

Data Submitted (UTC 11): 11/1/2021 4:40:15 PM

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Comments: Objection is also attached as a PDF in the attachments.

Re: Objection to the Draft Record of Decision, Final Environmental Impact Statement, and Revised Land Management Plan for the Santa Fe National Forest

Dear Objection Reviewing Officer,

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). The Continental Divide National Scenic Trail (CDNST) was designated by Congress in 1978 as a unit of the National Trails System. The 3,100-mile CDNST traverses nationally significant scenic terrain and areas rich in the heritage and life of the Rocky Mountain West along the Continental Divide between Mexico and Canada. It travels through 25 National Forests, 21 Wilderness areas, 3 National Parks, 1 National Monument, 8 BLM resource areas and through the states of Montana, Idaho, Wyoming, Colorado and New Mexico. CDTC's vision for the CDNST is a primitive and challenging backcountry trail for the hiker and horseman on or near the Continental Divide to provide people with the opportunity to experience the unique and incredibly scenic qualities of the area.

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 2020, CDTC signed an Inter-agency Memorandum of Understanding with the U.S. Forest Service, the Bureau of Land Management, and the National Park Service, which identifies the Continental Divide Trail Coalition as a lead national partner in the management and administration of the Continental Divide National Scenic Trail. To date, CDTC has been successful in coordinating more than 250,000 hours of volunteer stewardship and raising over \$5 million in private funds 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 USFS budget.

#### Background

The Continental Divide National Scenic Trail (CDNST) is far more than a path on the ground; rather, it is the sum of the myriad scenic, natural, cultural, and historical qualities of the areas surrounding the trail that make a journey along the CDNST unique and spectacular. The CDNST is protected and maintained not only for the physical trail itself, but more importantly, for the experience it provides.

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 overarching policy direction serves to implement Congress's direction in the National Trails System Act, and is an essential tool for guiding decisions regarding Forest Plan direction for the CDNST. The Comprehensive Plan also incorporates FSM 2353.42 and 2353.44b.

CDTC Has provided the following additional materials with our Objections:

CDTC comments on the Santa Fe National Forest Draft Land Management Plan and Draft Environmental Impact Statement on November 7, 2019

CDTC Atlas of the CDT

CDTC: CDT Experience Policy

We commend the inclusion of the CDNST and its mile-wide corridor as a Designated Area in all action 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."

Overall, we feel that the plan components for the CDNST as written provide appropriate protection for the trail as a congressionally-designated resource of national significance. We suggest the following changes to ensure that the CDNST is managed within the Santa Fe NF in a manner mostly consistent with the nature and purposes of the trail throughout the life of the plan.

Statement of Objection:

With these factors in mind, and upon review of the Draft Record of Decision, Final Environmental Impact Statement, and Revised Land Management Plan for the Santa Fe National Forest, the Continental Divide Trail Coalition is submitting the following objections regarding the Santa Fe National Forest Plan Revision and associated documents. The relevant objections are as follows:

Objection 01: Some CDNST plan components described in The Plan do not align with the intended nature and purposes of the CDNST as established in the 2009 Comprehensive Plan, guided by the National Trails Act. Specifically, the stated Desired Conditions, Standards, and Guidelines for the CDNST do not align with the 2009 Comprehensive Plan, which is the established management plan for the trail under which all Forest Service plan components should align.

Objection 2: The developed alternatives do not address CDNST concerns and legal requirements in relation to planning for the foreseeable future, specifically identifying and accounting for the future establishment of the CDNST onto high-quality routes in its entirety within the Santa Fe National Forest. Particularly urgent, is the exclusion of any alternative that identifies CDNST high potential route segment corridors that are protected for the nature and purposes of a National Scenic Trail.

Objection 3: The Plan does not reflect adequate consideration of the impacts to the scenic, cultural, and natural resources specifically related to the trail. Management objectives of the trail are not secondary to other management objectives within the proposed Forest Plan, and cumulative and site-specific impacts should be adequately considered and included in The Plan. Monitoring plans to ensure stewardship continues to meet the established nature and purposes of the trail include mitigation strategies of actions that could potentially impact the CDNST as well as monitoring plans that inform the establishment of a carrying capacity.

