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Title: Interim Executive Director
Comments: August 28, 2023

Elizabeth Berger

Regional Forester, Pacific Northwest Region

Jacqueline Emanuel

Assoc. Deputy Chief, NFS, USDA Forest Service

Rick Pringle

Pacific Northwest NST Administrator

USDA Forest Service

1220 SW 3Rd Avenue,

Portland, OR 97204

Re: Notice of Opportunity to Object, Pacific Northwest NST Comprehensive Plan/EA

Dear Regional Forester Berger, Assoc. Deputy Chief Emanuel and PNNST Administrator Pringle:

These are the comments and objections of the Partnership for the National Trails System (PNTS or Partnership), the overarching 501(c)(3) coalition that represents the non-profit partners of the National Scenic and Historic Trails, on the comprehensive plan (Plan) and EA for the Pacific Northwest National Scenic Trail. The PNTS most recently provided extensive comments on a variety of aspects of the PNNST draft Comprehensive Plan/EA on April 17th, 2023, when the Plan and EA were previously offered for comment, and at all stages of scoping.

Comprehensive plans are not clearly defined under the National Trails System Act (NTSA or Act), and over the years, have evolved, been supplemented, and supplanted in various ways. While they have gotten more complicated over the years, the primary purpose of a comprehensive plan is to provide overall guidance for the multi-jurisdictional National Scenic and Historic Trails (NSHTs), as well as to delineate importance aspects of

Trail operation, including, but not limited to, the "acquisition, development, management, and use of the [t]rail." (Footnote 1 - 16 USC 1244(5)(e)) In the opinion of PNTS, while comprehensive plans are not meant to include every possible planning and management policy or document for a given Trail, they are required to provide enough guidance to the administering agency (here the USDA Forest Service) and cooperating land managers (the National Park Service and states) and partners (the Pacific Northwest Trail Association and others) enough guidance that they have sufficient direction to manage for the nature and purposes of the Trail amongst the many (sometimes competing) mandates and requirements under law.

Part of the origin of comprehensive plans was the realization in the ten years after the establishment of the Pacific Crest and Appalachian National Scenic Trails (NSTs), that the agencies required more concrete direction for developing and managing these unconventional conserved lands and the volunteer and non-governmental partners wanted to ensure that their visions[mdash]brought to and adopted by Congress[mdash]didn't find themselves subsumed by agency practices and well established ideas of how particular resources within a trail administrator's (or other's) charge should be managed. A comprehensive plan is strongest, like the U.S. Constitution, when it provides clear guidance expounding on the character of a given trail and its various partnerships, intentions for development, and perhaps most importantly, its nature and purposes, but does not prevent necessary flexibility or capacity for development.

Overall, PNTS is pleased with the Plan and with the incredible amount of care and detail that the Service has undertaken to produce it. The tireless work of the former Pacific Northwest National Scenic Trail (PNNST) Trail Administrator, Becky Blanchard, deserves remark. Her contributions to the PNNST, this pre-final plan, and the National Trails System have not gone unnoticed. Despite this great work, there remains grounds for improvement in the Plan. We, in particular, continue to be troubled by the Service's definition and scope of National Trail Planning and Management Corridors (NTPC and NTMC, respectively).

Collaborative Management Model

We would again like to state our appreciation for the excellent work the Service has done in expounding on the collaborative management model of the PNNST in this pre-final plan. NSHTs are intended to be collaboratively or cooperatively managed public land units, incorporating assets and areas of land protected for other purposes, and for a given NSHT itself. The complexity of NSHTs requires an openness to navigating a multi-jurisdictional landscape, and thriving because and not despite this. In particular since the conception of the Appalachian and Pacific Crest National Scenic Trails, which inspired the NTSA and the entirety of the NTS, public-private partnerships are essential to the success of the NSHTs. The Service says as much in its discussion of collaborative management, which PNTS supports wholly. Further, in clearly stating that the PNTA is "the primary partner of the Forest Service in the development and implementation of PNT programs and projects across the length of the trail," the Service recognizes the exceptional work of the PNTA in conceiving of and advancing (or "developing," in the parlance of the NTSA) the PNNST. PNTS would object to any changes in this section.

