

**Comments by The Colorado Trail Foundation (submitted 10-8-2007)  
on the Directive for the Planning, Development and Management of the  
Continental Divide National Scenic Trail  
(Revisions to FSM 2350)**

**Federal Register Vol. 72, No. 112, pages 32276-32278,  
Tuesday, June 12, 2007**

---

***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.

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 (MOU) (FS Agreement Number 05-MU-112020000-044) respectively.

***OUR INTEREST IN THE PROPOSED DIRECTIVE :***

We have a direct interest in the policy governing the planning for and management of the Continental Divide National Scenic Trail (CDNST) because approximately 200 miles of the CT corridor was used as the corridor for the CDNST, a significant portion of the CDNST in Colorado. It is our concern that in setting policy for the CDNST, the USDA Forest Service does not limit the purposes of the CT or the quality of the CT experience.

***A SUMMARY OF OUR COMMENTS***

The Colorado Trail Foundation supports the USDA Forest Service's objective in issuing timely direction for the planning and management of the CDNST throughout four of the Regions for the USDA Forest Service (USFS). For the most part, the proposed Directive is consistent with the stated purposes and management of The Colorado Trail, a long distance trail co-located with the CDNST for approximately 150 miles. There are, however, concerns that The Colorado Trail

---

Comments by The Colorado Trail Foundation  
on the Proposed Directive for the Planning, Development, and Management  
of the Continental Divide National Scenic Trail

Submitted 10-8-2007 by:  
The Colorado Trail Foundation

Foundation finds need to be addressed to adequately support the nature and purpose of The Colorado Trail.

The CTF desires that bicycles continue to be allowed on all non-Wilderness portions of the CT and strongly requests that, at least relative to the CT portion, the CDNST Directive be altered to specifically allow mountain bike use except where the trail is in a designated Wilderness Area. In addition, the CTF strongly requests that, at least relative to the CT portion, the CDNST directive be altered to specifically prohibit motorized use of the trail.

Further, because the CTF views it likely that the final CDNST Directive may be homogeneous in allowable uses along the entire CDNST and that allowable uses on the CDNST may control allowable uses on the CT, the CTF offers this perspective on the entire CDNST: The CTF suggests that the CDNST Directive be altered to specifically allow mountain bike use on the entire CDNST except where the trail is in a designated Wilderness Area. The CTF also suggests that the CDNST Directive be altered to specifically prohibit motorized use on the entire CDNST. The CTF wishes that non-Wilderness portions of the CT remain open to hike, bike and horse while being closed to motorized use. At the very least, mountain bikes should continue to be able to use those sections of CDNST that are co-located with The Colorado Trail.

These strong requests and suggestions are in keeping with the CTF understanding of the spirit and content of both the National Scenic Trails Act and the 1983 Amendment to the National Trails Act.

### ***OUR RATIONALE***

**Non-motorized use** has been the stated goal for The Colorado Trail since its inception, a goal that appears in each of the historic documents that define the CT and its relationship with the USFS. It has also been the stated goal of the CDNST.

Motorized use of the CT is probably our biggest problem. The speed, weight and footprint of motorized machines cause a significant damage to the trail tread. In a recently completed survey of the CT, sections of the CT that have motorized use have the worst trail conditions. Motorized users also create new unwanted tread around fallen trees or other obstacles thereby seriously harming the off-trail landscape. Further, gasoline engines create both noise and air pollution and severely disrupt the experience of most trail users who are seeking the quiet solitude of the backcountry. The most common complaint we receive from CT users is that their experience was devalued by motorized users and/or the tread and landscape damage that they cause.

**Bicycles have long been allowed on The Colorado Trail** and are mentioned in our guiding documents defining our relationship with the USFS. Bicycle users are a significant percentage of the users of The Colorado Trail. Along with hikers and horseback riders, cyclists contribute volunteer labor and financial support toward CTF care of The Colorado Trail. The CTF needs these bicycle friends to keep our stewardship efforts healthy. Prohibiting bicycles would harm our ability to care for the CT. The CTF desires to preserve the support and volunteerism of each of our active user groups: hike, bike and horse.

A recently completed survey of The Colorado Trail, done in 2007 by Jerry and Carl Brown, assessed the condition of the Trail along its entire length. The survey concluded that the sections of the CT that are heavily used by cyclists are not negatively affected by that use. Additionally, on sections maintained by mountain bikers, observed trail conditions were good-to-excellent. Cyclists are providing needed trail maintenance, as are hikers and horseback riders. It appears that bicycle use and the involvement of cyclists has an overall positive effect on the condition of the trail.

The CTF estimates that approximately 150 miles of the CT/CDNST would be subject to these new restrictions and to potential elimination of bicycle use, a very significant portion of the 500 mile Colorado Trail. If bicycling is eliminated as a permitted use, a low impact recreational opportunity will be eliminated for many people who now enjoy such use over a significant portion of the CT/CDNST.

CT users are mostly "day users," who far outnumber the relatively few thru-hikers. The "day users" include hike, bike and horse users, and "day users" include a significant percentage of bicyclists. If bicycle use became prohibited on the CT where co-located with the CDNST, the new restrictions would shut out a very large number of people who currently value their excursions on The Colorado Trail. A bicycle prohibition would shut out thousands of trail users.

From the perspective of the CTF, trail sharing among muscle-powered users works well. We believe that the different muscle-powered user groups get along with each other most of the time. Of course, education helps, including the message to "Be courteous to other Trail users," as well as offering pointers about courtesy and the rationale for it. The CTF perceives that conflicts are manageable and will remain so. Conflicts among muscle-powered users do not appear overly frequent or troublesome, but they tend to get blown out of proportion due to the attention paid to them. The CTF maintains that inclusiveness, allowing all muscle-powered users to share the Trail is important and should be protected.

