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June 4, 2019

Custer Gallatin National Forest
Attn: Forest Plan Revision Team
P.O. Box 130 (10 East Babcock)
Bozeman, MT 59771

Dear Forest Plan Revision Team,

Thank you for the opportunity to comment on the Custer Gallatin National Forest (CGNF) Draft Revised Forest Plan and Draft Environmental Impact Statement. We are happy to assist you with this process and help you strive for the highest quality outcome possible.

Representing approximately 2,000 members nationwide, the **Continental Divide Trail Coalition (CDTC)** is the 501(c)(3) national nonprofit organization formed in 2012 to work with the federal land management agencies to complete, promote, and protect the Continental Divide National Scenic Trail (CDNST). As noted in the Draft Plan, the CDNST was designated by Congress in 1978. This 3,100-mile trail follows the Continental Divide and traverses nationally significant scenic terrain and areas rich in the heritage and life of the Rocky Mountain West.

The CDNST passes through Montana, Idaho, Wyoming, Colorado, and New Mexico, and is administered by the U.S. Forest Service in cooperation with the NPS, BLM, and Tribal, state, and local governments, as well as numerous partner groups including the CDTC. In May 2014, CDTC signed a Memorandum of Understanding to establish our role as a national organization working in partnership with the U.S. Forest Service on behalf of the CDNST. To date, CDTC has been successful in coordinating more than 250,000 hours of volunteer stewardship to maintain and improve the CDNST, building positive relationships with federal land managers and local trail-focused groups, organizing special events to help educate the public about the CDNST, implementing Trail Adopter and Gateway Community programs, and encouraging Congress to continue to appropriate funding for the CDNST in the Forest Service budget.

The *Continental Divide National Scenic Trail Comprehensive Management Plan* was approved by the U.S. Forest Service and set forth as policy in 2009. This over-arching policy direction serves to implement Congress's direction in the National Trails System Act, and should be incorporated into Forest Plan direction and project proposal evaluation. *The Comprehensive Plan* also incorporates FSM 2353.42 and 2353.44b.

With these factors in mind, and upon review of this Draft Plan and Draft Environmental Impact Statement, the Continental Divide Trail Coalition offers the following comments. We submit these comments on the Draft Plan/EIS as a follow up to our comments from March 1, 2018, on the Proposed Action.

Plan Alternatives

We commend the inclusion of the CDNST and its mile-wide corridor as a Designated Area in all alternatives in this plan. This designation is required by the CDNST Comprehensive Plan and FSM 2353.42 and 2353.44(b) to help ensure that the CDT remains a “primitive and challenging backcountry trail for the hiker and horseman.” This is also consistent with the September 8, 2016 letter from the Regional Foresters with the CDNST in their regions, which states:

“We also expect CDT Forests to designate the CDT Corridor as a management area, or equivalent spatially identifiable area to provide for a consistent approach for establishing management emphasis for the CDT across CDT Forests.”¹

However, we believe that the CDNST Plan Components included in the Draft Plan fall short of fully protecting the nature and purposes of the CDNST, in large part because the Standards as written fail to protect against a wide array of activities that may degrade the scenic, natural, cultural, and historic resources of the CDNST corridor.

Our detailed comments on the CDNST Plan Components follow below. **One component of particular concern is MG-SUIT-CDNST-03:** “The Continental Divide National Scenic Trail is suitable for winter snowmobile use over and around the trail.”

We feel that this is in direct conflict with the nature and purposes for which the CDNST was created. The CDNST is intended to be a non-motorized trail and any motorized use along the trail, or concurrent with its route, would create substantial interference for the primary users for which the trail was created. The National Trails System Act expressly prohibits motorized use – regardless of seasonal type – by the general public along the CDNST in areas where that use was not already allowed at the time of designation (November 10, 1978).² In addition, the CDNST Comprehensive Plan lists compatible uses of the CDNST, and over-snow vehicle use is not one of them.

Thus, we suggest that the third suitability statement be rewritten as follows:

MG-SUIT-CDNST-03: Except in areas where the CDNST is located on roads open to motorized use, the CDNST is not suitable for winter snowmobile use. Perpendicular crossings and snowmobile use near the trail also may be permitted so long as substantial interference with the nature and purposes of the CDNST does not occur.

