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The following comments are regarding the Carson National Forest Draft Revised Forest Plan and DEIS. These comments address primarily the planning and management of the Continental Divide National Scenic Trail (CDNST) and the Recreation Opportunity Spectrum (ROS) planning framework.

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Introduction

The following comments largely address the Continental Divide National Scenic Trail (CDNST). An amended CDNST Comprehensive Plan was published in the Federal Register in 2009, which took effect on November 4, 2009 (74 FR 51116).¹ The amended Comprehensive Plan was approved by Chief Thomas Tidwell in September 2009² (**Attachment A**). An outcome of the amended Comprehensive Plan was the description of the nature and purposes of this National Scenic Trail: “*Administer the CDNST consistent with the nature and purposes for which this National Scenic Trail was established. The CDNST was established by an Act of Congress on November 10, 1978 (16 USC 1244(a)). The nature and purposes of the CDNST are to provide for high-quality scenic, primitive hiking and horseback riding opportunities and to conserve natural, historic, and cultural resources along the CDNST corridor.*” The amended Comprehensive Plan establishes other important direction for the management of the CDNST including:

- The rights-of-way for the CDNST is to be of sufficient width to protect natural, scenic, cultural, and historic features along the CDNST travel route and to provide needed public use facilities.
- Land and resource management plans are to provide for the development and management of the CDNST as an integrated part of the overall land and resource management direction for the land area through which the trail passes.
- The CDNST is a concern level 1 route, with a scenic integrity objective of high or very high.
- Manage the CDNST to provide high-quality scenic, primitive hiking and pack and saddle stock opportunities... Use the Recreation Opportunity Spectrum (ROS) in delineating and integrating recreation opportunities in managing the CDNST.

The CDNST Federal Register Notice (74 FR 51116) provided additional direction to the Forest Service as described in FSM 2350. The final directives add a reference to the CDNST Comprehensive Plan as an authority in FSM 2353.01d; ... add the nature and purposes of the CDNST in FSM 2353.42; and add detailed direction in FSM 2353.44b governing implementation of the CDNST on National Forest System lands.

The Land Management Planning Handbook establishes important guidance that addresses relationships between National Scenic and Historic Trail Comprehensive Plans and Forest Plans. FSH 1909.12 24.43 describe that:

- The Interdisciplinary Team shall identify Congressionally designated national scenic and historic trails and plan components must provide for the management of rights-of-ways (16 U.S.C 1246(a)(2)) consistent with applicable laws, regulations, and Executive Orders.

¹ <https://www.federalregister.gov/documents/2009/10/05/E9-23873/continental-divide-national-scenic-trail-comprehensive-plan-fsm-2350>

² https://www.fs.fed.us/sites/default/files/fs_media/fs_document/cdnst_comprehensive_plan_final_092809.pdf

- Plan components must provide for the nature and purposes of existing national scenic and historic trails...
- The Responsible Official shall include plan components that provide for the nature and purposes of national scenic and historic trails in the plan area.
- The planning directives state that, “FSM 2350 has more information about national scenic and historic trails.” FSM 2353.44(b)(1) requires that a Management Area be established for the CDNST.

The final amendments to the CDNST Comprehensive Plan and corresponding directives...will be applied through land management planning and project decisions following requisite environmental analysis (74 FR 51124).

CDNST management direction enacted through correspondence may supplement, but not supersede, the guidance found in the National Trails System Act, Executive Orders, CDNST Comprehensive Plan, regulations, and directives.

Draft Forest Plan

Recreation (REC)

Draft Plan: The Draft Forest Plan discusses recreation on pages 115-116 describing that, *“Recreational opportunities can be grouped into the following types: (1) dispersed recreation; (2) developed recreation; and (3) motorized recreation... Recreational settings and experiences are defined by the recreation opportunity spectrum.”*

Comment: The introduction should briefly describe how each ROS setting or class is defined by desired conditions and indicators. Forest Service directives describe, *“Use the Recreation Opportunity Spectrum (ROS) system and the ROS Users Guide (1982) to delineate, define, and integrate outdoor recreation opportunities in land and resource management planning” (FSM 2311.1).*

“Managing for recreation requires different kinds of data and management concepts than does most other activities. While recreation must have a physical base of land or water, the product—recreation experience—is a personal or social phenomenon. Although the management is resource based, the actual recreational activities are a result of people, their perceptions, wants, and behavior.

While the goal of the recreation is to obtain satisfying experiences, the goal of the recreation resource manager becomes one of providing the opportunities for obtaining these experiences. By managing the natural resource settings, and the activities, which occur within it, the manager is providing the opportunities for recreation experiences to take place. Therefore, for both the manager and the recreationist, recreation opportunities can be expressed in terms of three principal components: the activities, the setting, and the experience.

For management and conceptual convenience possible mixes or combinations of activities, settings, and probable experience opportunities have been arranged along a spectrum, or

continuum. This continuum is called the Recreation Opportunity Spectrum (ROS) and is divided into six classes. The six classes or portions along the continuum, and the accompanying class names have been selected and conventionalized because of their descriptiveness and utility in Land and Resource Management Planning and other management applications. The Recreation Opportunity Spectrum provides a framework for defining the types of outdoor recreation opportunities the public might desire, and identifies that portion of the spectrum a given National Forest might be able to provide.

Planning for recreation opportunities using the Recreation Opportunity Spectrum are conducted as part of Land and Resource Management Planning. The recreation input includes factors such as supply and demand, issues and identification of alternative responses to those issues, which the planner must assess in order to develop management area prescriptions designed to assure the appropriate recreation experience through setting and activity management on the Forest...

Land and Resource Management Planning assure that National Forest System lands provide a variety of appropriate opportunities for outdoor recreation... Each prescription should contain minimum guidelines and standards to be met as well as directions concerning the type of activities, settings, and experience opportunities to be managed for during the planning time periods... The land and water areas of the Forest are inventoried and mapped by Recreation Opportunity Spectrum class to identify which areas are currently providing what kinds of recreation opportunities. This is done by analyzing the physical, social, and managerial setting components for each area. The characteristics of each of these three components of the setting affect the kind of experience the recreationist most probably realizes from using the area.

- *PHYSICAL SETTING-The physical setting is defined by the absence or presence of human sights and sounds, size, and the amount of environmental modification caused by human activity.*
- *SIZE OF AREA-Size of area is used as an indicator of the opportunity to experience self-sufficiency as related to the sense of vastness of a relatively undeveloped area. In some settings, application of the remoteness criteria assures the existence of these experience opportunities; in other settings, the remoteness criteria alone do not. Therefore, apply the size criteria to the map or overlay developed using the remoteness criteria to insure that the appropriate experience opportunities are available. (Most useful for ROS setting inventory.)*
- *EVIDENCE OF HUMANS-evidence of Humans is used as an indicator of the opportunity to recreate in environmental settings having varying degrees of human influence or modification.*
- *SOCIAL SETTING-The social setting reflects the amount and type of contact between individuals or groups. It indicates opportunities for solitude, for interactions with a few selected individuals, or for large group interactions.*
- *MANAGERIAL SETTING-The managerial setting reflects the amount and kind of restrictions placed on people's actions by the administering agency or private landowner which affect recreation opportunities.” (1982 ROS User Guide, Forest Service)*

The Forest Service Planning Handbook (FSH 1909.12 – Part 23.23a) addresses recreation resources. “*The Forest Plan must include desired conditions for sustainable recreation using*

mapped desired recreation opportunity spectrum classes. This mapping may be based on management areas, geographic areas, designated areas, independent overlay mapping, or any combination of these approaches. The plan should include specific standards or guidelines where restrictions are needed to ensure the achievement or movement toward the desired recreation opportunity spectrum classes.”

To meet the Planning Rule analysis requirements of using the *Best Available Scientific Information* and to ensure CEQ requirements for *Methodology and Scientific Accuracy*, ROS plan components with desired conditions, standards, and guidelines must be described in the plan. In addition, Primitive or Semi-Primitive Non-Motorized ROS class “Social Setting” guidance for party size and encounters would meet the NTSA comprehensive planning requirement for addressing carrying capacity in a Forest Plan. The following descriptions present plan components that link specific ROS characteristics to the appropriate ROS class.

