

Mary Erickson, Forest Supervisor  
Attn: Forest Plan Revision Team  
Gallatin National Forest  
P.O. Box 130, (10 E Babcock),  
Bozeman, MT 59771

January 23, 2018

RE: Forest Plan Revision EIS Notice of Intent Comments  
**Custer-Gallatin Forest Plan Revision #50185 - Your letter ID is 50185-2289-19**

I appreciate this opportunity to comment on the Notice of Intent to prepare an Environmental Impact Statement. The following recommendations supplement assessment comments that I submitted on January 3, 2017. In addition, the attached Continental Divide National Scenic Trail (CDNST) Planning Handbook provides additional CDNST planning guidance and should be included in the administrative record.

Continental Divide National Scenic Trail

The following are recommendations that address CDNST plan components. The proposed action describes that, “Approximately 29 miles of the Continental Divide National Scenic Trail are located on the Custer Gallatin National Forest, all in the Madison, Gallatin, and Henrys Lake GA. The plan components outlined below apply 0.5 mile each side of the trail.” However, for clarity, it would be beneficial for the Forest Plan to establish and include a map that displays the extent of a CDNST Management Area to ensure that the nature and purposes of the CDNST are promoted and protected—see Appendix A. The Management Area direction needs to describe nature and purposes desired conditions that are supported by appropriate standards and guidelines.

The following *insertions* and deletions presents plan components that may result in providing for the nature and purposes of the CDNST.

Continental Divide National Scenic Trail (Proposed Action, pages 142-144)

Desired Conditions

- *Consistent with the CDNST Comprehensive Plan, the MA provides high-quality scenic, primitive hiking and horseback riding opportunities and conserves natural, historic, and cultural resources (CDNST Comprehensive Plan, Chapter IV(A)). The corridor encompasses national trail resources, qualities, values, associated settings and the primary use or uses. This includes vistas, campsites, water sources, and other important resource values. ~~The CDNST is a well-defined trail that provides for high-quality, primitive hiking and horseback riding opportunities, and other compatible non-motorized trail activities, in a highly~~*

~~scenic setting along the Continental Divide. The significant scenic, natural, historic and cultural resources along the trail's corridor are present. Where possible, the trail provides visitors with expansive views of the natural landscapes along the Divide.~~

- The management of the extent of the CDNST corridor is consistent with a Primitive or Semi-Primitive Non-Motorized setting. ROS class inconsistencies are managed to protect CDNST values.
- Viewsheds from the CDNST have high scenic values. ~~The foreground of the trail is naturally appearing.~~ The potential to view wildlife is high, and evidence of ecological processes such as fire, insects, and diseases exist. ~~Trail maintenance may include vista clearing consistent with a scenic integrity objective of high.~~
- ~~The trail is accessible from access points that provide various opportunities to select the type of terrain, scenery and trail length, ranging from long distance to day use, that best provide for the compatible outdoor recreation experiences being sought. Wild and remote, backcountry segments of the route provide opportunities for solitude, immersion in natural landscapes and primitive outdoor recreation. Front country and more easily accessible trail segments complement local community interests and needs and help contribute to their sense of place.~~
- Use conflicts amongst trail users are infrequent.
- The CDNST travel route ~~trail~~ is well maintained, signed, and passable. Alternate routes provide access to the trail in the case of temporary closures resulting from natural events, such as fire or flood, ~~or land management activities.~~
- ~~Side trails to the CDNST enhance the experience along the main trail. Side trails are short trails that encompass adjacent attractions.~~
- Trailhead facilities support the uses of the trail (e.g., stock use).

## Standards

- *Manage the CDNST route as a visual quality concern level 1 travel route. Resource management actions must meet a Scenic Integrity Level of Very High or High.*
- *Manage the CDNST 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 (CDNST Comprehensive Plan, Chapter IV(B)(5), FSM 2353.42 and FSM 2353.44b(8)). Forms of hiking include backpacking, cross-country skiing, snowshoeing and other similar walking activities.*

- *Resource management actions and allowed uses must be compatible with maintaining or achieving Primitive or Semi-Primitive Non-Motorized ROS class settings.*
- *Motorized use by the general public may only be allowed where such use is in accordance with guidance found in the NTSA Section 7(c).*
- ~~New motorized events shall not be permitted on the Continental Divide National Scenic Trail.~~
- ~~New overnight shelters, constructed and permanent, shall not be allowed.~~
- ~~New roads shall not be allowed.~~
- ~~New saleable mineral development shall not be allowed.~~
- *No common variety mineral extraction (e.g., limestone, gravel, etc.) shall occur within the CDNST corridor.*
- *Other uses that could conflict with the nature and purposes of the Continental National Scenic Trail 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 (16 USC 1246(c)).*
- *Where the CDNST corridor overlaps with Wilderness designations the most restrictive measures control.*

## Guidelines

- ~~To retain or promote the character for which the *national scenic* trail was designated, new or relocated trail segments should be located primarily within settings consistent with or complementing primitive or semi-primitive nonmotorized recreation opportunity spectrum classes. Road and motorized trail crossings and other signs of modern development should be avoided to the extent practicable.~~
- ~~To protect or enhance the scenic qualities of the Continental Divide National Scenic Trail, management activities should be consistent with, or make progress toward achieving scenic integrity objectives of high or very high within the foreground of the trail (up to 0.5 mile either side).~~
- ~~If forest health projects result in short term impacts to the scenic integrity of the trail, mitigation measures should be included, such as screening, feathering, and other scenery management techniques to minimize visual impacts within and adjacent to the trail corridor (within visible foreground of the Continental Divide National Scenic Trail at a minimum).~~
- In order to promote a nonmotorized setting, the Continental Divide National Scenic Trail should not be permanently relocated onto routes open to motor vehicle use.