Nature and Purposes Statements

The Nature and Purpose statements are among the most important portions of a comprehensive plan, as they express how the trail administrator (and any co-signing consulting administrators or cooperating agency managers) understand the will of Congress in designating a given NSHT. PNTS believes the nature and purposes statement in this pre-final plan is excellent and would object to any changes in this section.

Primary and Key Uses

PNTS appreciates the clarity provided by the removal of the term "key use" and substitution of "primary use." We are concerned about the inclusion of horse and pack stock use as a primary use. In a conflict between two "primary" uses, is there a super-primary use? There are whole sections of the PNT where the trail is closed to this use based on geophysical conditions and existing agency policy. This is documented in other sections of the plan. We agree that horse and pack stock use should be accommodated on the PNT whenever possible, but the situation where foot and stock travel are in conflict should be made clear in the plan. Can something be a primary use when it is not allowed on significant sections of the trail?

Significant Natural, Historical, and Cultural Resources to Be Preserved

The lexicon of the National Trails System (NTS) can be somewhat confusing to outsiders, and even those of us who have been working within in for decades can get tripped by what a term may mean in a given context. We suggest for the final plan that the gradations of a "Trail" be understood and called out. A capital "T" Trail is a NSHT, a component of the NTS and a Congressionally conserved resource intended to be developed over time. NSHTs are forests (if administered by the Service), national conservation lands (if administered by the Bureau of Land Management) and parks (if administered by the National Park Service) in their own right. The "treadway" is the path on which hikers, cyclists, horsemen and others travel. The "corridor" is the conserved area managed for the Trail, including those areas conserved specifically for it and those managed for it via a Forest Plan, Resource Management Plan, or other agency management document. An alternative, and historical term for "corridor" is "trailway." The largest conceptual component is the "landscape," within which the narrower "corridor" or "trailway" will be hewed (the "areas" containing "nationally significant scenic, historic, natural, or cultural qualities" of the "physiographic regions of the nation" (footnote 2 - 16 USC 1242(a)(2)) All NSHTs are large landscape conservation units and are tools Congress has identified to unite a variety of values relating to natural landscapes (National Scenic) or to commemorate significant historical passages through a given landscape (National Historic).

It is within this framework that PNTS requests that in discussing the Congressionally identified values of the PNNST ("those nationally significant scenic, historic, natural, or cultural qualities of the area[] through which" it passes"), that it discuss the entire PNNST as "the Trail" and the path through The Trail, the units unifying asset, as the "treadway" (e.g. on p. 33 of the pre-final plan).

National Trail Planning Corridor (NTPC)

PNTS appreciates the work the Service has done in clarifying both its terminology and approach to the NTPC and National Trail Management Corridor (NTMC). PNTS continues to dispute that the Secretary lacks the authority to regulatorily determine a right-of-way in the conventional sense (albeit with the cooperation of the head of another agency managing land within that right-of-way), but continues to grant that, to avoid confusion for those outside of the NTS, the terms "planning corridor" and "management corridor" are acceptable.

When Congress designates a NSHT, it is generally the beginning of the conservation process, rather than the conclusion of the conservation process. In establishing the NSHT with relatively broad guidelines, directing development generally no further than providing a map of landscape with a (partially or not) existing treadway to the trail administrator, Congress empowers the Secretary charged to come up with a general plan for development, management, acquisition, and use (the pre-final plan in question here). That plan includes the intended zone of conserved area for the NSHT (the "corridor" or "trailway") within the "landscape." As the determination of the planning corridor must be with the consent of sister agency managers (when including land they manage) and to "minimize[e] the adverse effects upon the adjacent landowner or use and his operation" and to harmonize with established plans and usages. (Footnote 3 - 16 USC 1246(a)(2))

PNTS recognizes the value of designating a boundary for the purposes of management and reiterates that the

NTS itself does not require a narrow planning corridor; rather, it requires a planning corridor to focus the development of the NSHT in order to conserve the nature and purposes of the NSHT, consistent with its designation. This planning corridor, therefore, must contain the vast majority of the NSHT's Congressionally identified values, otherwise Congress' purpose in designating the given Trail would be defeated at the outset of the Trail's development process. It can be no narrower than the foreground of visibility from the treadway, and, at its greatest extent, includes the entirety of the background of visibility from the treadway.

