

Continental Divide National Scenic Trail Relocation Project
Tim Farris- Trails Supervisor
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RE: Continental Divide National Scenic Trail Relocation Project

Dear Mr. Farris,

I appreciate receiving notice of the proposal to relocate approximately 15 miles of the Continental Divide National Scenic Trail (CDNST) from the Shoshone National Forest onto the Bridger-Teton National Forest, Jackson and Blackrock Ranger Districts. I first looked at portions of the proposed Bridger-Teton NF route about ten years ago and felt that the Bridger-Teton NF locations should be explored along with other locations that were being evaluated by Shoshone NF staff. At that time, Grizzly Bear issues were a concern and interior Bridger-Teton NF locations was not assessed. I am aware that some CDNST thru-hikers have used travel routes in the vicinity of the proposed location believing that those routes were preferable to the conditions found on the Shoshone NF. Hopefully, some of those hikers will become aware of this proposal and comment on the project.

The CDNST is officially described by the R-2 Regional Forester as being on the Shoshone NF. The Shoshone Forest Plan established a Management Area for the CDNST corridor with plan components. The Shoshone Plan describes that the, "Management of the Continental Divide National Scenic Trail is consistent with the Continental Divide National Scenic Trail Comprehensive Plan (USDA Forest Service 2009). That plan describes the nature and purposes of the trail as, "... to provide high-quality scenic, primitive hiking and horseback riding opportunities and to conserve natural, historic, and cultural resources along the CDNST corridor... The Trail provides a high quality scenic, primitive hiking and pack and saddle stock experience... Roads and motorized trails are not present except at designated crossings. The Trail corridor is characterized by a predominantly natural appearing environment. Improvements such as trailheads, trails, signs, bridges, and fences that enhance the recreation opportunities may be present. Evidence of past and present resource management may exist, but blends with the natural appearance of the landscape. Vegetation alterations may be present to enhance viewing opportunities... Ecological processes such as fire, insects, and diseases exist. The potential to view wildlife is high." Noteworthy is that Shoshone NF staff describes in the proposed Lava Mountain project scoping notice that the CDNST travel route is an interim location, which suggests that the forest is interested in moving the route.

The proposed action looks very promising for establishing a CDNST travel route where existing Management Area direction (MA7a, MA7b, and MA10) appear to be more compatible to CDNST values than that of the Shoshone timber management prescriptions in the Lava

Mountain area. However, the Bridger-Teton NF proposed action should describe that a site-specific Forest Plan amendment may be adopted to address establishing of a CDNST Management Area for the proposed segment of the CDNST. Recommended plan components, and other related planning information, are identified in the attached CDNST Planning Handbook. A collaborative effort with the Shoshone NF, and coordinated with the R2 and R4 Regional Foresters, could also amend the Shoshone NF Forest Plan to remove the CDNST MA from the Lava Mountain area of the Shoshone National Forest, while locating a CDNST MA from the junction of Highway 26/287 on Togwotee Pass to Brooks Lake.

The FR Notice of final amendments to the CDNST Comprehensive Plan and final directives [FSM 2353.4] 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)).

The scoping notice describes that, “[i]f it is found that there are no extraordinary circumstances related to this decision that may result in a significant individual or cumulative environmental effects, it is expected that this project would be authorized by the use of a Categorical Exclusion, which excludes the decision from documentation in an environmental impact statement or environmental assessment. Extraordinary circumstances are those instances that could result in significant environmental effect to one or more of the following resource conditions, as described in 36 CFR 220.6(b)(1).” The proposal is more about the planning, protection, and management of a National Scenic Trail (a congressionally designated area) than the engineering task of constructing a travel route, so the use of a trail construction CE category for the decision would be inappropriate. In addition, amendments to existing Forest Plans would not be accommodated by this CE category. I recommend that an Environmental Assessment be prepared for the project to address Forest Plan amendments and alternative locations as presented in the Appendix. Possibly, not all of the identified locations would need to be developed in detail in the assessment process.

The project is described as to be implemented this summer. There is new widespread use of CEs for projects such as this to accelerate the implementation of proposed actions. However, I would note that the value of NEPA processes are important to making sound decisions. NEPA is designed to promote consideration of potential effects on the human environment (40 CFR 1508.14) that would result from proposed Federal agency actions, and to provide the public and decision makers with useful information regarding reasonable alternatives (40 CFR 1508.25(b)) and mitigation measures to improve the environmental outcomes of Federal agency actions. NEPA ensures that the environmental effects of proposed actions are taken into account before decisions are made and informs the public of significant environmental effects of proposed

Federal agency actions, promoting transparency and accountability concerning Federal actions that may significantly affect the quality of the human environment. NEPA reviews should identify measures to avoid, minimize, or mitigate adverse effects of Federal agency actions.

Another approach to moving this project forward quickly, without necessarily amending Forest Plans and conducting more in-depth NEPA processes, is to propose an action to designate an official CDNST Connecting and Side Trail (16 U.S.C. 1245). FSM 2353.32 states, “[e]stablish connecting and side trails where appropriate. Connecting and side trails complement National Recreation, National Scenic, and National Historic Trails by providing additional public access or additional recreational opportunities. Manage connecting and side trails in accordance with the direction for the trails they complement.” Possibility this would be better fit for the use of a CE than that of modifying the location the official CDNST management corridor and travel route. The R4 Regional Forester has the authority to establish a Connecting and Side Trail (FSM 2353.04g).

Thank you for considering these comment. I truly appreciate the Bridger-Teton NF interest in completing the CDNST travel route through this section of Wyoming. If you have any questions, please contact me at NSTrail@comcast.net.

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cc: Tod Stiles, Mike LaFrentz, Rob Robertson, and Brenda Yankoviak

Attachment – CDNST Planning Handbook

Appendix – CDNST Alternative Location Maps.

