



Continental Divide National Scenic Trail (CDNST¹)



Land Management Plan Requirements and Recommended Plan Components for the CDNST

February 2022

After several years of planning under the 2012 Planning Rule, Forest Service planners, implementers, and specialists have lessons learned from using this template for CDNST Plan Components. The CDNST Administrator will continue to work closely with CDNST forests and regional planners to refine this document as needed. CDNST. The most up-to-date version will be located here: <https://www.fs.usda.gov/managing-land/trails/CDNST/management>

The purpose of this document is to provide the land management plan requirements and recommendations for plan components for the CDNST in one place. See FSH 1909.12 Chapter 20 for the full requirements for Congressionally-designated trails. The intent is for CDNST forests to continue using the recommended land management plan components for the CDNST trail corridor in this document as the basis for discussions with the public when developing the proposed plan or amendment. This document provides a comprehensive list of requirements and recommendations for CDNST plan components aligned with the National Trails System Act, 2009 CDNST Comprehensive Plan, and the 2012 Planning Rule (see Appendix C). This is not a decision document and does not add requirements or replace local line officer discretion.

Individual units may develop additional plan components, remove those that are not applicable, or adjust them to respond to local conditions and public input. Units are encouraged to edit the recommended components to suit their writing styles. Please work with the CDNST Administrator to ensure these edits do not dilute or change the intent of these recommendations and are consistent with the legislation and policy for managing the CDNST.

To ensure the conservation of the CDNST's nationally significant scenic, historic, natural and cultural resources, and to maximize its intended recreation opportunities, the trail's entire length, together with sufficient land area on both sides to safeguard and preserve its character, should be publicly owned, permanently protected, and managed as a single entity across jurisdictions (National Trails System Act, PL 90-543, E.O. 13195). The CDNST traverses many designated wilderness areas or other designated areas that are subject to additional and/or unique management direction. In these instances of overlap, the most restrictive provisions would apply.

Three appendices provide additional resources:

Appendix A: CDNST Corridor/Management Area (MA) Suitable Uses, Standards and/or Guidelines Table

Appendix B: Lessons Learned from Plan Revision

Appendix C: Relevant Law and Policy

¹ Preferred acronym for referring to the trail in land management plans.

Trail Corridor Identification

Land Management Plan Requirement: Identify the designated CDNST trail corridor on all relevant maps (e.g., designated areas, ROS, SMS, management areas through which the trail passes) during the plan revision process and for the final land management plan.

FSH 1909.12 Chapter 20, Sec. 24.43(1)(c) (also see 24.43(2)(e)):

The Interdisciplinary Team shall use the national scenic and historic trails rights-of-way maps required by 16 U.S.C. 1246(a)(2) to map the location of the trails. Where national trail rights-of-way have not yet been selected, the Interdisciplinary Team shall reference the establishing legislation (16 U.S.C. 1244(a)) as the primary source for identifying and mapping the national scenic and historic trails right-of-way. ***If the right-of-way has not been selected, either through legislation or publication in the Federal Register, the Interdisciplinary Team should use other information² to delineate a national scenic and historic trails corridor that protects the resource values for which the trail was designated or is being proposed for designation (16 U.S.C 1244(b)).***

- **Note:** Emphasis added because the CDNST Right-of-Way has not been selected so this sentence applies to IDTs addressing the CDNST.

Supporting References:

The nature and purposes of the CDNST are to provide for high-quality scenic, primitive hiking and horseback riding opportunities and to conserve natural, historic, and cultural resources along the CDNST corridor (CDNST Comprehensive Plan Sec. xxx).

Administer National Scenic and National Historic Trail corridors to be compatible with the nature and purposes of the corresponding trail (FSM 2353.42).

The 0.5 mile foreground viewed from either side of the CDNST must be a primary consideration in delineating the management area boundary³ (FSM 2353.44b(7)).

- **Note:** FSM 2350 refers to the “management area boundary.” However, FSH 1909.12 Sec. 22.21 states that “The plan may identify designated or recommended designated areas as management areas or geographic areas. (36 CFR 219.7(d))”. However, neither is required for the CDNST (or other designated areas). The requirement is to map the location of the trail as described above.

² FSH 1909.12 Chapter 20, Sec. 24.43(1)(c) does not specify what “other information” may be used to delineate a NSHT corridor. For the CDNST, the primary resource is the 1976 Continental Divide Trail Study Report and the 2009 CDNST Comprehensive Plan.

