

**COMMENTS ON SAN JUAN NATIONAL FOREST DRAFT LAND MANAGEMENT PLAN
AND DRAFT ENVIRONMENTAL IMPACT STATEMENT**

**Submitted by
The Colorado Trail Foundation**

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INTRODUCTION

The Colorado Trail (CT) is a premier, long distance, high mountain, non-motorized trail traversing nearly 500 miles from the Denver area to Durango. The purpose of The Colorado Trail is to provide multi-day, inspirational, and educational values keyed to the diverse, high mountain natural environment. The Colorado Trail concept was laid out in the Cooperative Agreement of 1976 between the Colorado Mountain Trails Foundation (predecessor to The Colorado Trail Foundation) and the USDA Forest Service. Construction was started in 1978 and completed in 1987.

The Colorado Trail Foundation (CTF) is the primary non-profit organization responsible for the development, maintenance, continued improvement and upkeep of The Colorado Trail. Its mission is to provide and to maintain, through voluntary and public involvement, and in cooperation with the USDA Forest Service and Bureau of Land Management, a linear, non-motorized, sustainable, recreation trail between Denver and Durango, Colorado. Volunteerism is the heart of The Colorado Trail effort. Each year around 800 volunteers labor with the CTF in caring for the Trail and the value of this volunteerism, in 2007 alone, was an astounding \$401,610. Adding to the volunteer value are over 1,000 people who contribute financially each year to sustain the effort. Altogether, our non-profit organization brings tremendous value to the care of our public lands, thanks to approximately 2,000 Friends of The Colorado Trail.

The Colorado Trail Foundation and its predecessor, the Colorado Mountain Trails Foundation, have worked in close partnership with the USDA Forest Service since their beginning. The documents that provide The Colorado Trail background, purpose and management plan and the current working agreement between The Colorado Trail Foundation and the USDA Forest Service are the 1998 Master Plan for The Colorado Trail (Master Plan) and the 2005 Memorandum of Understanding Between The Colorado Trail Foundation and United States Department of Agriculture Forest Service (FS Agreement Number 05-MU-112020000-044) respectively.

SPECIFIC COMMENTS

The Issue: Proposal to include a portion of the Hermosa Inventoried Roadless Area in the National Wilderness Preservation System

References:

- Vol.2, Part 2, Page 171. Portions of the Hermosa Inventoried Wilderness Area to be recommended for inclusion in the National Wilderness Preservation System.
- Vol. 3, Appendix C. Roadless Area Inventory and Wilderness Evaluation, Hermosa (Pages C-35 – C-40) and Map: West Hermosa Recommended Wilderness Area

What is our concern?

The Colorado Trail Foundation faces a dilemma. Our overall objectives in terms of this issue are:

- To preserve access for the traditional and currently allowed uses of The Colorado Trail (hikers, snowshoers, cross-country skiers, mountain bikers and equestrians);
- To permanently preserve the nature and characteristics of the Hermosa Inventoried Roadless Area.

The Draft Plan's proposal puts these objectives in conflict. We recognize that the West Hermosa area has important and unique characteristics that need to be protected. There are few Colorado Wilderness Areas that encompass diverse ecosystems such as relatively low elevations to the "rock and ice" of higher elevations and also few with stands of old growth ponderosa pine. The proposed Hermosa Wilderness has those special characteristics. We support the need for permanent protection of this unique area and recognize that Congressional protection is the most enduring form. On the other hand, including the western portion of the Hermosa Roadless Area in the National Wilderness Protection system will eliminate mountain bike use from a significant section of The Colorado Trail (approximately 21 miles from Hotel Draw Road, FS Road 550, to the road at Kennebec Pass trailhead, FS Road 571) as well as some popular connecting trails (e.g., Corral Draw and Clear Creek trails).

Why is it a concern?

Our general concern is that the Hermosa Roadless Area has long been an exceptionally popular recreation area for Durango area residents and visitors. We believe that taking access to this popular area away from one of the most popular forms of recreation – mountain bikes – would have a negative effect on the Durango area community and the broader community of Colorado Trail users.