Primitive ROS Setting

Primitive ROS Class Desired Conditions
Setting: The area is essentially an unmodified natural environment. Interaction between users is very low and evidence of other users is minimal.
Experience: Very high probability of experiencing isolation from the sights and sounds of humans, independence, closeness to nature, tranquility, and self-reliance through the application of woodsman and outdoor skill in an environment that offers a high degree of challenge and risk.
Evidence of Humans: Evidence of humans would be un-noticed by an observer wandering through the area. Natural ecological processes such as fire, insects, and disease exist. The area may provide for wildlife connectivity across landscapes. Primitive ROS settings contain no motorized and mechanized vehicles and there is little probability of seeing other groups. They provide quiet solitude away from roads and people or other parties, are generally free of human development, and facilitate self-reliance and discovery. Signing, and other infrastructure is minimal and constructed of rustic, native materials.
Primitive ROS Class Standards and Guidelines
Standards: (1) Motor vehicle use is not allowed unless necessary to protect public health and safety or the use is mandated by Federal law and regulation; and (2) Management actions must result in Very High Scenic Integrity.
Guidelines: (1) No new permanent structures should be constructed, since structures may degrade the unmodified character of these landscapes; (2) Less than 6 parties per day encountered on trails and less than 3 parties visible at campsite since an increase in the number of groups may lead to a sense of crowding; (3) Party size limits range between 6 and 12; and (4) No roads, timber harvest, or mineral extraction are allowed in order to protect the remoteness and naturalness of the area.
Primitive ROS Class Suitability of Lands
Suitability: (1) Motorized and mechanized recreation travel are not suitable; and (2) lands are not suitable for timber production.

Semi-Primitive Non-Motorized ROS Setting

Semi-Primitive Non-Motorized ROS Class Desired Conditions
Setting: The area is predominantly a natural-appearing environment where natural ecological processes such as fire, insects, and disease exist. Interaction between users is low, but there is often evidence of other users.
Experience: High, but not extremely high, probability of experiencing isolation from the sights and sounds of humans, independence, closeness to nature, tranquility, and self-reliance through the application of woodsman and outdoor skill in an environment that offers a high degree of challenge and risk.
Evidence of Humans: Natural setting may have subtle modifications that would be noticed but not draw the attention of an observer wandering through the area. The area provides opportunities for exploration, challenge, and self-reliance. The area may contribute to wildlife connectivity corridors. Closed and re-vegetated roads may be present, but are managed to not dominate the landscape or detract from the naturalness of the area. Rustic structures such as signs and footbridges are occasionally present to direct use and/or protect the setting's natural and cultural resources.
Semi-Primitive Non-Motorized ROS Class Standards and Guidelines
Standards: (1) Motor vehicle use is not allowed unless necessary to protect public health and safety or the use is mandated by Federal law and regulation; and (2) Management actions must result in High or Very High Scenic Integrity level; and (3) No new roads may be built.
Guidelines: (1) The development scale of recreation facilities should be 0-1 to protect the undeveloped character of desired SPMN settings; (2) Less than 15 parties per day encountered on trails and less than 6 parties visible at campsite, since an increased in the number of groups may lead to a sense of crowding; (3) Party size limits range between 12 and 18; and (4) Vegetative management may range from prescribed fire to very limited and restricted timber harvest for the purpose of maintaining or restoring a natural setting.
Semi-Primitive Non-Motorized ROS Class Suitability of Lands
Suitability: (1) Motorized recreation travel is not suitable; and (2) Lands are not suitable for timber production.

Semi-Primitive Motorized ROS Setting

Semi-Primitive Motorized ROS Class Desired Conditions
Setting: The area is predominantly natural-appearing environment. Concentration of users is low, but there is often evidence of other users.
Experience: Moderate probability of experiencing isolation from the sights and sounds of humans, independence, closeness to nature, tranquility, and self-reliance through the application of woodsman and outdoor skill in an environment that offers a high degree of challenge and risk. Opportunity to have a high degree of interaction with the natural environment. Opportunity to use motorized equipment.
Evidence of Humans: Natural setting may have moderately alterations, but would not draw the attention of motorized observers on trails and primitive roads within the area. The area provides for motorized recreation opportunities in backcountry settings. Vegetation

management does not dominate the landscape or detract from the experience of visitors. Visitors challenge themselves as they explore rugged landscapes.
Semi-Primitive Motorized ROS Class Standards and Guidelines
Standards: (1) Management actions must result in at least a Moderate Scenic Integrity level, and (2) Roads may not be constructed.
Guidelines: (1) The development scale of recreation facilities should be 0-1 to protect the undeveloped character of desired SPM settings; (2) Low to moderate contact between parties to protect the social setting, and (3) Vegetation management may range from prescribed fire to limited and restricted timber harvest for the purpose of maintaining or restoring natural vegetative conditions.
Semi-Primitive Motorized ROS Class Suitability of Lands
Suitability: Lands are not suitable for timber production.

Roaded Natural ROS Setting

Roaded Natural ROS Class Desired Conditions
Setting: The area is predominantly natural-appearing environments with moderate evidences of the sights and sounds of human activities. Such evidences usually harmonize with the natural environment Interaction between users may be low to moderate, but with evidence of other users prevalent. Resource modification and utilization practices evident, but harmonize with the natural environment. Conventional motorized use is provided for in construction standards and design of facilities.
Experience: About equal probability to experience affiliation with other user groups and for isolation from sights and sound of humans. Opportunity to have a high degree of interaction with the natural environment. Challenge and risk opportunities associated with a more primitive type of recreation are not very important. Practice and testing of outdoor skills might be important. Opportunities for both motorized and non-motorized forms of recreation are possible.
Evidence of Humans: Natural settings may have modifications, which range from being easily noticed to strongly dominant to observers within the area. However, from sensitive travel routes and use areas these alternations would remain unnoticed or visually subordinate. The landscape is generally natural with modifications moderately evident. Concentration of users is low to moderate, but facilities for group activities may be present. Challenge and risk opportunities are generally not important in this class. Opportunities for both motorized and non-motorized activities are present. Construction standards and facility design incorporate conventional motorized uses.
The Roaded Modified subclass includes areas that exhibit evidence of extensive forest management activities that are dominant on the landscape, including having high road densities, heavily logged areas, highly visible mining, oil and gas, wind energy, or other similar uses and activities.
Roaded Natural ROS Class Standards and Guidelines
Standard: Management actions must result in at least a Low Scenic Integrity level.
Roaded Natural ROS Class Suitability of Lands
Suitability: Lands may be suitable for timber production.

Rural ROS Setting

Rural ROS Class Desired Conditions
Setting: Area is characterized by substantially modified natural environment. Resource modification and utilization practices are to enhance specific recreation activities and to maintain vegetative cover and soil. Sights and sounds of humans are readily evident, and the interaction between users is often moderate to high. A considerable number of facilities are designed for use by a large number of people. Facilities are often provided for special activities. Moderate densities are provided far away from developed sites. Facilities for intensified motorized use and parking are available.
Experience: Probability for experiencing affiliation with individuals and groups is prevalent as is the convenience of sites and opportunities. These factors are generally more important than the setting of the physical environment. Opportunities for wildland challenges, risk-taking, and testing of outdoor skills are generally unimportant except for specific activities like downhill skiing, for which challenge and risk-taking are important elements.
Evidence of Humans: Natural setting is culturally modified to the point that it is dominant to the sensitive travel route observer. May include intensively managed wildland resource landscapes. Pedestrian or other slow moving observers are constantly within view of the culturally changed landscape.
Rural ROS Class Suitability of Lands
Suitability: Lands may be suitable for timber production.

Draft Plan: The Draft Forest Plan recreation standard on page 118 describes that, “*FW-REC-S.*

1. *No new motorized roads, trails, or areas shall be constructed or designated for public, administrative, or permitted use where primitive recreation settings are desired (Figure A-1).*
2. *Where Semi-primitive Non-motorized recreation settings are desired, no new permanent motorized roads, trails, or areas shall be constructed or designated for public, administrative, or permitted use....”*

Comments: The explanation of how Primitive and Semi-Primitive Non-Motorized ROS inconsistencies should be expanded. For Primitive and SPNM ROS allocations, any existing designated motorized roads, trails, and areas must be managed to minimize their effects on the Primitive and SPNM settings. This should be reflected in the description of the standards. Standard #2 should also describe that a temporary road may only be constructed for resource actions that benefit the SPNM setting.

