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Date: August 30, 2016

Email: [comments@psitravelmanagement.org](mailto:comments@psitravelmanagement.org)  
Subject: PSI Travel Management

RE: Pike and San-Isabel National Forest Travel Management (81 FR 48375)

Dear Mr. Dow,

Please accept the following comments regarding the Notice of Intent to prepare an Environmental Impact Statement for Pike-San Isabel National Forests Travel Management. These comments are mostly related to the planning and management of the Continental Divide National Scenic Trail (CDNST).

The background presented with the scoping notice was beneficial for understanding the Purpose and Need for the NEPA analysis. Information regarding the stipulated settlement agreement states: *“The Forest Service will undertake motorized travel management planning to designate roads, trails and areas open to public motorized vehicle use on the six districts of the Pike and San Isabel National Forests pursuant to 36 C.F.R. Part 212, Subpart B which implements Executive Order 11644, as amended by Executive Order 11989, in compliance with all applicable federal statutes and regulations, including NEPA, ESA and NFMA. The Forest Service will provide an explanation in its NEPA analysis (or analyses) of how it considered the criteria set forth in 36 C.F.R. § 212.55(a) in designating roads, trails and areas and considered, with the objective of minimizing, the criteria set forth in 36 C.F.R. § 212.55(b) in designating trails and areas...”* The DEIS should also specifically recognize the authority of the National Trails System Act (NTSA) and E.O. 13195 – Trails for America, since National Trails pass through the Pike-San Isabel National Forests.

The CDNST will need to be addressed following the procedures described in 36 C.F.R. 212, the 2009 CDNST Comprehensive Plan, and FSM 2353.44(b)(11), since motor vehicle use is currently allowed along the CDNST travel route. This would include the section of the CDNST from Monarch Pass to the vicinity of Windy Peak (trails #531 and #468), since these routes were not addressed in the Gunnison Travel Plan following 36 C.F.R. 212.55(a), 36 C.F.R. 212.55(b), and other analysis requirements. The GMUG Forest Supervisor’s decision was revoked with the following explanation: *“The CDNST is excluded from this decision and will revert to the previous decision related to travel management, which includes motorized travel. This direction is consistent with 36 C.F.R. 212.50 (b), stating the responsible official may incorporate previous administrative decisions regarding travel management made under other authorities, including*

designations and prohibitions of motor vehicle use....” This appeal correspondence is included as **Attachment A**.

In addition to addressing the CDNST travel route, Green Creek trail #1412 should be assessed in relation to connecting directly with the CDNST. The CDNST sections of concern are depicted on maps in **Appendix A**. A general travel management planning recommendation is that any route that is to be designated for motor vehicle use should be in compliance with the applicable motor vehicle use design parameters as described in **Attachment B**. This would help provide for the protection of vegetation and water resources.

The CDNST is within the scope of this analysis, since portions of these routes are on the San Isabel National Forest and 36 C.F.R. 212 and NTSA analysis requirements for allowing motor vehicle use on the CDNST travel route have not been met. In addition, the proposed action directly affects the CDNST, which brings CDNST considerations into the scope of the Environmental Impact Statement. This is due to potential direct, indirect, and cumulative impacts of past actions and new proposals that may substantially interfere with the nature and purposes of the CDNST (40 C.F.R. 1508.25). As such, management discretion is limited by the requirements of the NTSA, Executive Order 13195, the CDNST Comprehensive Plan, FSM 2353.42 and FSM 2353.44b.

The FR Notice of final amendments to the Comprehensive Plan and final directives states, “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” (Federal Register, October 5, 2009 (74 FR 51116)).

### Proposed Action Modification

The proposed action should be modified or an alternative to the proposed action developed and analyzed in detail, which addresses motor vehicle use on and along the CDNST, so that such use is managed to be consistent with the NTSA and Executive Orders. The following CDNST guidance should result in travel management actions that are in compliance with the National Forest Management Act, the NTSA Sections 7, and Executive Order 13195:

Motor vehicle use by the general public is prohibited on the CDNST, unless that use is consistent with the applicable land management plan and:

- (1) Is necessary to meet emergencies; ...

- (4) 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;
- (5) Is designated in accordance with 36 C.F.R. Part 212, Subpart B, on National Forest System lands and:
- (a) 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
  - (b) That segment of the CDNST was constructed as a road prior to November 10, 1978; or
- (6) In the case of over-snow vehicles, is allowed in accordance with 36 C.F.R. Part 212, Subpart C,... and the use will not substantially interfere with the nature and purposes of the CDNST.