Standing: CDTC has standing as we submitted substantive comments on the Santa Fe National Forest Draft Land Management Plan and Draft Environmental Impact Statement on November 7, 2019. These comments are included with this objection.

Issue and Statement of Explanation - CDTC Objection 1: CDTC objects to the lack of alignment with the 2009 Comprehensive Plan and the National Trails System Act. Primarily, the Desired Conditions, Standards, and Guidelines described in The Plan do not meet the nature and purposes of the CDNST.

The proposed Land Management Plan is not wholly consistent with the nature and purpose of the CDNST, and, within this corridor, we urge the Forest Service to adhere to the guidelines in the 2009 Continental Divide National Scenic Trail Comprehensive Plan.

Standards for the Continental Divide National Scenic Trail  
DA-STD-CDNST

1.) The first standard states:

Management of the CDNST must 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 out-of-date with science.

CDTC supports the efforts on the part of the Santa Fe NF to manage the CDNST in a way that adapts with the newest science. However, we believe this phrasing could be strengthened. In this standard, the phrasing "in lieu of" could lead to management that is not compliant with the CDNST Comprehensive Plan. The Comprehensive Plan should, hopefully, never be out of date, since there are processes for amending and adopting new direction that can update the Comprehensive Plan, and management practices regarding the CDNST should never contradict or deviate from the Comprehensive Plan.

Solution: CDTC suggests the following rewording of this standard to ensure future compliance with the CDNST Comprehensive Plan and management practices that embrace the newest science:

Management of the trail shall comply with the most recent Continental Divide National Scenic Trail comprehensive plan. Best available scientific information should be used to update management direction and actions that align with the comprehensive plan.

Once again, CDTC commends the Santa Fe National Forest planning team for the inclusion of this standard, as it embraces the adaptive foundation that all planning processes need. With this change in language, we believe it ensures future compliance, while allowing for adaptive and cooperative management approaches that can embrace new science. This can strengthen the cooperative stewardship model, particularly in recognizing the new science being elevated regarding the effectiveness of Indigenous stewardship and the best management practices therein.

2.) The third standard states:

Surface occupancy for geothermal energy leasing activities must not occur within the CDNST corridor.

This standard does not meet the nature and purposes of the CDNST recognized by the Comprehensive Plan.

Solution: It is unclear why geothermal energy is specifically identified as in conflict with the nature and purposes of the CDNST, when development, activity, and other actions related to other extractive activities degrade the scenic, cultural, and historic values of the CDNST as much, if not more so. Particularly, oil and gas development permanently alters ecosystems, disrupts wildlife habitat and crossings, and creates a human activity disturbance that directly contradicts the hiking experience described in the 1976 Study Report of the CDNST and reiterated in the Comprehensive Plan. As such, we recommend this standard be altered with the following wording:

DA-NTRL-S-3: No surface occupancy for oil and gas or geothermal energy leasing activities shall occur within 0.5 mile either side of the Continental Divide National Scenic Trail.

Guidelines for the Continental Divide National Scenic Trail  
DA-GD-CDNST

CDTC is in support of all of the proposed guidelines for the CDNST and appreciate the change to DA-CDNST-G-10 as written, although in order to best protect the nature and purposes of the CDNST, we encourage their inclusion in the final plan as Standards.

Management Approaches for the Continental Divide National Scenic Trail  
DA-CDNST-MA

CDTC supports the management approaches for the CDNST, and applauds the changes made from the

Proposed Management Plan on DA-CDNST-MA-1 and DA-CDNST-MA-5, and are hopeful that other National Forest Planning Teams follow this model management approach.

Violations of Law, Regulation or Policy: National Trails System Act; National Forest Management Act; 2009 CDNST Comprehensive Plan; FSH 2353.44.

