



Colorado Wild Public Lands

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Planning Team, GMUG Forest Plan
2250 South Main Street,
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Submitted electronically at:

<https://cara.ecosystem-management.org/Public//CommentInput?Project=51806>

Dear Planning Team,

RE: Comments regarding the August 2021 Draft Revised Land Management Plan for the GMUG National Forests

Thank you for the opportunity to comment on the August 2021 Draft Revised Land Management Plan for the GMUG National Forests. We appreciate the hard work and time that the Forest Service staff have put into the Plan and the public outreach to date. We recognize and appreciate that some of Colorado Wild Public Lands' (COWPL's) comments have been included in this revised Forest Plan.

There are many aspects of the Plan that Colorado Wild Public Lands (COWPL) is in agreement with. However, as a general comment, we believe that the emphasis on environmental protection still needs to be strengthened further for the reasons cited in our previous letter of July 25, 2019. These include:

While our Forests are also home to natural resources such as timber, oil, gas and minerals, we need to be cognizant that the short-term benefits derived from extracting these types of resources do not balance with the long-term negative repercussions for our natural ecosystems, the fresh air and the clean water that keep us as humans alive.

Recreation is an important source of human well-being and also of economic gain to communities. The Forest supports motorized and non-motorized uses and includes a range of management objectives for different areas. Overall, COWPL advocates for management of current uses and only additional development for recreational provided there are minimal negative impacts on resources and a focus on ecosystem preservation is predominant.

The following are COWPL's specific areas of concern and requests for additional protection of resources. Most are described as proposed changes to the Desired Conditions, Standards, Guidelines and Management of the resources. Please note that we appreciate and have removed previous recommendations that we have found to be incorporated in the 2021 Draft Forest Plan. It was also tricky locating whether previous recommendations have been included as some of the layout has changed in the 2021 Draft Forest Plan.

PROJECT AND ACTIVITY CONSISTENCY WITH THE FOREST PLAN (P. 3-4)

This request was made in COWPL's previous comments but has not yet been addressed:

Per the Draft Forest Plan, when a proposed project or activity would not be consistent with the applicable plan components, the responsible official can do one of four actions. The first two are to either reject or make the proposal consistent. The third option listed is to amend the Plan.

We request that language be added to reinforce that Plan Amendments are discouraged. They should only be exercised when doing so results in substantial public benefit; this should NOT be used to support requests by private entities (which benefit the entity and not the public).

Additionally, the agency should track the exercise of this discretion so as to monitor frequency of use, types of beneficiary projects, and resulting public losses and benefits. We suggest there be public noticing of the Forest Supervisor's consideration to amend the Forest Plan.

We suggest that option 4 is removed and that contemporaneous amendments should not be included or allowed.

FOREST WIDE DIRECTION

GUNNISON SAGE-GROUSE (P. 36)

FW-OBJ-SPEC-39: Change the language to **require that owners leash their pets**, not request it. Cite pertinent regulations and amounts of fines that may be levied.

CANADA LYNX (P.33-35)

Do not allow any harvest activities or infrastructure in stands that represent high quality lynx habitat.

CONSERVATION WATERSHED NETWORKS (P39)

New Standard: Preserve conservation watershed networks. No new activities or infrastructure that would impact these areas.

PALEONTOLOGY (PLEO)

FW-DC-PLEO-01: Develop this standard: Paleontological resources are to be managed primarily for protection of resources. No new infrastructure or activities in areas that have paleontological resources other than educational/interpretation, research and cultural uses, providing there are no negative impacts on the resources. Limited foot trail creation for educational purposes.

LANDS AND SPECIAL USES (LSU) LANDS (p 53-54)

COWPL, and our members, have been engaged in reviewing and commenting on proposed Federal to non-Federal land exchanges in Colorado for many years. We seek to determine whether the exchange is in the public interest. To that end, we offer the following recommendations for inclusion in the GMUG

Forest Plan. (Please note we have included the section below from the 2021 Draft Forest Plan, for easy reference. All new text is in *italics*, or ***bold italics***. Where text is also underlined, selected words have been deleted.)

Desired Condition

FW-DC-LSU-01: National Forest System lands are ***well organized***, providing reasonable access and efficiency of land management while protecting resource values. All National Forest System roads and trails that access National Forest System lands or cross private inholdings have legal access or a documented right-of-way, and boundary lines and property corners are easily locatable.