¹ Paragraph 3, Letter from Regional forests from Regions 1, 2, 3, and 4 to all Forest Supervisors in their regions who manage the CDT, 9/8/16

² “The use of motorized vehicles by the general public along any national scenic trail shall be prohibited... The Secretary charged with the administration of such trail shall establish regulations which shall authorize the use of motorized vehicles when, in his judgment, such vehicles are necessary to meet emergencies or to enable adjacent landowners or land users to have reasonable access to their lands or timber rights... Other uses along the Continental Divide National Scenic Trail, which will not substantially interfere with the nature and purposes of the trail, and which, at the time of designation, are allowed by administrative regulations, including the use of motorized vehicles, shall be permitted by the Secretary charged with administration of the trail.” National Trails System Act, Section 7(c) .

Lionhead Recommended Wilderness Area

In regards to the Lionhead Recommended Wilderness Area in the Madison, Henrys Lake, and Gallatin Mountains Geographic Area, we support the boundaries as proposed in Alternative A (no action), with the caveat that uses in recommended wilderness areas should be managed as proposed in Alternative D: “motorized recreation and mechanized recreation would not be suitable uses in recommended wilderness areas.”

Given the outstanding scenic characteristics, wide range of habitats, and opportunities for solitude found in the Lionhead area, we feel that shrinking the Lionhead Recommended Wilderness Area (as proposed in Alternatives B and C) would keep the CGNF from reaching the Vision laid out in the Draft Plan (pp. 15-16):

“In the Greater Yellowstone Area, the Custer Gallatin is part of a large connected expanse of core public lands providing outstanding scenery, opportunities for solitude, and primitive recreation.”

Currently, the Lionhead RWA protects a very important wildlife linkage corridor between Yellowstone National Park and the Centennial Mountains, offering a stunning backcountry experience and providing secure habitat for elk, bighorn sheep, wolverine and grizzly bear. Additionally, when managed to maintain or enhance wilderness characteristics, recommended wilderness areas provide the CDNST user with high scenic values, opportunities for solitude, and many other benefits aligned with the nature and purposes of the CDNST. **Therefore, we do not support the removal of the CDNST from the Lionhead Recommended Wilderness Area as proposed in Alternatives B and C.**

We support the maintenance of the existing boundaries of the Lionhead Recommended Wilderness Area (as proposed in Alternative A) as the best alternative to achieve the Vision for the CGNF to balance a healthy forest ecosystem and opportunities for solitude with multiple uses and enhanced quality of life for those who use and depend on the Custer Gallatin National Forest.

However, in order to best maintain the eligibility of the Lionhead area for future congressional designation as wilderness, as well as to protect grizzly bears in this prime habitat area, we urge the CGNF to manage the Lionhead Recommended Wilderness Area, including the length of the CDNST that falls within its boundaries, to allow pedestrian and stock travel only.

Providing almost unbroken protected green space for 3,100 miles along the Rockies, the CDNST acts as an important wildlife corridor for species like grizzly bears. Ecologists have found that mountain biking can have adverse effects on grizzlies, especially on trails with swift drops allowing for high speeds, such as the section of the CDNST in the Lionhead RWA:

“...mountain bikes are a grave threat to bears—both grizzly and black bears—for many reasons and these are detailed in the Treat report and recommendations. High speed and quiet human activity in bear habitat is a grave threat to bear and human safety and certainly can displace bears from trails and along trails.” – Dr. Christopher Servheen³

³ <https://mountainjournal.org/scientists-say-mountain-biking-negatively-impacts-bears>

Lastly, we strongly oppose the removal of the Lionhead Recommended Wilderness Area as proposed in Alternative E. As noted above, the Lionhead is a special area providing vital benefits to the forest, its wildlife, and forest users, and its wilderness characteristics enhance the Vision for the CGNF in the Greater Yellowstone Area. The elimination of the Recommended Wilderness Area is not consistent with the Draft Plan's overall direction and goals.

Hebgen Winter Recreational Emphasis Area

In order to protect the primitive CDNST experience, we suggest that a Standard be added to the Plan Components for the Hebgen Winter REA:

MG-STD-HWREA: Consistent with the CDNST Comprehensive Plan, recreation uses shall not be authorized along the CDNST that are not compatible with the nonmotorized, primitive nature of the trail. Use of over-snow vehicles and other signs of modern development should be avoided to the extent possible.