Issue and Statement of Explanation - CDTC Objection 2:

On page 333 of The Plan, it states:

Consider evaluating proposed trail relocations or new trail segments (e.g., using methods such as the Optimal Location Review process for substantial trail locations) for the CDNST, including to locate the CDNST as close as possible to the geographic Continental Divide.

We commend this direction as it supports the adaptive stewardship that is at the foundation of the planning process, and we support planning for the highest-quality route for the CDNST through the Santa Fe. In addition to this statement of potential future actions, CDTC advocates for the current analysis occurring during the planning process to account for future actions and activities that could impact areas along the Divide that could provide for the highest-quality experience, aligned with the CDNST Comprehensive Plan. Analyzing foreseeable impacts to these high-quality potential routes is essential to ensuring the protection of the CDNST and its corridor in the future.

While the majority of miles of the CDNST within the Santa Fe National Forest exist on trails, a small fraction of miles remains on roads. In order to plan for the trail's eventual location off of roads and onto trails, and for planning for the eventual location of the CDNST on trails with highest potential quality values that meet the nature and purposes of the CDNST, we encourage a forward looking approach that provides for adaptability and flexibility in the future location of trail miles. Particularly urgent, is the exclusion of any alternative that identifies CDNST high potential route segment corridors that are protected for the nature and purposes of a National Scenic Trail.

While the above statement is correct and aligns with the National Trails System Act of 1968, which is also described in the FEIS, the affected environment seemingly does not take into consideration the CDNST corridor and does not give any reference to the high potential route segments that could be impacted by the alternatives under consideration in The Plan. As is recognized in the FEIS and The Plan, and is supported by the National Trails System Act and the CDNST Comprehensive Plan, protecting the values for the CDNST, including the landscapes, cultural values, scenic integrity, and the conservation purposes of the CDNST is of critical importance within the CDNST Management Area and to the CDT Experience. Many of these important features regarding future potential routes for the CDNST are not addressed, regarding cumulative or site-specific analysis of potential impacts from the alternatives.

For example, management areas with a primitive or semi-primitive Recreation Opportunity Spectrum settings should constrain the construction of permanent or temporary roads, an event that would be a rarity in primitive or semi-primitive settings. Yet, the FEIS does not seem to take into consideration these impacts to the cultural, scenic, or historic values of the CDNST, the CDNST corridor, or the related ROS settings. This is particularly true of high potential route segments, of which the FEIS does not seem to state a direction for monitoring, mitigating, or avoiding the degradation of these standards, and addressed further in the next section of this objection. The impacts of fire management, timber production, range management, vegetative management, and timber production all impact the current routes of the CDNST, and current management practices will impact the ability of the Forest Service to relocate the trail onto high-quality routes in the future.

Additionally, there are many areas within the FEIS, where high potential routes exist, but there is no indication that there are potential monitoring, management, or mitigation strategies to be implemented under The Plan to

protect these areas for the nature and purposes of the CDNST. There are 41 miles of the CDNST through the Santa Fe National Forest. Of those 41 miles, only about 36 miles are current trail miles, with approximately 4.5 miles of the CDNST still located on roads. This means that about 4.5 miles of high potential routes, at least, exist for future planning efforts, but the current stewardship plan needs to account for the miles if it is a priority of the Forest Service to relocate those 4.5 road miles onto high-quality trail miles to be identified and, hopefully, constructed within the life of the plan.

**Solution:** Conduct an additional Environmental Impact Statement with at least one alternative that identifies CDSNT high potential route segment corridors, guided by the Comprehensive Plan and the NTSA. The routes identified in the alternative should be protected with plan components that align with the nature and purposes of the CDNST. Additionally, these routes, taking into consideration the .5-mile wide corridor on either side, should be at least 1-mile wide, if not more, in order to give flexibility for future route layout considerations.

**Violations of Law, Regulation or Policy:** National Trails System Act; National Forest Management Act; 2009 CDNST Comprehensive Plan; FSH 2353.44.