ADD

FW-DC-LSU-NEW: *Only lands previously identified as suitable for exchange (i.e., to be removed from USFS ownership shall be considered for those purposes.*

FW-DC-LSU-NEW: *Lands with important public values should be adequately protected, and retained in public ownership; important values would include habitat such as wetlands and riparian corridors, cultural and paleontological resources, and land supporting populations of at-risk species of conservation concern. Lands with riverfront access or with corridors providing access to remote areas should be retained in USFS ownership.*

FW-DC-LSU-NEW: *Land acquisitions and transfer through public/private land exchanges should be discouraged absent clear and strong public benefits. If exchanges are undertaken, acquired Federal properties shall include resources and public values comparable to those present on the Federal parcels conveyed into private ownership (i.e., access to similar recreational opportunities, riparian habitat, habitat for special status species).*

Please make the Management Approaches into Guidelines

• In order to create more manageable units, set aside nationally significant areas, and help achieve broader resource protection goals, land acquisitions meeting one or more of the following criteria should be prioritized. ***Similarly, existing Federal land with any of these characteristics, should not be removed from Federal or other public ownership:***

- ♣ Lands and associated riparian ecosystems on water frontage such as lakes and major streams,
- ♣ Important wildlife habitat needed for the protection of federally listed endangered or threatened fish, wildlife, or plant species, or species of conservation concern, including designated critical habitat. Supports objective of protection of fish and wildlife habitats,
- ♣ Lands identified to facilitate wildlife movement and habitat connectivity, including in the vicinity of highway and road crossings,

- ♣ Lands needed for the protection of significant historical or cultural resources, when these resources are threatened or when management may be enhanced by public ownership,
- ♣ Lands that enhance recreation opportunities, public access, and protection of aesthetic values,
- ♣ Lands needed for protection and management of congressionally designated areas including wilderness and national scenic and historic trails, and administratively designated areas including national recreation trails and Colorado roadless areas,
- ♣ Lands needed to enhance or protect watershed improvements that affect the management of riparian areas on National Forest System lands,
- ♣ Environmentally sensitive lands such as wetlands and old growth,
- ♣ **DELETE THIS BULLET POINT** about lands important to timber resource management...
- ♣ Lands that promote more effective management of the ecosystem and reduce administrative expenses through consolidation of National Forest System lands or ownership of split estates.

ADD

- ❖ *Lands acquired through land exchanges shall remain in public ownership.*

- Land conveyances will be guided by the following criteria (in no particular order):

- ♣ Parcels that will serve a greater public need if owned by a county, city, and/or qualified non-governmental organizations, or managed by another Federal agency, including in support of the development of **only** affordable housing **provided no natural or cultural resources, or public access, are negatively impacted.**
- ♣ Inaccessible parcels isolated from other **public** lands, including parcels **fully surrounded by** private lands.

ADD

- ❖ *Do not engage in exchange of inholdings surrounded by more than one property owner; conveyance of such inholdings should only be undertaken through a competitive process which provides the same opportunity for all adjacent landowners.*
- ♣ Parcels within major blocks of private land or intensively developed private land, the use of which is substantially for private purposes. **Define “non-Forest Service purposes”.**

- ♣ Parcels having boundaries, or portions of boundaries, with inefficient configurations (projecting necks or long, narrow strips of land, etc.) to support more logical and efficient management. **However, do not lose existing public access to public lands or important connectivity with public land beyond.**

*Perception of “inefficient configurations” varies and is not by itself a suitable criterion for conveyance. A “jutting out” parcel of Federal land that is connected to a larger area of Federal land should not be conveyed out of Federal ownership as that parcel extends opportunities for habitat connectivity and public lands access. **State what would constitute an increase in efficiency or effectiveness. Include that such boundary modification “must not cause any removal of public access or natural or cultural resources”.***

- ♣ Avoid adjustments that predominantly benefit the proponent.

ADD

- ❖ *Avoid land conveyances requiring amendments to Forest Management Plans or boundary modifications that would remove acreage under special designation such as Wilderness Areas, Colorado Roadless Areas, and Wild and Scenic River corridors, as well as lands recommended for inclusion in these areas.*
- ❖ *Avoid conveyance of habitat with populations of sensitive species to private ownership.*
- Carefully consider the benefit **and challenges** of acquiring lands with infrastructure, legacy mining waste, and water rights the Federal Government would assume responsibility for maintaining, addressing, and using.
- Work cooperatively with other Federal agencies, primarily the Bureau of Land Management.

ADD

- *Should conveyances occur, especially through Land Exchanges, any public values associated with the conveyed properties should be preserved, for example:*
 - ❖ *Retain existing public access;*
 - ❖ *Require appropriate deed restrictions such as Conservation Easements to protect resources such as threatened or sensitive species of flora and fauna, and their habitat, and cultural, historical, and paleontological resources.*

We request that the GMUG Forest Plan includes a suitability analysis for land transactions as well as for timber. The management principles listed above can be used to identify whether land is suitable for acquisition or disposal. Suitability is a plan component (36 CFR 219.7(e)(1)(v)). Under the law (National Forest Management Act) and the planning rule (cited above), suitability only

has to be determined for timber, but it can be done for any other land uses. This saves time when specific exchange proposals surface - the agency can quickly determine whether the land in question is suitable for a transfer of ownership.

ACCESS

COWPL recommends the modifications listed below (in regular font) for the “ACCESS” section.

Standards

FW-STND-LSU-02: Remove the “Exception”.