Secondly, we also have a strong concern specific to the interests of The Colorado Trail. The proposed Wilderness Area would encompass The Colorado Trail from its junction with the Grindstone Trail to the Kennebec Pass trailhead¹. Although this distance is only a bit more than 5 miles, the proposed Wilderness Area encompasses several of the side trails connecting to the Colorado Trail from the east, thus requiring that mountain bikers coming from the north exit The Colorado Trail at Hotel Draw Road. Therefore, with Wilderness Area designation, mountain bikers would be losing linear progressive access to approximately 21 miles of The Colorado Trail in a section that is very important to them.

In addition, although we have been able to specify an alternate route for mountain bikers where other sections of The Colorado Trail traverse a Wilderness Area, the layout of trails and roads in the Hermosa Creek/La Plata Mountains area, does not

¹ Based on our reading of the map in Appendix C, West Hermosa Recommended Wilderness Area, it appears that the proposed Wilderness Area north of the Grindstone Trail/Colorado Trail intersection does not include The Colorado Trail. If we have misread and there are places where The Colorado Trail north of the Grindstone Trail crosses into the proposed Wilderness Area, we ask, if the wilderness proposal remains part of the Final Plan, that the boundary be moved slightly to avoid The Colorado Trail. This would allow the use of chain saws to remove downed trees, an important consideration for our trail maintenance in timbered areas.

provide a feasible alternative route that would allow through-cyclists to start or complete the trail at the official Junction Creek trailhead.

Further, there are a very large number of cyclists who are “day users.” Some mountain bikers enjoy the long single-track loops provided by, for example, the Hermosa Creek Trail, Corral Draw Trail and The Colorado Trail. With the proposed wilderness, these cyclists not only lose The Colorado Trail portion, but also lose the connecting trails, which eliminates their access to the loop routes and thereby eliminates recreational opportunities for hundreds of trail users.

The mountain biking community is very important to The Colorado Trail for financial and volunteer on-the-ground support. In 2007 alone, volunteers with The Colorado Trail Foundation logged 22,250 hours working for and caring for The Colorado Trail. This in-kind support for the Forest Service is equivalent to \$401,610 in labor costs.

Mountain bikers, as individuals and through their associate organizations, are an essential part of these volunteer trail maintenance efforts. A recently completed 2007 assessment of the condition of The Colorado Trail along its entire length found that trail conditions along the sections maintained by mountain bikers are among the best.

Summary

The Colorado Trail Foundation works hard to foster a strong community of shared, non-motorized trail users. All of our traditional trail users – hikers, snowshoers, cross-country skiers, equestrians and mountain bikers – join in their love and care for The Colorado Trail. We are concerned that the exclusion of mountain bikers from this particular part of The Colorado Trail, as well as from the side connecting trails, would seriously reduce their interest and willingness to help us maintain The Colorado Trail. Without the financial and on-the-ground support of the mountain biking, hiking and equestrian community, The Colorado Trail Foundation would not be as successful as it has been in maintaining a high quality trail.

Our Recommendation

We believe that there is an alternative that will meet both of our objectives of maintaining access for our non-motorized traditional users and permanently preserving the character of the Hermosa Roadless Area.² In addition, The Colorado Trail Foundation feels that the current Forest Service proposal does not protect enough of the Hermosa Roadless area. To preserve the outstanding wild-land values found in the Hermosa Creek drainage, we recommend a much larger preservation area using an alternative form of Congressional action. Our recommendation would provide solid and permanent protection without changing the currently allowed non-motorized uses on the Colorado Trail or the use of chainsaws to keep the Trail clear

² We note that the final sentence in the evaluation of the Hermosa Roadless Area (Appendix C, page C-40) says: “Proposed management under all alternatives would protect wilderness characteristics while allowing for additional management tools not allowed under wilderness protection.” In addition, the evaluation recognizes the importance of the Hermosa area as a major recreation venue and recognizes mountain biking as a leading form of recreation in that area. Thus, at first glance the evaluation seems to be somewhat at odds with the DLMP proposal. Our analysis and comments are based on the DLMP proposal for a full, Congressionally designated Wilderness Area, but we hope that the language in the evaluation reflects sufficient flexibility to allow for serious consideration and adoption of our recommendation.

and in good condition. We consider both bicycle access on The Colorado Trail and the use of chainsaws for trail maintenance as legitimate and beneficial to the mission of The Colorado Trail.