- The minimum trail facilities necessary to accommodate the amount and types of use anticipated on any given segment should be provided in order to protect resource values and for health and safety, not for the purpose of promoting user comfort. The purpose is to preserve or promote a naturally appearing setting.
- New linear utilities and rights-of-way should be limited to a single crossing of the trail unless additional crossings are documented as the only prudent and feasible alternative.
- ~~New oil and gas leasing on the CDNST should use non surface occupancy as a stipulation.~~
- ~~Using the Continental Divide National Scenic Trail for landings or as a temporary road for any purpose should not be allowed. The purpose is to provide for a naturally appearing setting and to avoid visual, aural, and resource impacts.~~
- ~~Hauling or skidding along the Continental Divide National Scenic Trail itself should be allowed only (1) where the Continental Divide National Scenic Trail is currently located on an open road or to address hazard tree removal, and/or (2) no other haul route or skid trail options are practicable. Design criteria should be used to minimize impacts to the trail infrastructure, and any necessary post-activity trail restoration should be a priority for the project's rehabilitation plan. The purpose is to provide for a naturally appearing setting and to minimize visual, aural, and resource impacts.~~
- Unplanned fires in the foreground (up to 0.5 mile) of the Continental Divide National Scenic Trail should be managed using minimum impact suppression tactics or other tactics appropriate for the protection of Continental Divide National Scenic Trail values.

#### **Suitability (MG-SUIT-CDNST)**

- The CDNST is not suitable for timber production. ~~Timber harvest may be allowed for purposes such as fuels reduction, restoration or wildlife habitat enhancement.~~
- ~~The CDNST is suitable for summer motorized use only as necessary to meet emergencies, to provide for landowner access, or as allowed by administrative regulations at the time of designation, as long as such use does not substantially interfere with the nature and purpose of the trail. (National Trail System Act, Section 7c. Administrative trail maintenance equipment is authorized.)~~
- ~~Winter snowmobile use is suitable for the area over and around the CDNST.~~

Proposed Action, Table 3-31. Designated areas in the Madison, Henrys Lake and Gallatin Mountains GA. Please correct this table to display the percentage for the proposed 1-mile wide CDNST corridor.

## Sustainable Recreation Resources (Pages 75-78)

The draft EIS, should display the proposed ROS class allocations to be established for each alternative, including making available to the public supporting geospatial data. I recommend that the following ROS class descriptions supplement the descriptions that are found on pages 75 through 78 of the proposed action:

Recreation Opportunity Spectrum: The Recreation Opportunity Spectrum planning framework is the recognized framework for stratifying and defining classes of outdoor recreation environments, activities, and experience opportunities through forest planning. The settings, activities, and opportunities for obtaining experiences have been arranged along a continuum or spectrum divided into six classes:

- **Primitive:** Primitive ROS settings encompass large, wild, remote, and predominately unmodified landscapes. Additional primitive ROS settings are scattered across the forest, often surrounded by SPNM settings. Primitive ROS settings contain no motorized and mechanized vehicles and there is little probability of seeing other people. 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. Ecological processes such as fire, insects, and disease exist. **Standard:** Motor and mechanized vehicles are not allowed in established Primitive settings. **Guidelines:** (1) No new permanent structures should be constructed in desired Primitive ROS settings to maintain the unmodified character of these landscapes; (2) Less than 6 parties per day encountered on trails and less than 3 parties visible at campsite; and (3) Setting should essentially be an unmodified natural environment. No roads, timber harvest, or mineral extraction are allowed. **Suitability:** (1) Motorized and mechanized recreation travel are not suitable; (2) The SIO of Very High is suitable; and (3) Lands are not suitable for timber production. (Inventory criteria: 3 miles from motorized use.)
- **Semi-Primitive Nonmotorized:** Semi-Primitive Non-Motorized settings provide opportunities for exploration, challenge, and self-reliance. Rustic structures such as signs and foot bridges are occasionally present to direct use and/or protect the setting's natural and cultural resources. These rustic constructed features are built from native materials or those that mimic native materials. Closed and revegetated roads may be present but do not dominate the landscape or detract from the SPNM experience of visitors. Ecological processes such as fire, insects, and disease exist. **Standard:** Motor vehicle use by the general public is not allowed. **Guidelines:** (1) The development scale of recreation facilities should be 0-1 to protect the undeveloped character of desired SPNM settings; (2) Less than 15 parties per day encountered on trails and less than 6 parties visible at campsite; and (3) Vegetative management may range from prescribed fire to very limited timber harvest for the