FW-STND-LSU-03: Include language that the “single access” or “trail” through Forest Service land to private inholdings must be limited to the minimum standards necessary to access the parcel, consistent with the undeveloped natural character of the land, and maintaining wildlife, wetlands, habitat and other resource protections. The rationale should be to protect the surrounding forest and provide consistency with forest management direction. An appropriate solution could be a summer-only four-wheel drive trail with winter snowmobile access. Any future development on the inholding must be subordinate to the Forest’s minimum access standards.

Remove the “Exception” that was added to this 2021 Draft.

FW-GDL-LSU-04: ADD: If no such association exists, owners should be encouraged to create one.

SPECIAL USE PERMITS

Management Approaches

ADD

- Prioritization of Specials Use Permits should include consideration of whether existing access conditions are sufficient for the use being proposed under the permit. Any proposed uses that would require further Forest Service improvements should have the lowest priority rating.

BOUNDARY LINES, TITLE CLAIMS AND ENCROACHMENT

FW-STND-LSU-09 – This standard is good. Emphasize that it’s important that the landowner fulfills their share of the cost.

Management Approaches

ADD

- There will be zero tolerance for new encroachments on Forest land (for example roads or trails); the burden of proof must lie with the landowner to demonstrate that they own the land underlying the encroachment Landowners must remove encroachments and restore the impacted land and resources.

- It is the land owner's responsibility to notice their property to avoid trespass problems. Trespass problems should be resolved by the land owner and not be used as grounds for discretionary agency actions such as land exchanges and boundary adjustments.

The management approaches should prioritize addressing encroachments that are demonstrably intentional.

ADD BACK

- Boundary lines for non-National Forest System land purposes (i.e., fence construction) are the responsibility of the private landowner. (FW-STND-LSU-11, 2019 Working Draft)

DESIGNATED TRAILS

The Forest Service should stay in charge of approving new trails, doing trail development and performing trail management and maintenance.

RECREATION (P59-63)

There have been many changes and additions to the Recreation Section.

Desired Conditions

This section has been expanded and is more inclusive, however the focus is on achieving a sustainable balance with resources. Language is required to provide for additional protection of resources, especially since often those resources are the reason users go to those areas in the first place.

Objectives

Include an objective regarding 14'ers. Ensure access to portals to 14,000-ft peaks are managed to reduce ecological impacts, for example, create parking areas in less sensitive areas that may require longer trail walking distances. Use signs to indicate where parking is allowed and where it is not. Add to wilderness use guidelines to encourage 14-er hikers to carpool or ride share to the trailheads. Also coordinate with any adjacent private landowners to ensure that public access to 14'ers is maintained.

Standards

FW-STND-REC-11. Modify to: Campfires in alpine ecosystems are not allowed unless in designated camping areas in existing fire grates.

We generally support many of the suggested management actions. In addition, consider signs to educate visitors about avoiding impacts and continue to emphasize "Leave No Trace" behavior on ALL Forest lands.

TIMBER AND OTHER FOREST PRODUCTS

COWPL is concerned about the emphasis on timber harvest and the proposals to increase acreage for this use in all the proposed alternatives. Timber harvest should not occur in remote areas and/or on steep terrain (greater than 30 percent slopes). Such activity would have adverse impacts on soil and riparian resources.

MANAGEMENT AREAS

DESIGNATED WILDERNESS (P 81-82)

Desired Conditions

MA-DC-WLDN-01: ADD: Existing Wilderness Areas shall remain and be managed as Designated Wilderness.

Standards

MA-STND-WLDN-07: Change to: There shall be NO activities or occupancies **unless they are expressly allowed under the Wilderness Act**. Those allowed in the Wilderness Act shall be authorized by Special Use Permit ... existing text starting (1) will follow...

RECOMMENDED WILDERNESS

Per the Quick Guide at https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd947830.pdf, it appears that Alternative D will include 261,000 acres of new recommended wilderness. COWPL supports the additional wilderness area designations as well as 246,000 acres of additional Special Management Areas. We anticipate that these designations include the areas COWPL described in our letter of July 25, 2019, and if not, we request that those areas be included too.

TABEGUACHE AND ROUBIDEAU AREAS (p. 90)

Add this Objective: The Tabeguache and Roubideau areas are special protected areas that have outstanding natural values. They are surrounded by other lands that generally are open to a range of impacts from human use. Review the adjacent lands for suitability for allocating more protections to those lands' natural resources. Coordinate with the management of adjacent BLM lands.

MONITORING

We support and encourage monitoring activities. There should be additional funding to support wilderness rangers and monitoring staff. Continue to develop programs for partnering with non-profit organizations and volunteers to implement monitoring activities.

CONCLUSION

Thank you for your time and consideration of our comments. We look forward to learning how they will be incorporated into the Final GMUG Forest Plan. Please feel free to contact us at coloradowildpubliclands@gmail.com if there are any items you would like to discuss further.

Yours sincerely,

A handwritten signature in black ink that reads "Suzanne Jackson". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Suzanne Jackson (Staff)
and the

Board of Directors of Colorado Wild Public Lands

Franz Froelicher, Jean Perry, James Katzenberger, Anne Rickenbaugh, Stefanie Davis, Nina Itin
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