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**TWO SHOES RANCH**

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***RE: COMMENTS ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR THE  
REDSTONE TO MCCLURE PASS SECTION OF THE CARBONDALE TO  
CRESTED BUTTE TRAIL***

Dear Ms. Braudis and Mr. Fitzwilliams:

We have reviewed the Redstone to McClure Pass Trail Project Draft Environmental Assessment (hereinafter “EA”) and as with the original 2018 Carbondale to Crested Butte Trail Study (hereinafter the “Trail Plan”), there are significant aspects of the EA that raise concerns. We would like to point out these concerns to you.

**Alternatives:** We are disappointed that the EA proposes to eliminate all alternatives except the No Action and the Proposed Action alternatives. In our reading of the EA, it felt like the alternative trails were discounted off-hand as unacceptable through a cursory review and without a real thorough analysis. We believe that two of the discarded trail alignment alternatives that were eliminated as non-viable in the EA (Trail Along Highway 133 Only, Trail from Redstone to Hayes Creek only) should be kept on the table and explored along with the No Action and proposed Action Alternative through an Environmental Impact Statement (EIS) process. In addition, the proposed action should not be separately analyzed from the entire Carbondale to Crested Butte Trail because NEPA requires intimately connected actions to be evaluated and examined in a single EIS.

We support consideration of the “No Action” alternative as it takes into account the concerns expressed by many residents of the significant impact a new trail will have on the Crystal River Valley. Please take a moment to reflect on what makes the Crystal River Valley so special for its residents and visitors. For generations people have been drawn to the Crystal River Valley for its remoteness and unique beauty. People have enjoyed its serenity and recreational opportunities and its undisturbed nature. A full trail of the magnitude and scope as currently contemplated will change the feeling of the Upper Crystal River Valley forever. Please remember if people want to

recreate in the Crystal River Valley, there are many opportunities to do that, and it is okay that those opportunities are different and more off the beaten path as it were than other county areas. We would ask you to consider why should that change? We already have a six mile existing trail for walking, running, and biking, which sits next to Highway 133, and that proximity has not affected its use, desirability, or CDOT's ability to maintain the highway. There are also countless mountain biking and hiking trails which have served the Crystal River Valley nicely. We have the Rio Grande Trail for people that want a bike trail experience, in an area appropriately suited for this scale of trail. The Crystal River Valley's uniqueness and rural character is what has drawn its residence and visitors. So much could be done in the Crystal River Valley to enhance habitat and river health if a trail were not built, and funds were allocated to these important purposes.

As you move forward with considering approval of this trail section, please consider the following:

**Cumulative Impacts:** A major issue with the draft EA is its limited to exploring a small segment of the total trail and ignores the impacts of the full 83 mile proposed trail; despite the fact that Pitkin County has adopted the full trail with only two options. This trail segment is part of the overall Trail Plan. This plan is determined in the EA to be a "reasonably foreseeable action," but when discussing cumulative effects, the document states that the impact of the entire trail is "unknown." The EA does not explain what happens when the cumulative impacts of the overall project are unidentified or undetermined, shouldn't an EA for a partial section of that whole trail wait until all of the cumulative impacts are known. In addition, when discussing cumulative impacts, the EA makes glowing statements about the recreational benefits but avoids describing any of the detrimental impacts (page 20). For example, nothing is said about the negative impacts of increased recreational use, such as introducing additional human activity in or near critical wildlife habitat, or the potential for people and concessionaires loving the trail to death through overuse. Studies show that human trails and roads impact wildlife habitat for a 100-meter swath, not just the width of the improvements. Keeping the trail adjacent to the road would minimize this area of human influence, while separating the trail from the road significantly impacts that area, as well as fragmenting the habitat in between.

**Projected Trail Use:** Although existing human, dog and wildlife use on the old Wagon Road and McClure Pass Road sections is well documented in the EA, nothing is said about projected future use on this trail. The only remark made in the EA concerning future trail use is that the "*Proposed Action would likely increase the overall use of these routes by both local and nonlocal visitors and would likely increase the level of mountain bike use.*" (The EA also hypothesizes that since use in the winter months will be curtailed, trail user numbers may stay the same, just distributed differently.) How can the EA judge between the two alternatives without at least an estimate of how many more people will use the new trail?

If projected use of the trail cannot or will not be determined, the Forest Service does have methods for determining the appropriate capacity of an area using what is known as the "Recreation Opportunity Spectrum (ROS)." The ROS is a system for classifying and managing recreation opportunities based on the physical, social, and managerial settings that the opportunity presents. Under the ROS criteria, a trail such as the one proposed has a desired capacity of about 1,200 people per year given the acreage consumed, the rural, roadside location, and the wilderness-like setting. According to the existing use statistics in the EA, the trail is already at about half of this capacity. Formalizing this trail by making it accessible to the general public, publicizing this trail

through the County's webpage/trail map, and informal promotion of the trail by influencers on social media will only increase help to increase trail use, despite the winter closures proposed.