CDNST Plan Components

The CDTC appreciates the incorporation of several of our comments on the preliminary draft plan into the CDNST Plan Components, which, as written, largely reflect the Recommended Forest Plan Components for the CDNST. **As written, however, these Plan Components leave several gaps in protection for the CDNST. To provide appropriate protection for the CDNST as a congressionally-designated resource of national significance, as well as to ensure that the CDNST is managed within the CGNF in a manner consistent with the nature and purposes of the trail, we suggest that the following changes be made to the language used in the Draft Plan.**

Desired Conditions

CDTC is in support of **DC-CDNST-02, DC-CDNST-03, DC-CDNST-04, and DC-CDNST-05** as written. We suggest the following changes noted in italics:

DC-CDNST-01: *Consistent with the CDNST Comprehensive Plan, the Continental Divide National Scenic Trail is a well-defined trail that provides for high-quality primitive hiking and horseback riding opportunities, and other compatible nonmotorized trail activities, in a highly scenic setting along the Continental Divide. The significant scenic, natural, historic, and cultural resources along the trail corridor are conserved. Where possible, the trail provides visitors with expansive views of the natural landscapes along the divide.*

While we support the text of **DC-CDNST-06** and **DC-CDNST-07** as written, we suggest that these should be included as Standards rather than Desired Conditions.

We suggest the addition of the following Desired Condition:

DC-CDNST: The setting of the CDNST corridor is consistent with a primitive or semi-primitive nonmotorized setting. The Trail may intermittently pass through more-developed settings to provide for a continuous route.

Objectives

We are unsure why the Draft Plan does not include objectives for the CDNST. **We recommend the following objectives be included so that progress toward the desired conditions can be measured:**

OBJ-CDNST-01: Complete the CDNST within the Custer Gallatin National Forest using the Optimal Location Review process, including surveys for the corridor, identification of private land needs, if any, and engagement of partners to complete trail construction projects where feasible.

OBJ-CDNST-02: Utilize trail partners and volunteers to assist in the planning, development, maintenance, and management of the CDNST, where appropriate and consistent with the CDNST Comprehensive Plan.

Standards

CDTC is in support of **S-CDNST-01** and **S-CDNST-02** as written. We suggest the following changes, noted in italics, to **S-CDNST-03** in order to clarify its intent:

S-CDNST-03: Extraction of saleable mineral materials shall not be allowed *within the CDNST corridor*.

Moreover, we believe that all of the currently proposed Guidelines would be more appropriately included as Standards in order to provide for the protection of the CDT corridor and the visitor experience. We suggest that the currently proposed Guidelines be rewritten to include the changes reflected in italics below and included in the Final Plan as Standards:

S-CDNST-04: To retain or promotes the character for which the 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 *possible*.

S-CDNST-05: To retain or promote the character for which the trail was designated, road and motorized trail crossings and other signs of modern development should be avoided to the extent possible.

S-CDNST-06: To promote a nonmotorized setting, the CDNST should not be permanently relocated onto routes open to motor vehicle use.

S-CDNST-07: To preserve or promote a naturally appearing setting, 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 *visitor* health and safety.

S-CDNST-08: To retain the character for which the trail was designated, new linear utilities and rights-of-way should be limited to a single *perpendicular* crossing of the trail *per special use authorization* unless additional crossings are documented as the only prudent and feasible alternative. *When authorized, linear facilities should be co-located with existing facilities.*

S-CDNST-09: To provide for a naturally appearing setting and to avoid visual, aural, and resource impacts, use of the CDNST for landings or as a temporary road for any purpose should not be allowed.

S-CDNST-10: To provide for a naturally appearing setting and to avoid visual, aural, and resource impacts, hauling or skidding along the CDNST itself should be allowed only (1) where the CDNST is currently located on an open road or to address hazard tree removal *and* (2) no other haul route or skid trail options are *available*. Design criteria should minimize impacts to the trail infrastructure, and any necessary post-activity trail restoration should be a priority for the project's rehabilitation plan.

S-CDNST-11: To provide for a naturally appearing setting and to avoid visual and resource impacts, unplanned *and prescribed* fires in the foreground (up to 0.5 mile) of the CDNST should be managed using minimum impact suppression tactics or other tactics appropriate for the protection of trail values. *Heavy equipment line construction within the CDNST corridor should not be allowed unless necessary for emergency protection of life and property.*

Additionally, we suggest that the following provisions be added to the CDNST Plan Components as Standards or, at minimum, as Guidelines (consistent with the Recommended CDNST Forest Plan Components) in order to provide adequate protection for the CDNST and its corridor:

S-CDNST: No oil and gas or geothermal energy leasing activities shall occur within the CDNST corridor.

S-CDNST: To protect or enhance the scenic qualities of the trail, management activities in the CDNST corridor should be consistent with, or make progress toward achieving, Scenic Integrity Objectives of High or Very High.