The Plan should recognize that timber production and associated activities are inconsistent with Primitive and Semi-Primitive Non-Motorized ROS classes, which are ROS desired settings for the CDNST corridor. Primitive and SPNM settings are not suitable for timber production. In areas of timber production, continuous harvesting, stand tending, road construction and reconstruction, and other activities are incompatible with the desired conditions and indicators. In addition, I recommend that the planning team reevaluate allocating Roded Natural and Semi-

Primitive Motorized settings for areas planned for timber production believing that a Roaded-Modified ROS setting would be more appropriate where extensive timber production activities are expected.

Timber production within the CDNST corridor would be inconsistent with providing for the nature and purposes of this National Scenic Trail. To reflect ROS principles, the CDNST corridor with an extent of one-half mile on each side of the travel route should be identified as not being suitable for timber production. Timber harvest should only occur within the CDNST Management Area to protect CDNST values. Managing the CDNST corridor for Roaded Natural and Semi-Primitive Motorized ROS settings and timber production purposes would lead to management actions that substantially interfere with the nature and purposes of the CDNST, which is not allowed by the National Trails System Act.

Scenery (SCEN)

Draft Plan and Comment: The Draft Forest Plan on page 125 uses the terminology “landscape character.” The planning directives indicate that for forest planning the term “scenic character” is more appropriate. In addition, please use the Landscape Aesthetics handbook term “natural-appearing” instead of “naturally appearing.”

Draft Plan and Comment: The Draft Plan Guideline FW-SCEN-G #3 describes that, *“Management activities that result in short-term impacts inconsistent with scenic integrity objectives should achieve the scenic integrity objectives over the long term. Short-term and long-term timeframes should be defined during site-specific project planning.”* This guideline does not protect scenic character in areas that may be suitable for timber production. The revised forest plan cannot delay acting on the scenery management requirements established in FSH 1909.12 22.2 and 23.23f. If the “short-term” guidance is retained, it should be limited to Roaded Natural/Roaded Modified settings. Another approach would be to establish a Roaded Modified setting and a LOW SIO for the areas planned for extensive vegetation management activities and road construction/reconstruction.

Management Areas (MA)

The Draft Forest Plan discusses management areas on page 157 saying that, *“The Carson has several areas requiring different management that cannot be met through forestwide plan components. These areas are identified as management areas. A management area represents a management emphasis for an area or several similar areas on the landscape. Forestwide plan components are applied, unless there is management direction for a specific management area. Management direction for each management area is in the sections that follow. Management areas identified in this plan for the Carson are: Recommended wilderness management area, Eligible wild and scenic river management area, Developed winter and summer resort management area, Jicarilla natural gas management area, Grassland maintenance management area, Valle Vidal management area, and San Antonio management area.”*

Comment: National Scenic and Historic Trails are conspicuously absent from the list of management areas. FSH 1909.12 24.43(2) describe that, “*The plan: ... (f) May, to apply plan components unique to the National and Scenic Historic Trail: provide one or more management or geographic areas for a national scenic and historic trail; reference the identified national scenic and historic trail right-of-way, place a corridor around the trail, or use other means to clearly identify where the plan components apply in reference to the trail.*” This direction is ambiguous. Fortunately, for the CDNST the planning directives describe that, “*FSM 2350 has more information about national scenic and historic trails.*” FSM 2353.44(b)(1) requires that a Management Area be established for the CDNST.

Specific to the CDNST, Forest Plan CDNST Management Area (MA) direction must describe desired conditions, standards, guidelines, and suitability that provide for the nature and purposes of the CDNST. The nature and purposes of the CDNST should recognize hiker and equestrian activities as the primary recreational use as intended by the National Trails System Act (NTSA). The extent of the Management Area may reflect the unique qualities of the linear landscape of the area along the National Trail travel route. National Scenic Trails are so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which such trails may pass (NTSA Section 3(a)(2)) and significant natural, historical, and cultural resources are to be preserved and existing and high potential route segments are to be protected (NTSA Section 5(f)). Protection of scenic landscapes and unique wildlife habitat may warrant establishing a corridor of a greater breadth than that normally provided by a Semi-Primitive Non-Motorized ROS setting.

National Scenic, Historic, and Recreation Trails (NTRL)

Draft Plan: The Draft Plan on page 148 describes that, “*The Continental Divide National Scenic Trail traverses the Rocky Mountains from Canada to Mexico for approximately 3,100 miles (USDA FS 2015b). It travels through portions of 25 national forests, 3 national parks, 4 BLM districts, as well as various private lands in Montana, Idaho, Wyoming, Colorado, and New Mexico. It was established by Congress in 1978 to provide high-quality scenic, primitive hiking, and horseback riding opportunities, and to conserve natural, historic, and cultural resources along the Continental Divide National Scenic Trail corridor. These uses persist today and are now joined by a growing diversity of users, including mountain bikers, cross-country skiers, and long-distance runners. The Continental Divide National Scenic Trail navigates dramatically diverse ecosystems through mountain meadows, granite peaks, and high-desert surroundings. It is one of the most renowned trails in the United States, for its scenic beauty, recreational opportunities, elevation gains, and primitive character. On the Carson 69.8 miles of the Continental Divide National Scenic Trail have been completed and the remaining 35 miles have been surveyed.*”

Comments: This introductory statement needs to be more closely tied to the Carson National Forest. The statement should avoid endorsing activities that may be limited where necessary to protect the nature and purposes of this National Scenic Trail.

Management activities and uses within the CDNST MA need to be compatible with the nature and purposes as described in the CDNST Comprehensive Plan and policy (FSM 2353.11, FSM 2353.42, FSM 2353.44, and FSH 1909.12 part 24.4). The National Trails System Act, Congressional Record, E.O. 13195, and 74 FR 51116 supports the nature and purposes of the CDNST as providing for high-quality, scenic, primitive hiking and horseback riding experiences and to conserve natural, historic, and cultural resources along the corridor.

Providing for the protection of the nature and purposes of this National Scenic Trail requires that a CDNST MA be established along existing and high-potential route segments with a corridor extent of at least one mile. The CDNST MA must have supporting plan components and I recommend the forest adopt the ones that are described the attached CDNST Planning Handbook in Chapter III (**Attachment B**) and repeated below.

The Forest Plan must describe where the plan components apply. For the CDNST, the extent of the national trail management corridor should be identified as a Management Area (FSM 2353.44b). For the purpose of providing for the nature and purposes of the CDNST and addressing key proposed Forest Plan deficiencies, the Forest Supervisor should establish a CDNST Management Area with an extent of at least one-half mile on both sides of the recognized CDNST travel route and along high-potential route segments,³ which would include 69.8 miles of the Continental Divide National Scenic Trail established travel route and 35 miles of high-potential route segments.

Consistent with recommendations submitted on June 19, 2015 and January 22, 2018, I believe that the CDNST direction could be simplified and modified to be consistent with the National Trails System Act. Recommendations for CDNST plan components, as applied to a Management Area that is associated with existing and high potential CDNST route segments, are described in the following table.

Descriptions
CDNST Management Area Desired Conditions
The CDNST corridor provides for high-quality scenic, primitive hiking and horseback riding opportunities and conserves natural, historic, and cultural resources along the corridor (CDNST nature and purposes).
The area is predominantly a natural-appearing or naturally evolving landscape. Scenic integrity objectives are High and Very High.
Interaction between users is very low and evidence of other users is minimal. Semi-Primitive Non-Motorized or Primitive ROS class settings are protected or restored.