Congress has in the past designated Special Management Areas, Recreation Management Areas, National Conservation Areas, and Protection Areas (See 16 USC 539g-539k) that provide protections for unique areas while allowing for specific recreational uses. We recommend that the San Juan Public Lands Office include in the Final Land Management Plan a proposal to seek Congressional designation of the Hermosa Creek Inventoried Roadless Area as a National Protection Area and/or National Conservation Area³. In keeping with precedent, the desired conditions, restrictions and permissions would be specifically included in the legislation designating the protection area. We specify our preferred conditions below.

We recognize the uniqueness of the Hermosa Roadless Area and join in the desire to permanently protect its qualities. To this end, our proposal for Congressional legislation specifying a Hermosa National Protection Area/National Conservation Area would include the entire Hermosa Inventoried Roadless Area, not just the portion west of the Hermosa Creek Trail, thereby protecting a much larger area of the Hermosa Creek watershed and the high peaks of the La Plata Mountains. Our proposal would allow continued use of mountain bikes on The Colorado Trail, the Hermosa Creek Trail and its side trails, but would protect, through Congressional mandate, the unique scenic, wildlife, and ecological values of the area.

We are using both terms, National Conservation Area and National Protection Area, here because it may be possible to adopt overlapping designations in the Hermosa area. For example, the Forest Service's proposed Wilderness Area could be designated as a National Protection Area embedded within a National Conservation Area that includes the entire Hermosa Roadless Area. This would allow Congressionally mandated management prescriptions and restrictions to be tailored for the National Protection Area that would focus on protecting the wilderness qualities while allowing existing recreation in that area and throughout the entire roadless area. It would also allow the opportunity to tailor congressionally mandated management prescriptions and restrictions for the eastern side of the area now excluded from the wilderness proposal. We have included a map (Attachment 1) that can be considered an example of how the Hermosa roadless area might be treated under our proposal.

The Master Plan for The Colorado Trail referred to above establishes both Forest Service Policy and Colorado Trail Foundation policy as prohibiting motorized use on The Colorado Trail except where it existed prior to the development of The Colorado

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Trail (Master Plan, page 13). We strongly re-affirm that policy for The Colorado Trail itself.

However, we acknowledge the long history of motorcycle use on Hermosa Creek Trail, Jones Creek Trail, Lower Dutch Creek Trail, Corral Draw, Grindstone and Little Bear trails and we recognize that the motorized recreation community will likely wish to keep these trails open for their use. We have a concern, if they are closed, that motorized users will seek replacement routes elsewhere in areas not now open for motorized use. In addition, local off-road motorcycle enthusiasts are volunteering their time to maintain many of the shared use trails in the Hermosa area. The likely loss of their important work would be missed and would make it necessary for the Forest Service to find ways to replace their volunteer efforts.

If for these or other reasons the Forest service chooses, under our proposal (or a similar proposal), to keep those current trails open for motorized use, we ask that such use be limited to motorcycles (no ATV use allowed). In addition, we ask that no other motorized trails be allowed within the protection area.

If decision-makers choose a preservation solution different from our recommendation, we strongly urge that the chosen solution offer permanent legislative protection of the wild-land values while preserving the currently allowed, non-motorized uses and chainsaw maintenance on The Colorado Trail.