**Conflicting Uses:** The plan for the trail is to allow hiking, mountain biking and equestrian use on a trail platform that is 3 – 5 feet in width. This is an invitation for conflicts given the narrow nature of the trail. How will this be managed, and as use increases will there be a need for a wider trail? Imagine bikers descending at a high rate of speed and coming across hikers and dogs, some on leashes, stretched across a trail. The bicycle/equestrian interface is a big conflict that can result in dangerous encounters and possible injuries on such a narrow platform.

**Management of Closures and Restrictions:** The County has granted the Forest Service \$100,000 a year to create two full-time enforcement officers that in theory will cover management of the trail. We have two concerns about this. First, the County funding is not by any means permanent or stable, as future Boards of County Commissioners can confirm, reduce, or reject it through annual budget deliberations. Second, the Aspen-Sopris Ranger District is huge, comprised of over 640,000 acres, or 1,000 square miles. Aspen-Sopris manages five Wilderness areas and the heavily used Maroon Bells Recreation Area. It is also witnessing immense public use pressures that commonly see parking lots at many trailheads over capacity throughout the summer and autumn months. We are concerned that the two enforcement positions being created with County funds will have to focus on portions of the Forest that are experiencing high use, leaving the Proposed Action with little or no priority supervision. This will lead to many of the restrictions being placed on the trail as a means to mitigate impacts not being adhered to. Specific management concerns include:

**Ebikes:** Under the EA a portion of the new trail will be open to ebikes with other sections that prohibit them. This seems very problematic for management of the trail, being virtually unenforceable without constant onsite supervision. The only options for ebikers at the end of the allowed section will be to continue on the highway or turnaround, neither of which provide the safe, quality recreational experience the trail is proposed to provide. As technology improves, it will be difficult to visually distinguish between ebikes and mountain bikes traveling along a trail.

**Concessionaires:** Concessionaires will be allowed to use the trail for group biking excursions. The most likely scenario is to bus groups of people up to the top of McClure pass, put them on mountain bikes, and let them glide their way down the trail to Redstone. We are seeing a problem with the proliferation of ebikes on Maroon Creek Road currently and will be inviting a similar problem. This means that other users of the trail will be confronted unexpectedly with several bikers, many of them novices, streaming down the trail. This type of activity diminishes the peaceful, wilderness experience that the trail currently enjoys and that the Proposed Action is supposed to enhance. Strict limits on for-profit use of the trail need to be put in place if such a use is considered at all.

**Winter Closures:** Under the wildlife closure proposed as mitigation, the trail will be closed for up to 5 months out of the year. This closure includes peak user months according to existing observations. Once again enforcement will be challenging given the rural area and the introduction of recent technologies such as fat-tired bicycles that make riding over the snow a simple and fun activity. There are examples in the Crystal River Valley of winter closures not being successfully managed or enforced. One must ask themselves if construction of this trail,

the long wildlife closures, and the high-level management required is a wise investment over the existing trail. Are the benefits of improving the trail worth the costs to wildlife and the way of life in the Crystal River Valley?

**Proliferation of Bandit Trails:** We have learned from the example of trails constructed on the Crown and the Hunter Creek/Smuggler Mountain area, that construction of the Crystal Trail will result in numerous “social” or “bandit” trails. These trails will further diminish the integrity of adjacent habitat and introduce disturbance into areas that have remained relatively free of recreationists. They also promote recreational biking in wilderness areas as well as other unauthorized uses and associated impacts. Three of these trails connect to the Coal Basin Mountain bike system, creating 15 to 20-mile loops using the Proposed Action and Huntsman Ridge Road. Another bandit trail could create a shorter, 10-mile loop via Bear Creek, and the fourth bandit trail would be an out-and-back hiking track up Hayes Creek from the falls. Members of the public have testified that they have seen the Crown go from pristine wildlife habitat and cattle range to a mountain bike mecca with many bandit trails constructed. The Forest Service must be cognizant of these potential trails and the impacts they will create to undisturbed habitat in this area. In addition, there will be pressure placed on the Forest Service to legalize bandit trails once they are created and utilized.