³ 16 U.S.C. 1244(f)(3)

The management area provides for natural ecological processes where the composition, structure, functions, and connectivity operates normally.
The CDNST linear landscape provides connectivity for people and wildlife.
CDNST LMP MA Objectives
For the purpose of addressing the National Trail System Act comprehensive planning site-specific planning requirements, a CDNST unit plan should be completed within five years. ⁴
CDNST Management Area Standards and Guidelines
Scenery Management
Standard: Manage the CDNST travel route as a concern level 1 travel route. To provide for desired Scenic Character, management actions must meet a Scenic Integrity Level of Very High or High in the immediate foreground and foreground visual zones as viewed from the CDNST travel route.
Recreation Setting Management
Standard: Resource management actions and allowed uses must be compatible with maintaining or restoring Primitive or Semi-Primitive Non-Motorized ROS class settings. Accepted Semi-Primitive Non-Motorized ROS class inconsistencies include existing: (1) NFS roads, (2) state and county road right-of-ways, and (3) utility right-of-ways. Manage ROS class inconsistencies with the objective of minimizing effects on the CDNST nature and purposes.
Standard: The CDNST must be managed to provide high-quality scenic, primitive hiking and pack and saddle stock opportunities. Backpacking, nature walking, day hiking, horseback riding, nature photography, mountain climbing, cross-country skiing, and snowshoeing are compatible with the nature and purposes of the CDNST. Forms of hiking include cross-country skiing, snowshoeing and other similar walking activities.
Motor Vehicle Use by the General Public
Standard: Motor vehicle use by the general public is prohibited on the CDNST travel route unless that use: <ul style="list-style-type: none"> • Is necessary to meet emergencies; • Is necessary to enable adjacent landowners or those with valid outstanding rights to have reasonable access to their lands or rights; • Is for the purpose of allowing private landowners who have agreed to include their lands in the CDNST by cooperative agreement to use or cross those lands or adjacent lands from time to time in accordance with Forest Service regulations; or • Is on a motor vehicle route that crosses the CDNST, as long as that use will not substantially interfere with the nature and purposes of the CDNST, • Is designated in accordance with 36 CFR Part 212, Subpart B, on National Forest System lands and: <ul style="list-style-type: none"> ○ The vehicle class and width were allowed on that segment of the CDNST prior to November 10, 1978, and the use will not substantially interfere with the nature and purposes of the CDNST or ○ That segment of the CDNST was constructed as a road prior to November 10, 1978; or • In the case of over-snow vehicles, is allowed in accordance with 36 CFR Part 212, Subpart C, on National Forest System lands and the use will not substantially interfere with the

⁴ This stage of stepped-down planning could be addressed in a Forest Plan if supported by the Forest Plan EIS.

nature and purposes of the CDNST.
Special Uses Management
Standard: Activities, uses, and events that would require a permit must not be authorized unless the activity, use, or event is compatible with the nature and purposes of the CDNST.
Minerals Management
Standard: Mineral leases are to include stipulations for no surface occupancy.
Standard: Permits for the removal of mineral materials are not to be issued.
Vegetation Management
Standard: Rangelands where affected by livestock use must be maintained in a Proper Functioning Condition.
Standard: Timber harvests may only be used for maintaining or making progress toward the Management Area desired conditions.
Guideline: Vegetation may be managed to enhance CDNST nature and purposes values, such as to provide vistas to view surrounding landscapes and to conserve natural resources. The purpose of this guidance is to allow for limited vegetation management for CDNST purposes.
Guideline: Vegetation may be managed to maintain or improve threatened and endangered species, proposed and candidate species, and species of conservation concern habitat. The purpose of this guidance is to recognize the conservation purposes of the CDNST.
Lands Acquisition
Standard: Provide for land acquisitions to protect the nature and purposes of the National Trail. Prohibit land disposals.
Travel Routes
Standard: The CDNST travel route may not be used for a livestock driveway.
Fire Suppression
Guideline: Fire suppression activities should apply the Minimum Impact Suppression Tactics Implementation Guidelines. The purpose of this guidance is to protect the CDNST nature and purposes from suppression activities.
Other Uses Considerations
Standard: To protect the values for which the CDNST was designated, resource uses and activities that could conflict with the nature and purposes of the CDNST may be allowed only where there is a determination that the other use would not substantially interfere with the nature and purposes of the CDNST.
Guideline: Where congressionally designated areas overlap, apply the management direction that best protects the values for which each designated area was established—the most restrictive measures control. The purpose of this guidance is to protect the values for which all congressionally designated areas are established.
Suitability of Lands

Lands are not suitable for timber production.⁵

Draft Plan: The Draft Plan presents CDNST plan components beginning on page 149.

Comments: Carson National Forest Revised Plan component concerns were discussed in Draft Preliminary Plan Comments that were submitted on January 22, 2018. The Draft Plan continues to present CDNST plan components that do not reflect nature and purposes of the CDNST. The reference on page 268 must be corrected as indicated: ~~1985~~ **2009** CDNST Comprehensive Plan. The following are brief discussions that display and describe some of the issues with the Draft Forest Plan CDNST plan components.

- ~~The Continental Divide National Scenic Trail provides high-quality scenic, primitive hiking, mountain biking, pack and saddle stock opportunities to conserve natural, historic, and cultural resources along the trail. Other activities and opportunities are allowed, when compatible with the nature and purposes of the Continental Divide National Scenic Trail.~~ {There are elements of this description that do not align with the Comprehensive Plan. I recommend retaining the nature and purposes language that is found in the Comprehensive Plan.}
- The Continental Divide National Scenic Trail is consistent with a primitive or semi-primitive non-motorized setting ~~and may intermittently pass through more developed settings.~~ The Continental Divide National Scenic Trail provides for a continuous route through predominately undeveloped settings. {"Developed settings" are not a CDNST desired condition.}
- Wild and remote backcountry segments of the Continental Divide National Scenic Trail provides opportunities for solitude immersion in natural landscapes and primitive outdoor recreation; ~~while easily accessible trail segments complement local community interests and needs.~~ {This conflicts with the nature and purposes of the CDNST.}

CDNST standards components include:

- ~~Management of the Continental Divide National Scenic Trail shall comply with the most recent version of the Continental Divide National Scenic Trail Comprehensive Plan. Best available science can be used in lieu of the comprehensive plan if plan is more than 15 years old.~~ {This is inconsistent NFMA and NEPA planning requirements and must be deleted.}
- Motorized use shall not be allowed on newly constructed segments of the Continental Divide National Scenic Trail. ~~Existing motorized use may continue on the Continental Divide National Scenic Trail (where it overlaps with existing roads and motorized trails).~~

⁵ Timber production does not contribute to protecting and enhancing the nature and purposes of the CDNST. Any timber management activities on federal lands within the CDNST rights-of-way/management area must only be done for the protection and enhancement of the values for which this National Scenic Trail was designated.

{This direction is not consistent with the NTSA as implemented through the Comprehensive Plan and Forest Service directives.}

CDNST guidelines components include:

- ~~• New or relocated trail segments should be located primarily within settings consistent with or complementing primitive or semi-primitive non-motorized recreation opportunity spectrum classes, to retain or promote the character for which the Continental Divide National Scenic Trail was designated. Road and motorized trail crossings and other signs of modern development should be avoided.- {This direction may be appropriate guidance for developing the Forest Plan, but it is irrelevant to plan implementation. }~~
- If management activities {that do not substantially interfere with the nature and purposes of the CDNST, but} result in short-term impacts to the scenic character along the Continental Divide National Scenic Trail, mitigation measures should be included (e.g., screening, feathering, and other scenery management techniques), to minimize visual impacts at key points (e.g., vistas), within 0.5 mile either side of the trail.
- Special-use authorizations for new communication sites, utility corridors, and renewable energy sites should not be allowed within visible foreground (up to 0.5 mile) and middle ground viewshed (up to four miles), to protect the Continental Divide National Scenic Trail's scenic values {and ROS setting}.
- ~~• New temporary and permanent road or motorized trail construction across or adjacent to the Continental Divide National Scenic Trail should be avoided unless necessary for resource protection, access to private lands, or to protect public health and safety.—{This direction would be better addressed through establishing ROS settings and by guidance that recognizes any public motorized use that is allowed by the NTSA. }~~
- ~~Using the Continental Divide National Scenic Trail for landings or as a temporary road should not be allowed. Hauling or skidding along the Continental Divide National Scenic Trail itself should be allowed only when design criteria are used to minimize impacts to the trail infrastructure and where the Continental Divide National Scenic Trail is currently located on an open road and no other haul route or skid trail options are available. {This direction is addressed through establishing appropriate ROS settings. }~~

Meeting Desired Conditions and Objectives Monitoring

Forest Plans and Resource Management Plans must monitor progress toward meeting desired conditions and objectives for National Scenic Trails. Specific to the Forest Service – Has plan components provided for desired natural-appearing or naturally evolving landscapes? Indicator: Acres meeting the high or very high scenic integrity levels. Are the current recreation settings providing for or moving toward desired ROS classes? Indicator: ROS indicators consistency with desired ROS class. Have natural ecological processes persisted or been restored? Indicator: Acres of fires managed for resource objectives within the CDNST corridor. Is the CDNST travel route maintained to standard? Indicator: Miles of trails maintained annually. Has a CDNST unit plan been prepared and approved? Indicator: CDNST unit plan scoping, draft, and final.

