel Planning Area	Summer Motorized ATV Effects to Cultural Resources						
	Alt. 1	Alt. 2	Alt. 3	Alt. 4	Alt. 5	Alt. 6	Alt. 7-M
Gallatin Crest	Bad	OK	OK	OK	OK	OK	OK
West Bridgers North and South	Bad	OK	OK	OK	OK	OK	OK
Porcupine-Buffalo Horn	Bad	OK	OK	OK	OK	OK	OK
Cabin Creek	Bad	OK	OK	OK	Good	Good	Good

Traditional Cultural Areas

Current conditions may not be ideal, but are apparently satisfactory for Crow practitioners who use the Crazy Mountains. It is important however, that the Forest Service consult with the Crow Tribe and consider any expressed concerns when management changes are proposed. The Crow Tribe would consider new motorized routes or increases in motorized use (both summer and winter) into the core high elevation areas an adverse effect.

Winter Motorized

Table 3.4. 2 Effects to Traditional Cultural Areas from winter motorized use, by alternative.

Travel Planning Area	Winter Motorized Effects to Traditional Cultural Areas						
	Alt. 1	Alt. 2	Alt. 3	Alt. 4	Alt. 5	Alt. 6	Alt. 7-M
East Crazies	Bad	Bad	Good	Good	Good	Good	Good
Ibex	Bad	OK	OK	OK	Best	OK	Good

The east side of the Crazy Mountains is closed to winter motorized use in Alternatives 3 through 7-M. There is a greater tradition and historical use of snowmobiles on the west side. Alternatives that reduce use in approaches to the core high country are considered better in meeting Crow concerns within the Ibex and East Crazies TPAs.

Alternative 1 (existing condition) has been controversial and deemed unsuitable by Crow practitioners. This is because, through improvements in the machines, some snowmobiles are now able to reach areas that they were previously unable to get to, allowing access to higher elevations. Alternatives 2, 3, 4 and 6 addresses this issue and improve the situation, however these alternatives may be difficult to enforce. Alternative 5 best addresses the issue and is more conducive to enforcement than Alternatives 2, 3 and 6. Alternative 7-M is not as desirable as Alternative 5, but was created through consultation with the Crow Tribe and is aimed at balancing protection from motorized use into the core high-country area and protecting established snowmobile use.

Summer Motorized

Table 3.4. 3 Effects to Traditional Cultural Areas from summer motorized use, by alternative.

Travel Planning Area	Summer Motorized Effects to Traditional Cultural Areas						
	Alt. 1	Alt. 2	Alt. 3	Alt. 4	Alt. 5	Alt. 6	Alt. 7-M
East Crazyes	Good	Good	Good	Good	Good	Good	Good
Ibex	Bad	OK	Good	Good	Best	Best	Best

Alternative 1 (existing situation) has been controversial and deemed unsuitable by Crow practitioners. There is the additional problem, with the Cottonwood Lake trail being designated open to ATV use, that the trail is not wide enough to accommodate ATVs through one section. This could result in direct impacts (widening through reconstruction or use) where the trail bisects an archeological site.

Alternative 2 provides for motorcycle use to Cottonwood Lake, however, motorcycles can stay within the existing tread and not cause further damage to the archeological site.

Alternatives 3 through 7-M address Crow Tribal concerns, however, Alternatives 5 and 6 are more enforceable than Alternatives 3, 4. Alternative 7-M was created in specific consultation with the Crow Tribe and is aimed at balancing protection from motorized use into the core high-country area and protecting established motorcycle access on Forest Service trails to private land.

Vandalism and Illegal Collecting - Proposed Route Corridors

The final decisions for new routes are not being made in the Travel Plan, but will be subject to future site-specific NEPA analysis before decisions are made to address final location and design.

Continental Divide Trail above the head of Crème Creek

The project area will require archeological investigations before final plans and route selection.

Arrastra to Emigrant connector (Alternatives 3, 4 and 7-M)

It is unlikely that there would be effects to historic resources from this connector route. The sites are currently visited by a variety of users and have remained relatively unharmed, except for those accessible by roads. These areas have been open to ATV use for many years and the mining resource remains available for the public to find and enjoy without a great deal of vandalism. Summer non-motorized use and winter use is not of concern for this area.

West Bridger North, North Cottonwood to Johnson Canyon (Alternative 3)

A new trail from the North Cottonwood trail into Johnson Canyon would take users into a crest and basin area rich with intact prehistoric remains. This remote area is accessed little and the archeological sites are virtually undisturbed. Access provided under Alternative 3 would certainly increase use and greatly increase the potential for vandalism to sites that to this point have remained intact in a state of preservation not often available to scientists.