*Reference: NTSA Section 7, Comprehensive Plan Chapter IV(B)(6), and FSM 2353.44b(11)*

The following are NEPA process considerations that are important to the travel management EIS analyses:

- The DEIS affected environment section needs to describe the CDNST corridor conditions, including identifying the location by depicting the travel route on alternative maps. (40 C.F.R. 1502.15)
- The Environmental Consequences section needs to describe, in part, (1) any substantial interference to the CDNST nature and purposes and (2) how each action alternative, “ensures that the use of off-road vehicles on public lands is controlled and directed so as to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands...” (40 C.F.R. 1502.16) and meets the requirements of the criteria for designation of roads, trails, and areas (36 C.F.R. 212.55).
- Where CDNST route segments are currently designated for motor vehicle use, or are to be designated for motor vehicle use through 36 C.F.R. 212 processes, the DEIS needs to identify (1) the name of the NEPA document related to the motor vehicle use designation, (2) the specific date that the route was added to the forest transportation atlas, and (3) the date that the segment was constructed. This is necessary since some sections that are currently open to motor vehicle use may not be in conformance with restrictions found in the NTSA, CDNST Comprehensive Plan, and related directives. (Comprehensive Plan, Chapter IV(B)(6)). For example, the CDNST travel route to Windy Peak was not constructed prior to November 10, 1978, as demonstrated on the Travel Plan Map in **Appendix B**.
- NEPA “substantial interference” and “minimize conflicts” analyses and determinations need to be rigorous (40 C.F.R. 1502.24).

- Geospatial data that supports the assessments should be openly available to the public.

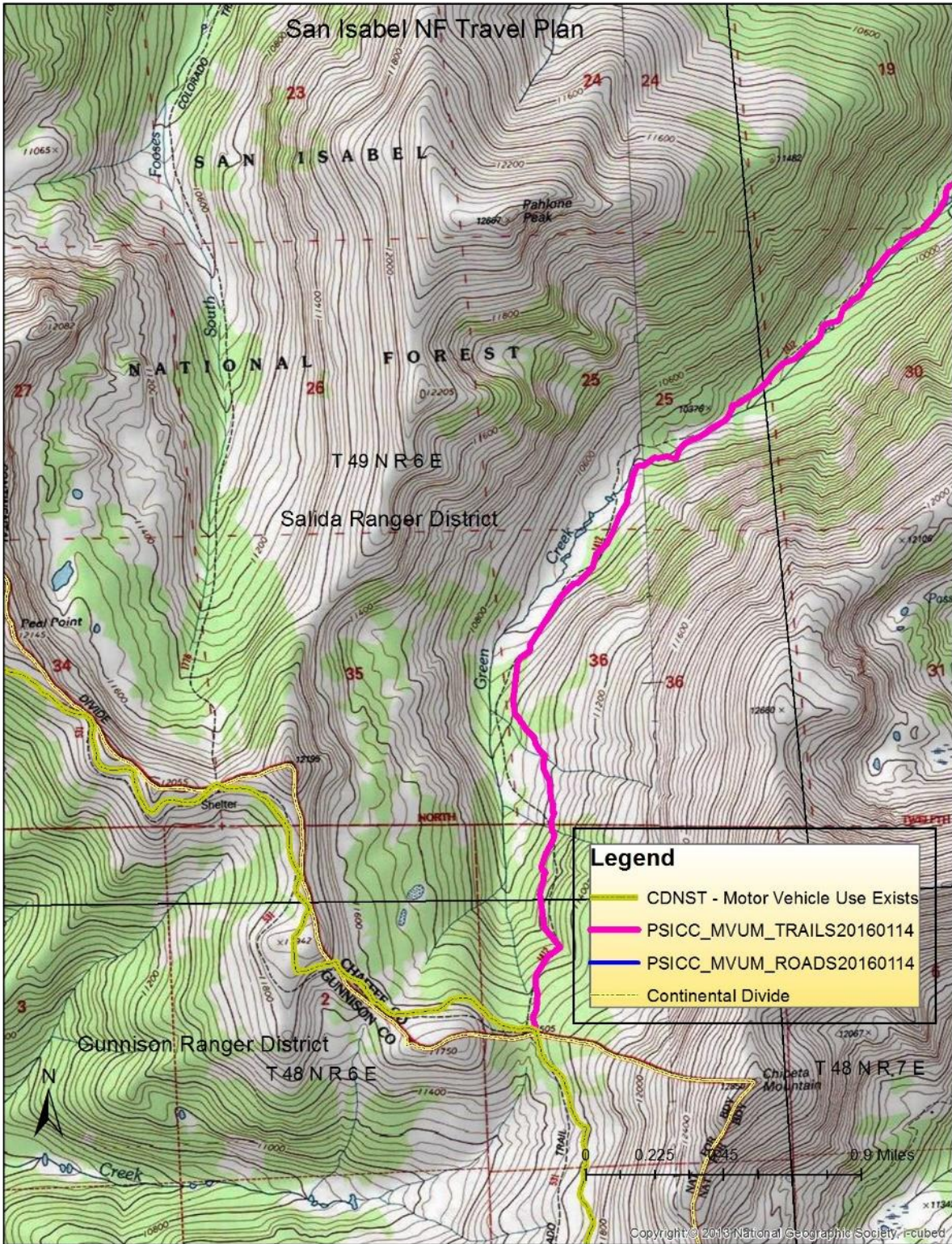
The Forest Plan needs to be revised and the CDNST needs to be fully integrated into the new direction. The CDNST must also be integrated into travel management planning. As such, the forthcoming path for this travel planning analysis may need to adapt as new information is presented and assessed. As such, I have attached a document titled, “CDNST Planning Handbook” to be part of the scoping comments for this project, as well as to provide baseline planning information to help guide the future revision of the Forest Plan – **Attachment C**.