Has the effects from any uses or activities been as predicted that were allowed due to a not likely to substantially interfere with the nature and purposes determination (NTSA, Section 7(c))? Indicator: Monitoring plan as described in the other uses or activities approving decision document.

Draft Environmental Impact Statement

Introduction

In comments submitted on January 22, 2018, I requested that the DEIS disclose specific effects relationships of the proposed action and alternatives on the CDNST corridor. This disclosure is not part of the DEIS, so I ask that a Supplemental DEIS disclose the effects on scenic integrity and ROS class conditions of the proposed action and each alternative on a CDNST MA. The Supplemental DEIS effects analyses must include cross-tabular tables that explore and disclose the relationship between (1) the proposed CDNST travel route location and management corridor/rights-of-way extent and (2) the intersection and overlap with the proposed ROS Classes and Scenic Integrity Objectives allocations.

Utilizing ROS and the Scenery Management System will help ensure that NEPA assessments are systematic and accurately describe the affected environment and expected outcomes from each alternative. The DEIS should recognize that management direction for Semi-Primitive Motorized, Roded Natural, Rural, and Urban ROS classes allow uses that would substantially interfere with the nature and purposes of a National Scenic Trail if the allocation desired conditions are realized. Where the allowed non-motorized activities reflect the purposes for which the National Trail was established, the establishment of Primitive and Semi-Primitive Non-Motorized ROS classes and high and very high scenic integrity allocations would normally protect the nature and purposes (values) of a National Scenic Trail.

Recreation Setting and Opportunities

DEIS: The Description of Affected Environment, on page 306 describes that, *“Forest Service personnel use the recreation opportunity spectrum as a tool to manage for a spectrum of recreation opportunities that can be enjoyed in diverse settings. A recreation opportunity is the ability to participate in a specific recreation activity in a particular recreation setting. Recreation opportunities include non-motorized, motorized, developed, and dispersed recreation on land, water, and in the air. The social, managerial, and physical attributes of a place, when combined, provide a distinct set of recreation opportunities.”*

Comment: The description should describe that the ROS framework is divided into six major classes (Urban, Rural, Roded Modified/Roded Natural, Semi-Primitive Non-Motorized, Semi-primitive Motorized, and Primitive) with each class having seven setting indicators (access, remoteness, naturalness, facilities, social encounters, visitor impacts, and visitor management).

I believe that the plan and EIS ROS desired condition descriptions must be consistent with the ROS class descriptions that are found in the 1982 ROS User Guide. The 1982 descriptions are:

Primitive - Area is characterized by essentially unmodified natural environment of fairly large size. Interaction between users is very low and evidence of other users is minimal. The area is managed to be essentially free from evidence of human-induced restrictions and controls. Motorized use within the area is not permitted. Setting is essentially an unmodified natural environment. Evidence of humans would be un-noticed by an observer wandering through the area.

SPNM - Area is characterized by a predominantly natural-appearing environment of moderate-to-large size. Interaction between users is low, but there is often evidence of other users. The area is managed in such a way that minimum on-site controls and restrictions may be present, but are subtle. Motorized use is not permitted. Natural setting may have subtle modifications that would be noticed but not draw the attention of an observer wandering through the area.

SPM - Area is characterized by a predominantly natural-appearing environment of moderate-to-large size. Concentration of users is low, but there is often evidence of other users. The area is managed in such a way that minimum on-site controls and restrictions may be present, but are subtle. Motorized use is permitted. Natural setting may have moderately dominant alterations but would not draw the attention of motorized observers on trails and primitive roads within the area.

RN - Area is characterized by predominantly natural-appearing environments with moderate evidences of the sights and sounds of man. Such evidences usually harmonize with the natural environment. Interaction between users may be low to moderate, but with evidence of other users prevalent. Resource modification and utilization practices evident, but harmonize with the natural environment. Conventional motorized use is provided for in construction standards and design of facilities. Natural setting may have modifications which range from being easily noticed to strongly dominant to observers within the area. However from sensitive travel routes and use areas these alternations would remain unnoticed or visually subordinate.

Rural - Probability for experiencing affiliation with individuals and groups is prevalent as is the convenience of sites and opportunities. These factors are generally more important than the setting of the physical environment. Opportunities for wildland challenges, risk-taking, and testing of outdoor skills are generally unimportant except for specific activities like downhill skin, for which challenge and risk-taking are important elements. Natural setting is culturally modified to the point that it is dominant to the sensitive travel route observer. May include intensively managed wildland resource landscapes. Pedestrian or other slow moving observers are constantly within view of the culturally changed landscape.

Environmental Consequences for Recreation

DEIS: The DEIS on page 311 describes that, *“Designated areas and eligible wild and scenic rivers are consistent across all alternatives. Management direction is often dictated by law, regulation, and policy. Some designated areas have a recreation focus and some emphasize*

specific types of recreation opportunities. Wilderness areas allow visitors to connect with nature and experience solitude and primitive and unconfined recreation. Designated and eligible Wild and Scenic Rivers, especially those with recreation as an outstandingly remarkable value, provide opportunities for recreation on or near free-flowing rivers. National recreation, scenic, and historic trails offer opportunities for exceptional trail experiences.”

Comment: The description of national recreation, scenic, and historic trails is too general to be effective. Instead, these designations should be presented as unique entities throughout the Forest Plan and EIS. To be accurate, this section should quote language from the National Trails System Act (16 U.S.C. 1242(a)):

1. *“National recreation trails, established as provided in section 4 of this Act, which will provide a variety of outdoor recreation uses in or reasonably accessible to urban areas.*
2. *National scenic trails, established as provided in section 5 of this Act, which will be extended trails so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which such trails may pass...*
3. *National historic trails... [are]extended trails which follow as closely as possible and practicable the original trails or routes of travel of national historic significance. Designation of such trails or routes shall be continuous, but the established or developed trail, and the acquisition thereof, need not be continuous onsite. National historic trails shall have as their purpose the identification and protection of the historic route and its historic remnants and artifacts for public use and enjoyment.”*

Scenic Integrity

General Comment: The introductory comments should include a summary of the assumptions found in the Landscape Aesthetics Handbook. *“Scenic Integrity indicates the degree of intactness and wholeness of the Landscape Character; conversely, Scenic Integrity is a measure of the degree of visible disruption of the Landscape Character. A landscape with very minimal visual disruption is considered to have very high Scenic Integrity. Those landscapes having increasingly discordant relationships among scenic attributes are viewed as having diminished Scenic Integrity. Scenic Integrity is expressed and mapped in terms of Scenic Integrity levels: Very High, High, Moderate, Low, Very Low, and Unacceptably Low. Scenic Integrity is used to describe an existing landscape condition, a standard for management, or a desired future condition... Scenic integrity is defined as the degree of direct human-caused deviation in the landscape, such as road construction, timber harvesting, or activity debris. Indirect deviations, such as a landscape created by human suppression of the natural role of fire, are not included... Integrity could also be used to define the wholeness or condition of the ecosystem but it is assumed that will take place as part of the overall integrated ecosystem management process. However, a landscape character goal of high scenic integrity should also be one of high ecosystem integrity. One does not necessarily ensure the other... HIGH scenic integrity refers to landscapes where the valued landscape character "appears" intact. Deviations may be present but must repeat the form, line, color, texture, and pattern common to the landscape character so completely and at such scale that they are not evident.”*

DEIS: The DEIS discusses scenery assumptions on page 323 stating that,

- *“Scenery across all alternatives is anticipated and assumed to increase as vegetation restoration treatments over the long term improve the visual landscape. As such, the capacity for improving scenery resources would ultimately be limited by the ability to maximize restoration treatments...”*
- *The short-term and long-term environmental consequences to scenery as a result of resource projects and activities would be made at the time of the site-specific decision.”*

Comment: The statement in the first bullet is inconsistent with Landscape Aesthetics Handbook assumptions. Scenic integrity is defined as the degree of direct human-caused deviation in the landscape, such as road construction, timber harvesting, or activity debris. Indirect deviations, such as a landscape created by human suppression of the natural role of fire, are not included.