West Bridgers North, North Cottonwood to Corbly Canyon (Alternative 1)

This is a classic situation where there are very good archeological sites and exposed deposits that are relatively intact and not subject to much illegal collecting. Providing easier access through this section of the Bridgers would likely lead to increased collecting, and adversely affect a number of important sites in both Tom Reese Creek and North Cottonwood Basins. This is because the current Forest Service trail through the North Cottonwood Basin essentially does not exist. In order to accommodate ATV traffic in Alternative 1, the trail would have to be reconstructed, which would likely increase use around the cultural resource sites and increase the potential for vandalism. Summer non-motorized use and winter use is not of concern for this area.

Cooke City/New World Mine area, connectors to Huckleberry Lake to Sheep Mountain to Lulu Pass (Alternatives 3 and 4)

Currently there is motorized use allowed in this area. Greater use is likely if the proposed trail connectors are constructed. This could lead to increased vandalism and illegal collecting from prehistoric sites and historic mining sites in the area.

Cooke/New World area, connector from Miller Creek road to Crown Butte to Horn Miller Cabin (Alternatives 3 and 4)

An ATV route would probably provide the public a good way to enjoy the spectacularly placed historic mining remnants. This route is not of issue because it currently is a high clearance road. An ATV route would provide better protection for historic mining than leaving it as a high clearance road.

Taylor Fork area, Yellowmule loop to Buck Creek Ridge (Alternatives 3, 4, 5 and 7-M)

Buck Creek Ridge currently gets so much use that additional use that may be caused by adding connectors would not make any difference. The important thing is to encourage users to stay on the trail. The loop connectors should help this situation.

Horse Creek access across state land to the Shooting Star Lake trail

The project area will require archeological investigations before final plans and route selection.

Table 3.4. 4 Effects to cultural resources from proposed summer motorized use routes, by alternative.

Proposed Routes	Summer Motorized Effects to Cultural Resources						
	Alt. 1	Alt. 2	Alt. 3	Alt. 4	Alt. 5	Alt. 6	Alt. 7-M
Arrastra/ Emigrant	OK	OK	Concern	Concern	OK	OK	Concern
West Bridgers North - Corbly	Worst	Bad	Bad	Best	Best	Best	Best
West Bridgers North - Johnson	N/A	N/A	Worst	N/A	N/A	N/A	N/A
Huckleberry/Sheep Mountain/ Lulu connector	OK	OK	Bad	Bad	OK	Good	Good
Yellow Mule/ Buck Creek Ridge	OK	Bad	Good	Good	Good	Best	Best

Cumulative Effects

Potential cumulative impacts when viewed with other reasonably foreseeable actions of the Travel Plan alternatives to cultural resources fall entirely within the scope of direct and indirect effects of human access and travel discussed above. Other ground-disturbing activities would be appropriately addressed when they are proposed, to determine potential effects to archeological sites. Potential effects to cultural resources are direct or indirect, not additive or cumulative.

Effects of Proposed Goals, Objectives, Standards and Guidelines

The proposed Travel Plan includes the following goal and objective:

Goal 3: Cultural Resources: Regulate travel to maintain the integrity of the significant cultural resource landscape that is of important interest to the Crow Tribe (Alternatives 5 and 6).

Objective 3(1): Eliminate motorized use in the core high country of the Crazy Mountains above private land (Alternatives 5 and 6).

Adoption of this goal and objective would put greater management emphasis on controlling motorized use (either legal or illegal) in the core high country of the Crazy Mountains, showing greater sensitivity of Forest Service managers to Crow tribal concerns about this area. A compromise was worked out in 7-M for winter snowmobiling to allow for an area of existing use above the Cottonwood and Ibex drainages only.

Consistency with Laws, Regulations, Policy, and Federal, Regional, State, and Local Land Use Plans (including the Forest Plan)

The Travel Plan alternatives are consistent with the National Historic Preservation Act. Future actions to construct or reconstruct roads or trails would need site-specific evaluation to determine whether they potentially affect a cultural resource (archeological or historical). At that time, the procedures described under 36 CFR 800 would be followed. The Gallatin Forest Plan also states: *“Inventories will be performed prior to all undertakings or when projects may impact a potentially historic structure.”*

The National Historic Preservation Act recognizes continuity of traditional practices as Traditional Cultural Properties. The American Indian Religious Freedom Act and the National Historic Preservation Act direct federal land managing agencies to consider how their projects and policies might adversely affect practitioners. As such, consultation with the Crow Tribe about the proposed Travel Plan was undertaken on a number of occasions.