- purpose of maintaining a healthy, attractive semi-primitive setting. Suitability: (1) Motorized recreation travel is not suitable; (2) The SIO of High or Very High are suitable; and (3) Lands are not suitable for timber production. (Inventory criteria: ½ to 3 miles from all roads, trails, rivers, lakes and railroads with motorized use.)
- **Semi-Primitive Motorized:** Semi-Primitive Motorized settings provide motorized recreation opportunities in backcountry settings. Routes are designed for Off Highway Vehicles (OHVs) and high clearance vehicles that connect to local communities, access key destinations and vantage points, provide short day trips on scenic loops or facilitate longer and even overnight expeditions. Visitors challenge themselves as they explore vast, rugged landscapes. Mountain bikes and other mechanized equipment may also be present. Facilities are rustic and are used for the purpose of protecting the setting's natural and cultural resources. Bridges are sometimes present to accommodate foot, horse and ATV traffic but are built from native or natural appearing materials that blend with the surrounding landscape and maintain the semi-primitive character of the setting. There may also be nodes that function as portals for visitors to park their ATVs and explore adjacent Semi-Primitive Non-Motorized and Primitive settings. (Inventory criteria: ½ mile from primitive motorized roads and trails, not closer than ½ mile of better than primitive roads.)
  - **Roaded Natural:** I recommend that the proposed action and alternatives describe the following ROS subclasses:
    - Roaded Natural - Mostly equal opportunities to affiliate with other groups or be isolated from sights and sounds. 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.
    - Roaded Modified - Roaded Modified is defined as areas exhibiting evidence of forest management activities that are dominant on the landscape. Examples of RM include heavily logged areas, evidence of mining, oil/gas, or other minerals extraction activities.

## Draft Environmental Impact Statement

The DEIS should discuss effects on scenic integrity, ROS class conditions, and carrying capacities and will generally be based on analysis of the effects of the allowable uses and conditions of use on National Scenic Trail values that are included in the proposed action and each alternative. 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 level of precision or certainty of the effects can be guided by the CEQ regulations regarding the use of “methodology and scientific accuracy” (40 CFR 1502.24) and the information needed to support a reasoned choice among alternatives (40 CFR 1502.22). The ROD must clearly document how the final decision is based on the best available science (36 CFR 219.3) or other relevant information needed to understand the reasonably foreseeable adverse effects of a choice between alternatives, the gaps in that information, and the rationale for why a reasoned choice between alternatives can be made at this time. In addition, substantial interference analyses and determinations need to be rigorous and be addressed as part of the cumulative impact analysis (40 CFR 1508.7).

The DEIS 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. 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.

It appears the NEPA analysis will disclose that the No Action and the proposed action alternatives fail to address the requirements of the National Trails System Act as implemented through the 2009 CDNST Comprehensive Plan, FSM 2353.4, FSH 1909.12, and Federal Register Notice dated October 5, 2009 (74 FR 51116). The proposed action fails to meet the integration requirements of the National Forest Management Act (16 U.S.C. 1604(f)(1)). As such, the proposed action should be modified, or only considered but not developed in the DEIS.

The DEIS effects analysis should 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:

- Providing for the nature and purposes of the National Trail, including protecting the National Trail resources, qualities, values, and associated settings;
- Identifying the National Trail primary users;

- Ensuring carrying capacity is not exceeded; and
- Preventing other uses from substantially interfering with the nature and purposes of the National Trails.

Please provided with the release of the DEIS the following geospatial data layers:

- Administrative Boundaries (FSH 1909.12 22.2)
- Land Ownership (FSH 1909.12 22.2)
- Designated Areas, including Recommended Wilderness, Wilderness Study Areas, Eligible Wild & Scenic Rivers, Inventoried Roadless Areas, and the extent of the CDNST management corridor/rights-of-way to be established (FSH 1909.12 22.2 and 24)
- Recreation Opportunity Spectrum Classes to be established – Summer and Winter (FSH 1909.12 22.2 and 23.23a)
- Scenic Integrity Objectives to be established (FSH 1909.12 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 23.23l)
- NFS roads and trails with attribute data, including existing road maintenance levels and trail travel route fundamentals such as Designed Use, Managed Use, and Trail Class (FSH 1909.12 23.23l)

The year 2018 is the 50th Anniversary of the National Trails System Act and the 40th Anniversary of the establishment and designation of the Continental Divide National Scenic Trail. The revised Gallatin National Forest Plan may establish a new standard for the management of National Scenic and Historic Trails on NFS lands, so 2018 will be a good time to reflect on past and current National Trail management practices and to establish appropriate forest plan direction for the future.

Thank you for considering these comments.

/s/ **Greg Warren**

Greg Warren  
P.O. Box 2322  
Frisco, CO 80443

Attachment: Gallatin National Forest - CDNST Planning Handbook v.01192018



## Appendix A – CDNST Management Area