S-CDNST: If forest health projects result in short-term impacts to the scenic integrity of the trail, mitigation measures such as screening, feathering, and other scenery management techniques should be included to minimize visual impacts within and adjacent to the trail corridor (at a minimum, within the visible foreground of the CDNST, up to 0.5 mile from the trail).

S-CDNST: To protect the CDNST's scenic values, special-use authorizations for new communication sites, utility corridors, and renewable energy sites should not be allowed within the visible foreground (up to 0.5 mile) and middleground viewshed (up to 4 miles) of the CDNST.

S-CDNST: To provide for a naturally appearing setting and to avoid visual, aural and resource impacts from motorized use, new temporary and/or permanent road or motorized trail construction across or adjacent to the CDNST should be avoided unless needed for resource protection, access to private lands, or to protect public health and safety.

S-CDNST: Management of the CDNST shall comply with the most recent version of the CDNST Comprehensive Plan. Best available science can be used in lieu of the Comprehensive Plan if the plan is more than 15 years old.

Suitability

The CDTC supports **MG-SUIT-CDNST-01** and **MG-SUIT-CDNST-02** as written.

As noted above, we feel that MG-SUIT-CDNST-03 is in direct conflict with the nature and purposes for which the CDNST was created. Thus, we suggest that it be rewritten as follows:

MG-SUIT-CDNST-03: Except in areas where the CDNST is located on roads open to motorized use, the CDNST is not suitable for winter snowmobile use. Perpendicular crossings and snowmobile use near the trail also may be permitted so long as substantial interference with the nature and purposes of the CDNST does not occur.

We do not support MG-SUIT-CDNST-04 because it is not consistent with the CDNST Comprehensive Plan and FSM 2353.44b. Chapter IV(B)(5)(b)(2) of the Comprehensive Plan states that “bicycle use may be allowed on the CDNST if the use... will not substantially interfere with the nature and purposes of the CDNST.” Without a determination of substantial interference regarding mountain bike use on the CDNST and a monitoring plan, a carte blanche statement regarding suitability of mountain bikes is inconsistent with the Comprehensive Plan.

Because mechanized travel is prohibited in wilderness, and because, as per FSM 1923.03(1), recommended wilderness areas are “not available for any use or activity that may reduce the wilderness potential of an area,” we agree that mountain biking should not be allowed on the CDNST where it passes through recommended wilderness areas.

Therefore, we suggest that MG-SUIT-CDNST-04 be rewritten as follows:

The Continental Divide National Scenic Trail is not suitable for mountain biking where the trail is within recommended wilderness area. Outside of those areas, the CDNST is suitable for mountain biking in areas where a determination has been made that such use does not substantially interfere with the nature and purposes of the trail (FSM 2353.44b).

Proposed Management Approaches

The CDTC generally supports the Management Approaches for the CDNST included in Appendix A of the Draft Plan (p.48). **We feel that rewriting the fourth item on the bulleted list as follows would more effectively and appropriately protect the CDNST’s scenic values:**

- Considering how activities both within the visible foreground (up to ½ mile on either side of the CDNST) and beyond may affect CDNST viewsheds, user experiences, and mitigating potential impacts to the extent possible so as to meet the assigned Scenic Integrity Objectives

We also suggest the following Management Approaches be included in the Final Plan:

- Coordinating CDNST management and activities within the CDNST corridor across unit and jurisdictional boundaries, specifically with Yellowstone National Park and the Caribou-Targhee and Beaverhead-Deerlodge National Forests

- Developing appropriate methods to protect high-potential sites and segments from deterioration due to natural forces, visitor use, vandalism, and other causes

Other Required Components

Unit Plan

There is nothing in the Draft Plan that calls for the creation of a Unit Plan for the CDNST. As required by FSM 2353.44b(2), “a CDNST unit plan must be developed for each administrative unit through which the CDNST passes.” The CDNST unit plan must provide for the following (FSM 2353.44b(2)):

- a) Identify and display the segments of the CDNST that traverse that unit;
- b) Establish a management area for the segments of the CDNST that traverse that unit that is broad enough to protect natural, scenic, historic, and cultural features;
- c) Establish the Trail Class, Managed Uses, Designed Use, and Design Parameters for the segments of the CDNST that traverse that unit and identify uses that are prohibited on the segments of the CDNST that traverse that unit;
- d) Provide for development, construction, signing, and maintenance of the segments of the CDNST that traverse that unit;
- e) Identify and preserve significant natural, historical, and cultural resources along the segments of the CDNST corridor that traverse that unit;
- f) Establish carrying capacity for the segments of the CDNST that traverse that unit;
- g) Establish monitoring programs to evaluate the site-specific conditions of the segments of the CDNST that traverse that unit.