**Impacts on Wildlife:** The EA concludes that the Proposed Action will have negligible impacts on wildlife habitat. It bases this on the wildlife analysis presented within the Trail Plan, conducted by the same consultant used for the EA. The EA ignores other pertinent studies and experiences that had vastly different conclusions about the Proposed Action’s impacts on critical wildlife habitat. According to the habitat mapping in the EA on page 38, the proposed trail section crosses severe winter range, winter range and migration routes for elk. In addition, studies have shown elk disturbance in the summer months is as impactful as winter disturbances. The proposed Action also crosses over or is adjacent to summer range for Bighorn Sheep and Elk. Winter closures are seen as the panacea for solving this problem, although this does nothing to buffer impacts to Bighorn Sheep and Elk Summer Range and will be hard to successfully enforce in the closure months. Once elk and sheep abandon habitat due to the introduction of human activity they never return, as the “human fence” created by people, dogs and bikes continue to keep them away indefinitely.

The EA also touts the series of “wildlife enhancements” that the County committed to in the Trail Plan as further mitigation for the impacts to wildlife. However, the EA speculates that these mitigation measures may or could be effective without any evidence that they will be. If there is not any proof that the benefits have accrued from these measures that are specific to this trail section, shouldn’t this be stated?

The Crystal River Caucus Master Plan states that the trail should be “*designed for user safety, wildlife and habitat protection and consider best science.*” We believe that the best available science is NOT being followed in the current Plan. There is nothing sensitive about upgrading and publicizing existing decommissioned trails that pass through important and biologically diverse habitats, especially when the potential increase in use and cumulative effects have not been determined.

The Roaring Fork Watershed Biodiversity and Connectivity Study has been managed by the non-profit Watershed Biodiversity Initiative and conducted by the Colorado Natural Heritage Program at CSU. The Study's goal is to provide the best available science for decision-makers to guide conservation on a landscape scale. Since 2018 the Study has been guided by a Science Team of eight key stakeholders: The Bureau of Land Management, Colorado Parks and Wildlife, Pitkin County Open Space and Trails, The United States Forest Service, Aspen Center for Environmental Studies, Aspen Valley Land Trust, Aspen Global Change Institute, and The Roaring Fork Conservancy. The Study includes all the tributary drainages to the Roaring Fork Valley, including the Crystal River Valley. The Watershed Biodiversity Initiative has studied landscape ecology and spatial ecology, which examined threats to habitats lost and ecosystem fragmentation. Their study is essential to understanding dispersed recreation impacts that a trail will create. We therefore do not believe that any section of the trail should be considered until the report is studied by the Forest Service. It is currently being shared with Pitkin County and others. Reviewing the study's findings would be in keeping with the Crystal River Caucus Master Plan and OST's stated Purpose, which includes protecting significant wildlife habitat and corridors, and protecting public lands from the impacts of development.

Pitkin County has been at the forefront of wildlife protection and enhancement for decades and their policies and regulations reflect a strong preference for wildlife habitat over development. As stated in the Pitkin County Environmental Bill of Rights: *"It is the policy of the county to ensure that proposed land uses are compatible with the ecosystem of wildlife habitats and do not pose immediate, long term or potential detrimental impacts to such habitats. The county seeks to preserve, restore, and perpetuate native wildlife and plant diversity by maintaining sufficient habitat."* The proposed action does not satisfactorily adhere to this policy.

**Modifying Forest Service Plan:** In order to approve this Proposed Action, the Forest Service must amend its Travel Management Plan. The precedent that is set by modifying the plan in order to approve it is most concerning for future Forest Service action.

**Climate Change:** The EA discards impact to climate change saying that "no issues or impacts are expected" from the Proposed Action. How can an environmental study like the EA make this statement without presenting evidence that supports it? All things created and used by humans make at least some contribution to climate change. Saying that this project will not have any impact on this very real and current problem is unsupportable and irresponsible. A more detailed analysis of this issue must be done before concluding that the Proposed Action has no repercussions on global warming.

**Conclusion:** The proposed trail up the valley will be the largest development in the Crystal since the construction of Highway 133 and the original railroad construction. Because the trail sections are interconnected, choosing an alternative for one section can easily bias the outcome on sections without a recommendation. The approach the County has decided to take regarding the construction of the valley trail can be impactful to wildlife habitat. If approved there will be two constructed sections that are unconnected and on opposite ends of the valley-wide trail. This will put pressure on the County and Forest Services to connect the two segments, disregarding critical wildlife habitat for the sake of getting the whole trail completed. Decisions made through this EA will be a precursor to the actions taken on future sections of the trail. Let us be comprehensive in our decisions about the trail and wait for a consensus on the preferred alignment for the whole

trail before approving this EA. Instead of prematurely expending taxpayers money on something that you and the wildlife in our valley may regret, we should have patience, act responsibly and see what the potential future use and cumulative impacts of the complete trail will be before making any decisions. Doing so gives the Forest Service and the community a chance to consider this trail section with facts and best science on our side. Please remember that the trail will be a permanent fixture that will affect the character and context of the Crystal River Valley community forever.

Thank You for Your Consideration,

Ian Carney, Two Shoes Ranch Manager  
Gideon Kaufman, Legal Counsel