Desired Conditions for the Hermosa National Protection Area/National Conservation Area

We recommend that the following conditions be included in legislation establishing a Hermosa National Protection Area/National Conservation Area (protection area):

a. Area encompassed

The area encompassed by this protection area shall be the area designated as the Hermosa Inventoried Roadless Area [as shown in Figure 22, page 170 of Volume 2, Draft Land Management Plan].

b. Withdrawal

Subject to valid existing rights, all lands within the protection area are withdrawn from all forms of entry, appropriation or disposal under the public land laws; from location, entry, and patent under the mining laws; and from disposition under the mineral and geothermal leasing laws, including all amendments thereto.

c. Timber harvesting

No timber harvesting shall be allowed within the protection area except to the extent that would be permitted in wilderness under section 1133(d)(1) of 16 USC for necessary control of fire, insects, and diseases, and for public safety.

d. Development

No developed campgrounds shall be constructed within the protection area. After [a date certain, perhaps December 14, 2007, the release date of the draft Plan and DEIS], no new roads or trails may be constructed within the protected area.

e. Motorized travel

If the Forest Service decides to keep existing motorized trails open:

Single-track (motorcycle) use may be allowed on the existing Hermosa Creek, Lower Dutch Creek, Jones Creek, Clear Creek, Corral Draw, Grindstone and Little Bear Creek trails. Other motorized use is not permitted except where necessary for administrative purposes including fire control, or to respond to an emergency. No additional motorized trails will be allowed or constructed within the protection area.

- f. Non-motorized travel
All forms of summer and winter non-motorized travel, including mountain biking, shall be allowed on all existing trails in the protection area.
- g. Hunting and fishing
Hunting and fishing shall be allowed in the protection area in accordance with federal and state law.
- h. Trail maintenance
Chain saws are authorized for use in maintaining The Colorado Trail and other trails as appropriate within the designated protection area.

We believe that these specifications would provide the desired protections for the Hermosa Roadless Area wilderness qualities while also protecting the community's very popular and long-standing recreational use of the area and The Colorado Trail.

The Issue: The policy that trails close to communities and/or major access points will be barrier-free.

References:

- Volume 2, Part 2 Strategy, page 176, Desired Conditions – National Recreation and Scenic Trail, and National Historic Trails
Condition number 32.5: "Trail segments near area communities and/or major access points are planned and designed in order to be barrier-free."

What is our concern?

While we support access to trails for the handicapped, the proposed policy does raise numerous questions about the impact on our traditional uses as well as what level of responsibility The Colorado Trail Foundation would have for construction and maintenance of these sections.

Why is this a concern?

Our objective relative to this issue is to maintain safe use for all users of The Colorado Trail and to insure access to The Colorado Trail for our traditional users (hikers, snowshoers, cross-country skiers, equestrians and mountain bikers). We support upgrading major trailheads to be barrier free, but are concerned that any application of this barrier-free policy to the Trail itself may create user conflicts and may jeopardize some users' safety. For example, where a trail has been made wider and barrier-free, the number of mothers with strollers, elderly walkers and those with disabilities will likely increase creating a potential safety problem with mountain bikers or horse-back riders. We are concerned that if this were to occur, it may lead to the exclusion of mountain bikers and equestrians from those sections of the trail. We

recognize that most of The Colorado Trail would not fall into the category that would invoke this policy. However, there are sections near communities (Junction Creek Trailhead in Durango) or at major access points (Molas Pass and Kennebec Pass) where the application of the policy could raise this issue.

In addition, the construction and maintenance of these barrier-free areas will require a different level of skill and attention than is currently required of our trail volunteers. This raises the question of what our level of responsibility will be for the design, construction and maintenance of these barrier-free sections.

Our recommendation:

The Colorado Trail Foundation strongly supports access to our natural areas for persons with disabilities and others seeking a less rigorous, more leisurely experience than can be found on less developed trails. In addition, we view The Colorado Trail as providing opportunities for special family experiences. However, we do not support actions that may create user conflict and/or safety issues.

For these reasons, we ask that the Forest Service work closely with us, *well before any decision is made by the San Juan National Forest to proceed*, so that we can jointly define ways to avoid or mitigate any impacts on our traditional users or any safety issues, and to define who is responsible and to what degree for constructing and maintaining such barrier-free sections.

Respectfully Submitted,

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