While the CGNF Draft Plan includes some of the above elements via the CDNST Plan Components, **CDTC encourages the inclusion in the final plan of either a) a full unit plan for the CDNST or b) a mechanism for the creation of such a plan, in order to ensure compliance with FSM 2353.44b(2).** If the inclusion of a full unit plan is not possible due to capacity restraints, CDTC suggests that the following objective be added to the CDNST Plan Components:

OBJ-CDNST: Complete a CDNST unit plan in compliance with FSM 2353.44(b)(2)) within 3 years.

CDTC offers our expertise and services to assist the Forest Service in creating the unit plan.

Adaptive Planning, Monitoring, and Carrying Capacity

The CDTC notes that the Draft Plan and Draft EIS’s only mention of monitoring for the CDNST comes in the last proposed Management Approach for the CDNST:

“Establishing appropriate carrying capacities for specific segments of the Continental Divide National Scenic Trail, monitoring use and conditions, and taking appropriate management actions to maintain or restore the nature and purposes of the

Continental Divide National Scenic Trail if the results of monitoring or other information indicate a trend away from the desired condition.”

Since 2012, we have documented a dramatic increase in long-distance users of the CDNST, who represent only a minute fraction of the total number of CDNST users. Our data indicates that, on average, the number of attempted thru-hikes along the CDT has increased by 35% each year since 2013.⁴ Anecdotal evidence suggests that day use has seen significant increases along various segments of the trail, but reliable day-use data is harder to come by. It would be helpful to understand visitor use of the Custer Gallatin NF portion of the CDNST as part of understanding a baseline against which to measure future use.

We would like to work collaboratively with CGNF managers to more fully understand current and projected use of the Trail. In doing so, we believe monitoring and carrying capacity would inform an adaptive management scheme.

CDTC offers the following language to address monitoring and carrying capacity for inclusion in the Forest Plan:

- 1. Include a monitoring indicator measuring the number of water sources to be developed in the next 5-10 years.**
- 2. Add a monitoring indicator to measure increases in signage and suitable access over the next 5 years.**
- 3. Establish carrying capacity and monitoring with standards and indicators relative to the CDNST.**

Scenery Management System, Standards and Objectives

We support the Draft Plan’s incorporation of the Scenery Management System (SMS) and urge that the CDNST be identified as a “Concern Level 1.” We agree with and support the objective to manage the Trail at the “high or very high” level and have included language above to incorporate this as a Standard. The scenery integrity standard should not be subject to a Forest Plan exemption if projects (both FS and external) are proposed. Any proposed revision to the Plan, including adequate National Environmental Policy Act (NEPA) analysis and public comment must be required if impacted scenic resources would diminish the nature, purpose, and landscape of the Trail.

Cumulative Impact Assessment

In accordance with NEPA and Council on Environmental Quality regulations, the EIS must adequately analyze cumulative impacts from past, present and reasonably foreseeable future actions. (40 CFR Parts 1500-1508). As written, the Draft EIS simply nods to the Recommended CDNST Forest Plan Components as proof of impact analysis, despite the fact that the Plan Components in this Draft Plan fall short of replicating the Recommended Components and of complying with the 2009 Comprehensive Plan. The EIS discussion must disclose what actions are included in the cumulative impact analysis. Furthermore, it needs to address both: (1) visitor

⁴ Annual report CDTC Southern Terminus Shuttle report and annual completion survey report.

experience opportunities and settings, and (2) the conservation and protection of scenic, natural, historical, and cultural qualities of the CDNST corridor within the Custer-Gallatin National Forest as well as the existing conditions and reasonably foreseeable future actions on adjacent National Forests.

We thank you for the opportunity to comment and participate in the ongoing process to revise the Custer Gallatin Forest Plan. We look forward to working with the entire Forest staff and ensuring the CDNST remains a high quality recreational resource across the Custer Gallatin National Forest. Questions or follow up requests may be sent via email to Amanda Wheelock, CDTC Policy and Communications Manager at awheelock@continentaldividecoalition.org or by phone at 303-996-2759.

Sincerely,

A handwritten signature in black ink that reads "Teresa Ana Martinez". The signature is written in a cursive style with a long, sweeping underline.

Teresa Ana Martinez
Executive Director
Continental Divide Trail Coalition