The NTSA is a big picture conservation law that organizes conservation of resources across large landscapes along a treadway. It is not for the treadway these resources are conserved, rather it is from the treadway that the recreating public will be able to appreciate the conserved natural, scenic, historic recreational and cultural resources. The incredible versatility of the Act is a reflection of the different conditions that will be on the ground in any place, depending upon the kind of natural environment a given National Scenic Trail is seeking to conserve. It is the responsibility of the trail administrator, working collaboratively and cooperatively with the (non-governmental) partner(s), to determine the most appropriate NTMC in order to uphold the nature and purposes of the Trail and the requirements of the Act, specific to the environs in which that Trail is located. Further, the trail administrator is similarly charged to determine the most appropriate NTPC in order to provide for proper development, including potential optimal (re)location.

PNTS objects to the NTPC minimum recommendation in this pre-final plan of .5 mile on either side of the centerline of the treadway and instead requests that the minimum recommendation be no less than 10 miles on either side (a 20-mile zone) to be further refined, as appropriate, according to the process laid out in the NTSA. Furthermore, we request the Service combine these processes or, at the least, identify the timeline on which that process will occur, as the planning corridor is fundamental to advancing the development of the Trail as required by the NTSA. It is unclear how the development of this planning corridor requires "broader consultation" than is required for this multi-jurisdictional comprehensive plan, which has had sustained input over years from cooperators and other stakeholders. A planning corridor is not the establishment of a legal right of the agency over lands, publicly or privately held; rather, it is a zone of focus for the development of the Trail based on the presence of its Congressionally identified values.

Optimal Location Review (OLR)

The Partnership recommends being slightly clearer that, year-by-year, the PNNST can be moved to improve the experience the PNT provides to the public, as long as key landmarks called out in the legislation do not change and its footprint does not change "substantially" from the map incorporated into the Act by its designation. Additionally, PNTS believes the draft Plan should be somewhat clearer that temporary relocations of a treadway are normal, and are not "substantial relocations," which, as is implied in the draft Plan, would be significant alterations to the path approved for a Trail's treadway/overall location.

In order to better reflect the remote conception of a National Scenic Trail, PNTS suggests adding an eleventh guiding principle, perhaps pulling from House Report No. 90-1631:

"[hellip]located to avoid, insofar as practicable, established highways, motor roads, mining areas, power transmission lines, existing commercial and industrial developments, range fences and improvements, private operations, and any other activities that would be incompatible with the protection of the trail in its natural condition and its use for outdoor recreation..."

Reflecting in the OLR/land protection sections that developed areas are to be avoided when at all possible would further support the nature of a National Scenic Trail.

Visitor Use Management

While the Partnership appreciates the vision of a thru-hike, most people who recreate on National Scenic and Historic Trails will never thru-hike. Perhaps too much of the language used in popular culture as relates to the National Trails System centers thru-hikers, an almost vanishingly small percentage of most National Scenic Trail recreators (and perhaps non-existent percentage of National Historic Trail users). PNTS appreciates that this type of user needs particular attention; they are not, however, the only national trail user population that needs particular attention. PNTS strongly urges that any mention of hikers not intending to hike the entirety of the PNNST in one season be reflected in the "Trail Uses" portion of the Plan, as these individuals are the overwhelming majority of users of the PNNST and all other National Scenic and Historic Trails.

PNTS agrees to the Service's characterization of "carrying capacity" as used in the NTSA to mean a plan for visitor use but disagrees with the overly complicated, potentially unmanageable, and perhaps duplicative method that the Service has proposed for the PNNST.

PNTS objects to the concept, method, and management value of a trail-wide capacity estimate for the PNNST proposed in the Plan for the reasons listed below, and argues a trail-wide capacity is not necessary to satisfy NTSA requirements:

- * For a long-distance trail, a single capacity estimate based on the constraints of the most limiting sections may result in over- or under-utilization of sections along the length of the Trail.
- * Furthermore, the approach assumes a continuous and evenly distributed flow of thru-hikers. It does not account for use concentration in time and space (e.g., most desirable start dates and locations, "bunching" at popular destinations, wildfires) or drop-outs (starts vs completions).
- * Thru-hiker use is a very small fraction of total use of the Trail. A thru-hiker capacity does not take into account other types of use that may occur in the same time and place. Therefore, capacity management based on a small subset of users may result in undesirable impacts to the resource and experience.
- * Visitor capacity is not an inherent characteristic of a site. It changes based on management actions taken to influence visitor use patterns and behavior (among other factors) to ensure management goals are met. Such an estimate would be out of date almost instantly, another reason why capacity estimates are best addressed in more adaptive local visitor use management plans.
- * Shifting environmental conditions (e.g., presence of a wildfire) and long term impacts of climate change (e.g., increased prevalence of wildfires) may also alter visitor capacity and visitor use in unanticipated ways.
- * A Trail-wide visitor capacity number is too broad in geographic scope for effective management on a long-distance linear trail. As acknowledged elsewhere throughout the Plan, "at the comprehensive planning level, it is preferable to express capacity by zone as the general types and amounts of use that the trail can accommodate." Visitor capacity estimates for a specific site, segment, or area—especially capacities that consider multiple use types and unique use patterns for that area—are most useful.

Trail Closure and Temporary Detours

PNTS appreciates the improvement of the discussion of trail closures, temporary relocations, etc. in the pre-final Plan. In this updated section, a passing reference is made to temporary closures due to timber harvesting. PNTS believes that commercial timber harvesting within a given NST's management area is inconsistent with the intention of the NTSA for any federal conserved area not managed for commercial timber harvest at the time of designation of a given NST. The PNNST NTMC (i.e., the PNNST foreground zone) should be unsuitable acreage.

Transfer of Management Responsibilities to Another Federal Agency

Land Acquisition and Protection

Land acquisition and resource conservation are some of the most fundamental aspects of the "development" of a National Scenic or Historic Trail. In this Plan (Appendix D at p. 175), the Plan states that its first guidance principle and prioritization criterion is to "complete the trail." This is an appropriate first principle and criterion, although PNTS notes that given the nature of National Scenic Trails in particular, "completion" is an end to strive ever towards, but perhaps not be capable of achieving.

For the sixth criterion, "fee title acquisitions," PNTS requests the revision of the current text to read, "The use of fee title acquisitions (land purchases and land donations) to ensure long-term protection of land areas along the PNT is preferred. Outside of Federally administered areas, encourage state and local governments, and cooperating private entities, to acquire such lands or interests on lands, or enter into cooperative agreements as needed to assure protection of the PNT, with the trail administrator and cooperating agencies also pursuing fee title acquisitions as appropriate." We would object to the failure to include a specific reference to the federal acquisition of fee title acquisitions (as is recognized elsewhere in the Plan).

This section is mostly good, but consistent with non-strictly recreation values of the Trail, PNTS recommends under "Management Practices," that the FS remove the first sentence in 4(e) on page 67 and replacing it with "Prioritize acquisitions or management agreements that protect the treadway when outside the exterior boundaries of federal reservations, but pursue, when possible, acquisitions or management agreements on lands that may not be contiguous with the Trail's conserved corridor, consistent with the Act's intention to provide scenic and naturally valuable experiences from the treadway." Additionally, a final subsection (h) referencing the desirability of conserving land with ecological connectivity value within the PNNST's broader landscape would be consistent with both FS and federal responsibilities towards flora, fauna, and ecological health (and consistent with the Act).

Scenery

PNTS recommends that the Plan clearly state that the PNNST will use the scenery management system (SMS) in whole, and management actions in the middleground views from the PNNST will meet a SIO of at least Moderate. Consistent language through forest and land resource management plans can be extremely difficult to achieve—vexingly and unnecessarily so—in part because of the sometimes isolated understanding of a comprehensive plan. The PNNST NTMC (i.e., the PNNST foreground zone) should be unsuitable acreage.

PNTS appreciates the exceptional work that the FS has put into developing this Plan, and the agency's incredible commitment to partnership and co-management. There is much in this PNNST comprehensive plan that the Partnership believes will be a model for the National Trails System's other comprehensive plans. The plan is quite long, contains a great amount of detail (some of which seems unnecessary), but reflects an appreciation for the Pacific Northwest National Scenic Trail that is very encouraging. Thank you to our partners in the Forest Service, particularly Becky Blanchard, Pacific Northwest Trail Association, and others (including PNTS member organization volunteers) who have helped developed this draft Plan. PNTS looks forward to participating in the resolution meeting and subsequent decisions about any proposed changes that may arise during the resolution meeting.

Sincerely,

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