The CTF maintains that the use of bicycles on the CDNST is compatible with the purposes of the CDNST, and that it has not and will not substantially interfere with the nature and purposes of the CDNST. Bicycle riding has been an allowable use of long standing. In addition, the CTF maintains that the "sufficient access opportunities" spelled out in the National Scenic Trails Act [16 USC 1246 (c)] includes access by bicycle. Further, the CTF maintains that the fact that bicycle use has always been permitted on the CT and that when the CDNST was established the CT was used as the corridor for the CDNST for nearly 200 miles suggests that bicycle use is consistent with 16 U.S.C. 1246 (c) and should be permitted where the two trails are co-located.

**SPECIFIC COMMENTS:**

- ◆ FSM 2353.43 – National Scenic and Historic Trail System Development: Planning and Development of the Continental Divide National Scenic Trail (CDNST)
  - The CTF supports the language in this section of the Proposed Directive as consistent with the CT Master Plan with two exceptions:
    - We request that language be added to FSM 2353.43 (2) (d) that will recognize the interest of the CTF in participating in the development, signing and maintenance programs of the CDNST. Our suggested language would be:

---

Comments by The Colorado Trail Foundation  
on the Proposed Directive for the Planning, Development, and Management  
of the Continental Divide National Scenic Trail

Submitted 10-8-2007 by:  
The Colorado Trail Foundation

*d. Provide for CDNST development, signing and maintenance programs (including in the program planning and implementation those organizations representing other long-distance trails, such as The Colorado Trail, that are co-located with the CDNST),...*

- In addition, we suggest that the language in FSM 2353.43 (7) (b) and (c) be eliminated to remove the possibility of future co-location of the CDNST and motorized routes.

◆ FSM 2353.44 – Management of National Scenic and Historic Trails: Management of the Continental Divide National Scenic Trail (CDNST)

- The CTF is in agreement with the management prescriptions that specify a scenic concern level 1 for the CDNST travel route and scenic integrity levels of high or very high. It also supports management of the CDNST for primarily Primitive and Semi-primitive Non-motorized Recreation Spectrum conditions and experiences while recognizing that the Trail will "...intermittently traverse through more developed areas and across designated motor vehicle use routes..." [Directive, FSM 2353.43 (4)].
- We encourage the USFS to manage the entire CDNST for non-motorized use only. We recognize that there will be instances, as specified in Paragraphs 4 and 5, where motorized use may encroach on the CDNST, but we ask that Paragraph 4 begin with the statement:

*The management goal for the CDNST should be to design, maintain and protect the trail for non-motorized use. However, motor vehicle use may be allowed on a trail segment...*

- In addition, we suggest that Paragraph 4 c. be modified to read:  
*On a designated motor vehicle use route... that crosses the CDNST where an affirmative determination has been made that such crossing will not substantially interfere with the nature and purposes of the CDNST nor create a safety hazard for the users of the CDNST.*

This change would make it clear that the allowed use is only for crossing the CDNST, not for riding on the CDNST, and that safety of the trail users is a primary consideration.

- Paragraph 7 specifies:  
*Bicycle (mountain bike) use may only be allowed on a trail segment of the CDNST where the following conditions are met (16 U.S.C. 1246(c)) [Emphasis added]:*
  - a. An affirmative determination has been made that bicycle use would not substantially interfere with the nature and purposes of the CDNST, and*
  - b. Bicycles must also be allowed by the overall management direction for the land management plan area."*

The CTF views Paragraph 7a as a major change in policy that will have negative effects on the CT experience and community. The statement that bicycles may *only* be allowed under the specified conditions suggests that the National Forests should re-visit current bicycle use on the CDNST and may choose to eliminate it.

Based on the rationale spelled out above, the CTF strongly requests that the Directive specify that bicycle use is allowed on that portion of the CDNST that is co-located with the CT. We request that Paragraph 7 be changed to eliminate subparagraphs a and b and substitute the following:

*a. Where the overall land management direction for the land management plan area does not prohibit bicycling and the CDNST and The Colorado Trail are co-located, bicycle use will be allowed unless an affirmative determination is made that such use would substantially interfere with the nature and purposes of the CDNST.*

Because the CTF views it likely that the CDNST Final Directive may be homogeneous in allowable uses along the entire CDNST and that allowable uses on the CDNST may control allowable uses on the CT, as an alternative to "a." above, we suggest that the Directive specify that bicycle use be allowed throughout the non-Wilderness portions of the entire CDNST. The CTF wishes that non-Wilderness portions of the CT remain open to hike, bike and horse while being closed to motorized use. At the very least, mountain bikes should continue to be able to use those sections of CDNST that are co-located with The Colorado Trail.

- o Paragraph 8 specifies:

*Where bicycle (mountain bike) use is allowed on the CDNST, consider establishing bicycle use prohibitions and restrictions (36 CFR part 261) to mitigate the effects of such use on the nature and purposes of the CDNST. Management practices and actions that would promote or result in increased bicycle use on the CDNST should not occur.*

The CTF requests that Paragraph 8 be eliminated in its entirety as incompatible with our proposed language.

**Respectfully Submitted,**

William H. Manning  
Managing Director

The Colorado Trail Foundation  
710 10<sup>th</sup> Street, Room 210  
Golden, CO 80401  
tel (303) 384-3729  
website [www.ColoradoTrail.org](http://www.ColoradoTrail.org)

---

Comments by The Colorado Trail Foundation  
on the Proposed Directive for the Planning, Development, and Management  
of the Continental Divide National Scenic Trail

Submitted 10-8-2007 by:  
The Colorado Trail Foundation