Regarding the direction in the second bullet, the Plan must provide programmatic guidance to protect scenic integrity by controlling the amount and distribution of human caused deviations. After 100 years of fire suppression, I would recommend that the forest establish seral stage goals by habitat type to be implemented over decades limiting the rate of human caused change during each planning period.

Affected Environment – Continental Divide National Scenic Trail

DEIS: The Description of Affected Environment, on page 392 describes, *“Continental Divide National Scenic Trail – Designated by an Act of Congress in 1978, the Continental Divide National Scenic Trail traverses the Rocky Mountains from Canada to Mexico for approximately 3,100 miles (USDA FS Carson NF 2015a). The Continental Divide National Scenic Trail navigates dramatically diverse ecosystems through mountain meadows, granite peaks, and high-desert surroundings. It is one of the most renowned trails in the United States, for its scenic beauty, recreational opportunities, elevation gains, and primitive character. The Carson has completed 69.8 miles and surveyed 35 miles of the Continental Divide National Scenic Trail for improvement (see plan appendix A, figure A-7) on the Tres Piedras, El Rito, and Canjilon Ranger Districts.”*

Comment: The affected environment must describe the environment of the CDNST rights-of-way/corridor to be affected or created by the alternatives under consideration. What is the degree to which current management direction is protecting the values for which each National Trail was designated, including protecting cultural landscapes, recreation settings, scenic integrity, and addressing the conservation purposes of the CDNST. Further affected environment guidance is found in the attached CDNST Planning Handbook.

Environmental Consequences – Multiple Use, Scenic Resources, and Designated Areas

DEIS: The Description of Environmental Consequences, on page 394 describes, *“Multiple use management activities may affect scenic resources viewed from nationally designated trails under all alternatives. Effects of other multiple use management on scenic resources can be found in the Scenery resource section of the DEIS. There is potential to impact scenic integrity*

as viewed from designated trails as a result of proposed vegetation management activities, particularly activities with mechanical treatments, under all alternatives. In the short term, restoration activities completed with mechanical treatments may alter scenic resources visible from the designated trails through changing forest stands from closed forests to more open forests and from residual stumps and soil disturbance. In the long term, vegetation treatments may improve scenery by creating vistas, promoting healthy vegetation and improving ecosystem resilience to uncharacteristic disturbances. Prescribed fire activities typically have effects in the short term with benefits occurring within a few years. While some short-term impacts may occur, scenic integrity objectives would still be met, particularly in the long term. More detailed effects can be found in the Scenic Resources section of the DEIS.”

Comment: The amended CDNST Comprehensive Plan and related FSM 2350 direction is applied through land management planning and project decisions follow requisite environmental analysis (74 FR 51116-51125). The amended CDNST Comprehensive Plan went into effective on November 4, 2009. As related to Forest Plans, the No Action alternative should describe how the CDNST rights-of-way, travel route, and high-potential route segments are being protected until such time that the Forest Plan is amended or revised to address the amended Comprehensive Plan and directives guidance.

The DEIS does not address the expected effects of each alternative on CDNST nature and purposes values as measured through Recreation Opportunity Spectrum and Scenery Management System planning frameworks, which are the accepted Best Available Science and Methodology and Scientific Accuracy analysis systems.

The FEIS does not describe the effects on timber production, vegetation management, range management, recreation management, wildlife management, wilderness, recommended wilderness, and fire management of managing the CDNST corridor to provide for the nature and purposes of this National Scenic Trail.

The EIS must disclose effects of the proposed action and alternatives on scenic integrity, ROS class conditions, and carrying capacities. Utilizing the ROS and Scenery Management System will help ensure that NEPA assessments are systematic and accurately describe the affected environment and expected outcomes from each alternative. The EIS should recognize that management direction for Semi-Primitive Motorized, Roaded Natural, Rural, and Urban ROS classes allow uses that would substantially interfere with the nature and purposes of a National Scenic Trail if the allocation desired conditions are realized.

The establishment of Primitive and Semi-Primitive Non-Motorized ROS classes and high and very high scenic integrity allocations would normally protect the nature and purposes (values) of a National Scenic Trail. A Supplemental DEIS effects analysis must include cross-tabular tables that explore and disclose the relationship between (1) the proposed CDNST travel route location and management corridor/rights-of-way extent and (2) the intersection and overlap with the

proposed ROS Classes and Scenic Integrity Objectives allocations. For each alternative, the analysis of environmental consequences needs to address how the land management planning decisions will achieve desired conditions, including providing for the nature and purposes of the National Trail, including protecting the National Trail resources, qualities, values, and associated settings. Further guidance is found in the attached CDNST Planning Handbook.

Environmental Consequences – Effects Common to National Trails

DEIS: The Environmental Consequences for National Scenic, Historic, and Recreation Trails Common to Action Alternatives section on page 395 describes that, “*Each nationally designated trail is included in the draft plan as a designated area with specific plan components in alternatives 2, 3, 4, and 5 including desired conditions that conflicts among users are rare and easily resolved. Action alternatives include specific plan components for each type of trail designation to align with the nature and purpose of the trail. Designated area plan components include comprehensive direction: ... Continental Divide National Scenic Trail, national historic trails, and national recreation trails. Desired conditions, objectives, standards and guidelines align management direction with the nature and purpose of each trail and any applicable comprehensive plans and establishment reports for NRTs... Alternative 2, 3, 4, and 5 include plan components that emphasize natural-appearing scenery, managing for natural-appearing scenery in foreground views including High or Very High SIOs and Moderate SIO in middleground views of NRTs (DA-NTRL-DC 2, 3, 11, and 12). Very High SIOs occur when the trail passes through designated or recommended wilderness. Forest wide guidelines include meeting scenery objectives as identified on the Scenic Integrity Objective Map (FW-SCEN-G 2)....*”

Comment: Contrary to the statement, the plan does not establish a desired condition for Scenic Integrity of High or Very High as viewed from the CDNST travel route. This is inconsistent with the CDNST Comprehensive Plan and FSM 2353.44. In areas where the CDNST corridor is managed for Roded Natural and Semi-Primitive Motorized settings, management actions will substantially interfere with the CDNST nature and purposes.

Managing the CDNST travel route for foot races and bicycling must be determined through site-specific analyses as directed by FSM 2353.44b. Allowing such use to become established without appropriate controls and monitoring, may substantially degrade the experience of visitors seeking a Primitive or Semi-Primitive Non-Motorized experience and will displace equestrians. Visitor-use management practices need to be sensitive to situations where there is an asymmetric nature of a conflict, especially where there is a one-way relationship where the primary use is sensitive to a secondary use. In those situations, monitoring and adaptive management actions should ensure that the secondary use does not substantially interfere with maintaining the primary purposes and values.