**Issue and Statement of Explanation - CDTC Objection 3:** The Plan does not reflect adequate consideration of the impacts to the scenic, cultural, and natural resources specifically related to the trail. Management objectives of the trail are not secondary to other management objectives within the proposed Forest Plan, and cumulative and site-specific impacts should be adequately considered and included in The Plan, as well as monitoring plans to ensure stewardship continues to meet the established nature and purposes of the trail.

We feel that the Management Approaches for Recreation are particularly well thought-out in their consideration of various user groups, livestock permittees and adjacent landowners, educational needs of the surrounding communities, and protection of resources from recreation impacts. Similarly, the plan components as proposed for Dispersed Recreation, and in particular the proposed Guidelines, provide strong direction for the protection of natural resources on the forest, and are in direct agreement with the nature and purposes of the CDNST ("conserve natural, historic, and cultural resources along the CDNST corridor").

We suggest the following change (noted in italics) to FW-SCENIC-DC-3 in order to explicitly recognize the role the CDNST plays in providing high-quality scenic views to Santa Fe NF visitors:

*FW-SCENIC-DC-3: High-quality scenery dominates the landscape in areas the public values highly for scenery (such as the Continental Divide National Scenic Trail, scenic byways, major roads and trails, developed recreation sites, backcountry areas, and high scenic integrity areas such as Wilderness, recommended wilderness and additions, wild and scenic rivers, and inventoried roadless areas).*

As stated above in regards to DA-STD-CDNST-4, and in our previous comments submitted to the proposed plan, there lacks analysis of the impact of ROS settings that do not meet the nature and purposes of the CDNST. While we appreciate the edited standard that can be found in The Plan now, there is still room for improvement of that standard, and the management, monitoring, and mitigation strategies that must accompany ROS setting determinations. In The Plan, there is no indication that there are strategies for monitoring recreation use on the CDNST, which is essential in determining whether current uses are impacting the trail.

Additionally, 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 contains good qualitative analysis of the potential impacts to the CDNST and its corridor from various actions proposed in Alternatives 1-4. We commend the inclusion of consideration of cumulative impacts across jurisdictional boundaries. However, as noted in comments, the trail and corridor are of primary concern for analysis of cumulative and site-specific impacts to the trail experience caused by management activities, changes in the viewshed, and cumulative impacts like those affecting wildlife and ecosystem vitality. CDTC supports evaluation that provides an analysis of foreseeable future actions, such as actions impacting the corridor or the relocation of the trail onto high quality potential routes, and supports the identification of these cumulative and site-specific impacts in planning direction.

Furthermore, we would like to work collaboratively with Santa Fe NF 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.

Violations of Law, Regulation or Policy: National Trails System Act; National Forest Management Act; 2009 CDNST Comprehensive Plan; FSH 2353.44.

#### Conclusion

As an organization with many connections in the surrounding communities and a dynamic working knowledge of the area, the CDTC is uniquely positioned to inform and assist as this project moves forward, and we look forward to providing any insight that could be productive for this discussion. If we can be of further assistance in aligning The Plan with the CDNST Comprehensive Plan and the National Trails System Act, we would readily provide our expertise. Particularly of use for future planning, could be the Scenic Inventory Assessment that should be released soon and add to the conservation science we have about the CDNST, in order to make the most well-informed decisions about the future of the trail.

We readily embrace the adaptive management practices demonstrated here, as is a foundation of the Planning Rule, and hope that such adaptive measures will be forward-looking enough to plan for a CDNST that is completely located on high-quality trails in the Santa Fe. In particular, we feel that the repeated emphasis on collaboration with partners and volunteers, tribes, landowners, recreation users, and other Santa Fe NF stakeholders can only improve management of the forest, and we offer our support wherever it is helpful, whether that be assisting in evaluation of potential CDNST reroutes, building new trail sections, or educating CDNST users about management activities occurring along the trail corridor.

We appreciate the opportunity to provide comments on the scoping of this proposed action.