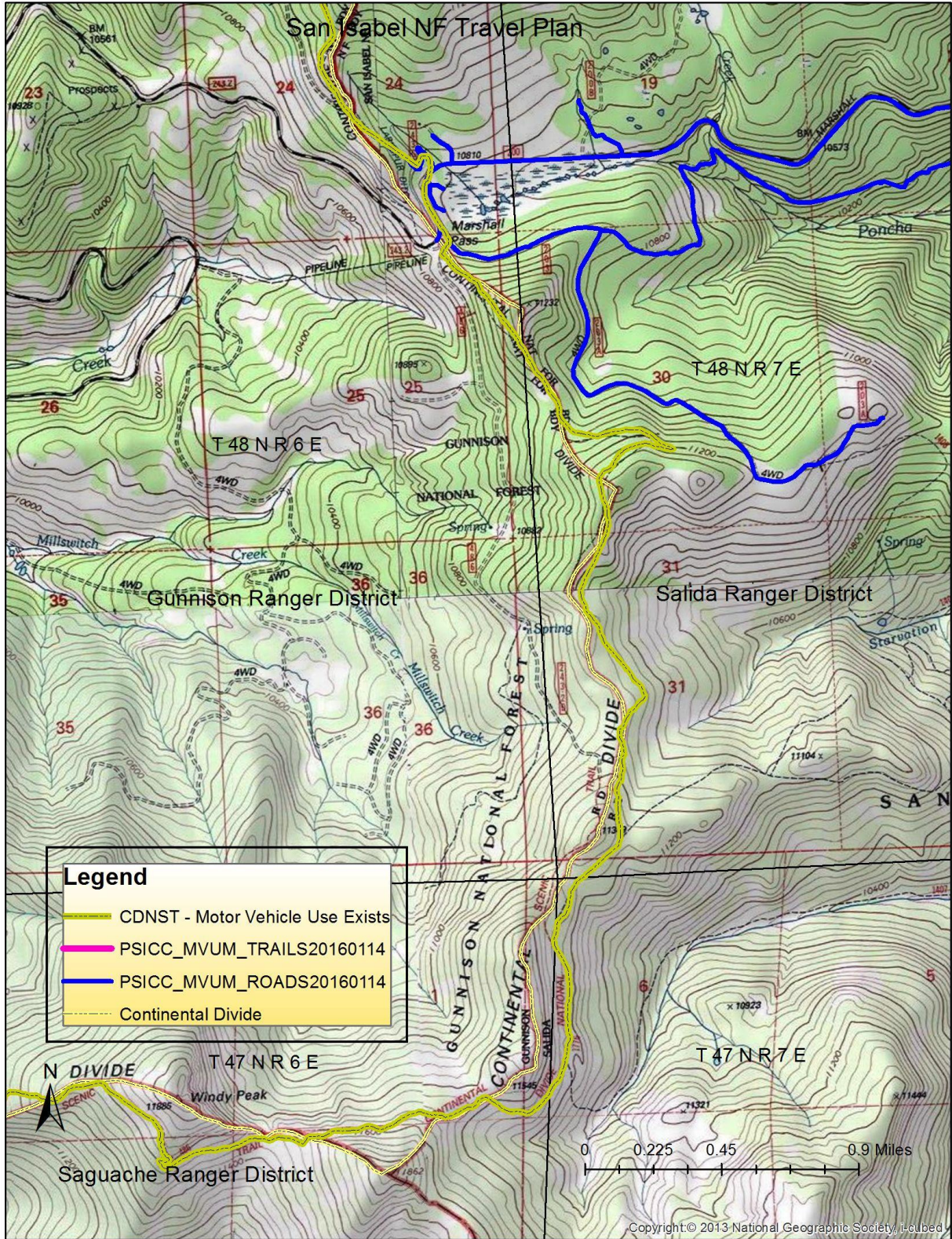
Thank you for accepting and considering these comments. If you have any questions, please contact me at [nstrail@comcast.net](mailto:nstrail@comcast.net).

Greg Warren  
Golden, Colorado

Attachments A – Gunnison Travel Plan Appeal  
B – National Trail Design Parameters  
C – CDNST Planning Handbook

**Appendix A – Principal CDNST travel route sections to be addressed in the Pike and San Isabel travel management planning: Map 1 - Upper Green Creek and Map 2 - Upper Silver Creek.**





**Appendix B** – Rio Grande NF 1983 Travel Map of the Windy Peak Area – The area identified by the #2 signifies being closed to motor vehicle use. This map also indicates that there was not a National Forest System trail leading from the Salida Ranger District to Windy Peak in 1983.