Environmental Consequences – Alternative 1 Effects to National Trails

DEIS: The Environmental Consequences for National Scenic, Historic, and Recreation Trails - Alternative 1 section on page 394 describes that, “*Nationally designated trails pass through a variety of management areas and different scenic resources. The 1986 Forest Plan includes plan components for the Continental Divide National Scenic Trail to protect the scenic qualities along the trail and implement standards of trail signing and maintenance along the route corridor. No other designated trail is specified in the 1986 Forest Plan... For most trails, the management area emphasis along with other plan components provide sufficient direction to protect the nature and purpose of the trail with associated effects. More site specific project planning and mitigation may be needed where the emphasis of the management area and the nature and purpose of the trail are not aligned (such as a timber-emphasis management area and a national scenic trail). There would be no change in current direction for any designated trail under alternative 1 and some trails are not specifically mentioned in the 1986 Forest Plan (such as the national historic trails)... The 1986 Forest Plan does not include any objectives that direct specific amounts of vegetation treatment, either mechanically or with prescribed fire. Vegetation management both mechanically or with prescribed fire would continue within the views of designated trails with both short term effects and long term benefits to meet the High and Very High SIOs in foreground views and Moderate SIO in some foreground views.*”

Comment: The discussion of No Action should note that the direction in the 2009 CDNST Comprehensive Plan and FSM 2353.44 is to be implemented without plan revision, as necessary. The final amendments to the CDNST Comprehensive Plan and corresponding directives will provide guidance to agency officials implementing the National Trails System Act. The final amendments are consistent with the nature and purposes of the CDNST identified in the 1976 CDNST Study Report and 1977 CDNST Final Environmental Impact Statement adopted by the Forest Service in 1981 (40 FR 150). The final amendments and directives will be applied through land management planning and project decisions following requisite environmental analysis. (74 FR 51123)

Environmental Consequences – Alternatives 2 and 5 Effects to National Trails

DEIS: The Environmental Consequences for National Scenic, Historic, and Recreation Trails - Alternative 2 and Alternative 5 section on page 395 describes that, “*Vegetation management both mechanically or with prescribed fire would continue within the views of designated trails with both short term effects and long term benefits to meet the High SIO in foreground views. Alternative 2 and 5 has a guidelines that visual impacts from management activities and infrastructure should meet scenery objectives as identified on the Scenic Integrity Objective Map....*” Alternative 3 on page 396 describes that, “*Alternative 3 would treat the most acres mechanically, per vegetation management objectives, and potentially have the most amount of short-term impact for these types of activities if restoration treatments occur in trail corridor viewsheds. However, visual impacts of management activities would be designed to meet the Scenic Integrity Objective Map.*” Alternative 4 on page 396 describes that, “*Alternative 4 would*

have the least amount of mechanical treatment, per vegetation management objectives, and therefore, the least amount of short-term impact for these types of activities. Alternative 4 would have more prescribed fire treatments with more short term impacts and benefits occurring within a few years since landscapes typically recover quickly with the effects of prescribed fire being less noticeable than the effects of mechanical treatments.”

Comment: The Environmental Consequences discussion needs to describe that the proposed CDNST plan components fail to establish appropriate ROS settings and SIOs for the CDNST rights-of-way/management area. Lack of protective plan components will lead to actions that substantially interfere with the nature and purposes of the CDNST.

A revised Draft Plan and Supplemental DEIS must establish plan components that promote and protect the nature and purposes of the CDNST. Further guidance is found in the attached CDNST Planning Handbook.

Cumulative Environmental Consequences to National Trails

DEIS: The Cumulative Environmental Consequences for National Scenic, Historic, and Recreation Trails section on page 396 describes that, *“Comprehensive management plans for nationally designated scenic and historic trails are developed guide management along the entire length of a trail to protect and enhance the nature and purpose for which the trail was designated including historic, scenic and recreational qualities across ownership boundaries, reducing any negative cumulative consequences. The cumulative environmental consequences of proposed management efforts in the context of the larger cumulative effects analysis area though comprehensive management plans would contribute to the movement of designated trail values toward desired conditions....”*

Comment: In general, the Forest Service has failed to establish ROS desired conditions, standards, and guidelines to protect the nature and purposes of the CDNST. Comprehensive planning for the CDNST, as implemented through Carson National Forest staged decision making processes, is inconsistent with the NTSA, Section 5(f) and 7(c) direction as implemented through the CDNST Comprehensive Plan, E.O. 13195, and directives. The Forest Service has failed to protect the purposes for which the CDNST was established by Congress. The cumulative environmental consequences of proposed management efforts on the Carson National Forest in the context of the larger cumulative effects analysis area does not protect or restore CDNST values.

Timber Suitability Analysis

DEIS: Phase 1: Lands that may be Suitable for Timber Production – The DEIS, Volume 2, on page 65 describes that, *“Remaining lands were removed from the suitable timber base if timber production has been legally prohibited (criteria D)... Other designated areas with management specified by the laws associated with their enactment including, national recreational trails, national scenic trails, and national historic trails were not removed from lands that may be suitable for timber production because sustainable timber harvest is not*

inconsistent with the law, regulation, policy, or plan direction that directs management of these lands. For these areas, site specific analyses during project planning would determine appropriate timber harvest prescriptions that are consistent with plan components for these areas.”

Comments: The phrase, “*Other designated areas with management specified by the laws associated with their enactment including, national recreational trails, national scenic trails, and national historic trails were not removed from lands that may be suitable for timber production because sustainable timber harvest is not inconsistent with the law, regulation, policy, or plan direction that directs management of these lands*” is confusing and should be rewritten. The description could have simply stated that, “*Other designated areas were retained in lands that may be suitable for timber production where timber production is consistent with the enabling legislation related regulations and policies.*”

The declaration is not factual that, “*Other designated areas with management specified by the laws associated with their enactment including, national recreational trails, national scenic trails, and national historic trails were not removed from lands that may be suitable for timber production because sustainable timber harvest is not inconsistent with the law, regulation, policy, or plan direction that directs management of these lands*” and must be discarded.

Continental Divide National Scenic Trail: Timber production is incompatible with achieving National Trails System Act objectives and the CDNST nature and purposes desired conditions. The purpose of timber production is the purposeful growing, tending, harvesting, and regeneration of regulated crops of trees to be cut into logs, bolts, or other round sections for industrial or consumer use, which is in stark contrast and clearly incompatible with protecting the purposes for which National Trails are established. The CDNST rights-of-way/management corridor is not suitable for timber production (36 CFR 219.11(a)(i) and (iii)).

The NTSA, Section 2(a), policy describes an objective as, “...to promote the preservation of, public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas and historic resources of the Nation...” Section 3(a)(2), states that, “national scenic trails...will be...located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which such trails may pass.” Section 5(f), describes that a comprehensive plan, which is being completed through staged decision making on NFS lands, will provide management direction that addresses, “specific objectives and practices to be observed in the management of the trail, including the identification of all significant natural, historical, and cultural resources to be preserved..., and a protection plan for any...high potential route segments.” Section 7(c) restricts uses and activities, including the removal of vegetation describing that, “Other uses along the trail, which will not substantially interfere with the nature and purposes of the trail, may be permitted.”

The CDNST Comprehensive Plan and FSM 2353.42 policy describes desired conditions, “Administer National Scenic and National Historic Trail corridors to be compatible with the nature and purposes of the corresponding trail... The nature and purposes of the CDNST are to

provide for high-quality scenic, primitive hiking and horseback riding opportunities and to conserve natural, historic, and cultural resources along the CDNST corridor.”

The lasting effects of an activity (roads, timber harvest) as well as short-term effects (logging trucks, noise) degrade CDNST values. Managing the CDNST corridor for Roaded Natural/Modified and Semi-Primitive Motorized ROS settings and timber production purposes would lead to management actions that substantially interfere with the nature and purposes of the CDNST. In areas of timber production, reoccurring harvests for timber purposes, stand tending, road construction and reconstruction, CDNST travel route closures, and other activities are incompatible with desired ROS settings and Scenic Integrity Objectives.

The Plan should recognize that timber production and associated actions and activities are inconsistent with the provisions of (1) the National Trails System Act, including providing for the nature and purposes of the CDNST and (2) Primitive and Semi-Primitive Non-Motorized ROS classes, which are appropriate ROS allocations for a CDNST management corridor or rights-of-way. Regulated forest structure conditions maintained by periodic forest harvest and regeneration is inconsistent with and unnecessary for achieving CDNST, Primitive ROS class, and Semi-Primitive ROS class desired conditions; these areas must not be classified as suitable for timber production, and harvest quantity projections must not be included in projected wood sale quantity and projected timber sale quantity calculations.

Eligible Wild and Scenic Rivers: The Wild and Scenic Rivers Act protects the vestiges of primitive America along Wild River areas, shorelines or watersheds still largely primitive and shorelines largely undeveloped along Scenic River Areas, and there may be some development along the shorelines of Recreational River Segments. Regardless of classification, each river in the National System is administered with the goal of protecting and enhancing the values that caused it to be designated.

Timber production does not protect ORVs of Scenic and Recreational Rivers. The only timber harvest to occur along eligible Scenic and Recreational Rivers is for resource benefit. A range of vegetation management and timber harvest practices may be allowed along Scenic River areas and Recreational River areas, if these practices are designed to protect users, or protect, restore, or enhance the river environment, including the long-term scenic character. Eligible Scenic Rivers and Recreational Rivers are not suitable for timber production (36 CFR 219.11(a)(i) and (iii)).

DEIS: The DEIS, Volume 2, on page 66 describes that, “*The second phase of the timber suitability analysis determines which of the lands that may be suitable for timber production (identified in phase 1) are suited for timber production based on the plan components described by each alternative... Timber production is compatible with the desired conditions or objectives for the land... Table 27 shows management areas considered in each alternative of the plan revision environmental impact statement, and whether they are suitable or not suitable for timber production.*”

Comments: Timber production is inconsistent with Primitive and Semi-Primitive ROS desired conditions. I recommend that the IDT consider establishing a desired Roaded Modified ROS

setting/class where timber production is intended. Roaded Natural/Road Modified ROS settings, within National Scenic Trail and W&SR corridors, would lead to management actions that would substantially interfere with the nature and purposes of National Scenic and Historic Trails.

Table 27 must be modified to describe that the CDNST management area/rights-of-way is not suitable for timber production.

DEIS: Wilderness Evaluation. The DEIS, Volume 2, Appendix F, on pages 125-126 describe that, *“Alternative 2, Proposed – Draft Proposed Forest Plan... The Continental Divide Trail runs through 24 ac and were excluded. The area boundary is now easily identifiable based on existing natural features, locatable human-made features, or existing surveyed lines....”*

Comment: It is inconsistent with the nature and purposes of the CDNST to exclude the national trail management corridor from an area that is being evaluated for recommended wilderness. Wilderness evaluations (FSM 1923.03) and NEPA assessments should describe the positive CDNST benefits if roadless areas along the CDNST corridor are recommended for wilderness designation. Protecting wilderness values would include establishing plan components that identifies recommended wilderness as not being suitable for motor vehicle use and mechanized transport. Management of recommended wilderness to protect wilderness characteristics support the conservation purposes of this National Scenic Trail and is harmonious with providing for the CDNST nature and purposes.

One of the strongest combinations of conservation protection for undeveloped federal public lands is overlapping Wilderness, Wild and Scenic River, and National Scenic Trail designations. Each congressional designation offers protections that the other does not. Overlapping designations within roadless areas would help ensure National Forest System lands are protected for current and future generations by protecting wilderness characteristics, outstandingly remarkable values of eligible wild and scenic rivers, and the nature and purposes of National Scenic Trails. These overlapping designations provide a complimentary framework for a high-level of protection from overuse and development of federal lands.

[Recommendations – Revised Draft Plan and Supplemental DEIS](#)

The draft plan should be revised to provide for the integrated management of congressionally designated areas and to clarify and strengthen the direction presented. National Scenic and Historic Trails must be managed in accordance with the National Trails System Act of 1968, as amended. The CDNST must be protected to provide for the nature and purposes of this National Scenic Trail. Primitive and Semi-Primitive Non-Motorized ROS settings normally provide for the nature and purposes of the CDNST. Semi-Primitive Motorized and Roaded Natural ROS allocations do not protect CDNST values; however, the CDNST Comprehensive Plan recognizes that crossing State Highways and other similar permanent developments is unavoidable. National Scenic Trails may contain campsites, shelters, and related-public-use facilities. Other uses that could conflict with the nature and purposes of the CDNST may be allowed only where there is a determination that the other use would not substantially interfere with the nature and purposes of the CDNST.

The extent of the established CDNST Management Area must also be based on compatible Recreation Opportunity Spectrum allocations along the CDNST travel route. If the proposed plan components are not modified to reflect a desirable Primitive or Semi-Primitive Non-Motorized ROS setting along the CDNST than a new alternative should be developed to protect the CDNST setting. This ROS assessment and recommendation is based in part on recreation research and handbooks including information found in (1) The Recreation Opportunity Spectrum: A Framework for Planning, Management, and Research, General Technical Report PNW-98 by Roger Clark and George Stankey; (2) ROS Users Guide (U.S. Department of Agriculture, Forest Service. ROS Users Guide. Washington, DC: U.S. Department of Agriculture, Forest Service; 1982 (FSM 2311.1); (3) Recreation Opportunity Setting as a Management Tool Technical Guide by Warren Bacon, George Stankey, and Greg Warren (**Attachment C**); and (4) Landscape Aesthetics, A Handbook for Scenery Management, Agricultural Handbook Number 701.

The glossary of the Forest Plans and EIS should be consistent and expanded to include description or definitions of the National Trails System Act, National Scenic Trail, National Scenic and Historic Trail nature and purposes, and Scenic Integrity. Recreation Opportunity Spectrum class definitions need to be expanded to add descriptions of Access, Remoteness, Non-Recreation Uses, Visitor Management, Social Encounters, and Visitor Impacts setting indicators. The Forest Plan glossary should include other descriptors for clarity and recommend adding those definitions and terms that are found in the attached CDNST Planning Handbook.

A revised Draft Plan must address the requirements of the National Trails System Act as implemented through the 2009 CDNST Comprehensive Plan, FSM 2353.4, FSH 1909.12 22.2 and 24.43, and direction in Federal Register Notice dated October 5, 2009 (74 FR 51116). In addition, the Draft Plan does not address the requirements of FSH 1909.12 22.2, 23.23a, and 23.23f. This inaction has resulted in a Draft Plan that does not meet the integration requirements of the National Forest Management Act (16 U.S.C. 1604(f)(1)).

A Supplemental DEIS must address several important planning steps and NEPA processes. The Forest Supervisor should correct the DEIS deficiencies and release a revised Draft Plan and Supplemental DEIS to further address the requirements of the National Trails System Act, NFMA, and NEPA CEQ regulations as found in 40 CFR Parts 1500-1508. Land use planning associated NEPA must (1) rigorously explore and objectively evaluate all reasonable alternatives, and (2) take a hard look at the effects of the alternatives.

Geospatial data was requested following FOIA procedures on September 8, 2019, which is yet to be received. *“Under the Freedom of Information Act, I am requesting geospatial data for the Carson, Santa Fe, and Cibola NFs Draft Plans and DEISs that support the analyses of the revision proposed action and alternatives for each national forest. I would appreciate receiving the following datasets:*

- *Administrative Boundaries (FSH 1909.12 part 22.2)*
- *Land Ownership (FSH 1909.12 part 22.2)*

- *Designated Areas, including Recommended Wilderness, Wilderness Study Areas, Suitable and Eligible Wild & Scenic Rivers, Inventoried Roadless Areas, and the extent of the CDNST management corridor/rights-of-way to be established (acres) (FSH 1909.12 parts 22.2 and 24)*
- *Recreation Opportunity Spectrum Classes to be established – Summer and Winter (FSH 1909.12 parts 22.2 and 23.23a)*
- *Scenic Integrity Objectives to be established (FSH 1909.12 parts 22.2 and 23.23f)*
- *Lands that May be Suitable for Timber Production (FSH 1909.12 Chapter 60)*
- *CDNST travel route as an independent data layer (FSH 1909.12 part 23.23l)*
- *NFS roads and trails with attribute data (FSH 1909.12 part 23.23i)*

If the above GIS data is posted on the Forest Service websites, please provide to me the web-link locations. If this data is not to be posted to the Forest Service website, please send to me an email with the data attached in a zip file with embedded shapefiles, or a personal geodatabase which is preferred.”

Unfortunately, these datasets were not available in a timely manner for my review of the Draft Plan and DEIS. As such, my comments are more general than what I was hoping to provide in this submittal. Please readily provide these geospatial datasets in future releases of the planning documents.

Thank you for considering these comments.

Greg Warren

Attachment A – CDNST Comprehensive Plan (as amended in 2009)

Attachment B – CDNST Planning Handbook

Attachment C – Recreation Opportunity Setting as a Management Tool Technical Guide