³ FSM 2350

Recommended Plan Components

Background and Description *[This section provides trail-wide context only; it is not a plan component and is likely too lengthy to be included in a plan “as is.” Local units are encouraged to develop a more specific description of the trail locally: e.g. Describe the plan area as having ___ miles of the 3,100 mile designated trail, and identify any unique/distinctive characteristics of the trail segment within the plan area. Distinctive roles and contributions can be included as “Other Required Content in the Plan”]*

The National Trails System Act of 1968, as amended, established a system of Congressionally-designated, long-distance trails so located as to provide for maximum outdoor recreation potential and to promote the conservation and enjoyment of the nationally significant scenic, historic, natural or cultural qualities of the lands through which such trails may pass. The Continental Divide National Scenic Trail (CDNST or Trail) was designated by Congress in 1978.

The CDNST is a 3,100-mile continuous path that follows the spine of the Rocky Mountains from Mexico to Canada, traversing some of the most scenic terrain in the country and areas rich in the heritage and life of the Rocky Mountain West. The CDNST is the highest and most rugged of the national scenic trails, reaching the 14,270-foot summit of Grays Peak in Colorado, and connects a diversity of landscapes- from desert to glacier, and remote wilderness to working lands- across portions of New Mexico, Colorado, Wyoming, Idaho and Montana.

The nature and purposes of the CDNST are to provide for high-quality, scenic and primitive hiking and horseback riding opportunities and to conserve the natural, historic, and cultural resources along the CDNST corridor. The trail is to be managed to provide for its nature and purposes. Activities that would substantially interfere with the purposes for which the trail was designated should be avoided to the extent practicable (16 USC 1246). Management of the CDNST must comply with the current version of the [CDNST Comprehensive Plan](#).

Motorized vehicle use by the general public is prohibited on the CDNST, unless such use is consistent with the applicable policy set forth in the Comprehensive Plan. In general, established motorized uses, both summer and winter, are allowed to continue, but new motorized uses will not be designated on the Trail.

Desired Condition *[This section describes trail-wide desired conditions. Local units are encouraged to insert additional ones- within the framing provided here- in order to be more applicable to local conditions and opportunities.]*

- The CDNST is a well-defined trail that provides for high-quality, primitive hiking and horseback riding opportunities, and other compatible non-motorized trail activities, in a highly scenic setting along the Continental Divide. The significant scenic, natural, historic and cultural resources along the trail’s corridor are conserved.
- Viewsheds from the CDNST have high or very high scenic values. The foreground of the trail (up to 0.5 mile on either side) is naturally-appearing, and generally appears unaltered by human activities. Where possible, the trail provides visitors with expansive views of the natural landscapes along the Divide. The potential to view wildlife is high, and evidence of ecological processes such as fire, insects, and diseases exist.
- The CDNST corridor’s setting is consistent with or complements a primitive or semi-primitive non-motorized recreation opportunity setting. The CDNST may intermittently pass through more developed recreation opportunity settings in order to provide for a continuous route.
- The trail is accessible from access points that provide various opportunities to select the type of terrain, scenery and trail length, ranging from long-distance to day use, that best provide for the compatible outdoor recreation experiences being sought.

- Wild and remote, backcountry segments of the route provide opportunities for solitude, immersion in natural landscapes, and primitive outdoor recreation.
- Easily accessible trail segments complement local community interests and needs and help contribute to their sense of place.
- The trail is well maintained, signed, and passable. Alternate routes are made available in the case of temporary closures resulting from natural events, such as fire or flood, or land management activities.
- Visitors are aware of the CDNST corridor and the nature and purposes of the trail designation.

Objectives *[The following are examples appropriate to either the CDNST specific section and/or recreation or trails section of the plan. Forests are encouraged to develop objectives based on local conditions. Objectives should be measurable and time-specific, and the measure should be useful for demonstrating progress toward the desired condition.]*

- Restore or relocate ___ miles of the CDNST by [year] to improve scenic viewing opportunities and/or to provide for a non-motorized opportunity and setting.
- Within x years of plan approval, relocate the Continental Divide National Scenic Trail off of roads.
- During the life of the plan, relocate x miles of the Continental Divide National Scenic to ensure a continuous non-motorized trail across the entire forest unit.

Standards *[These are the recommended minimum standards for the CDNST. Units may create additional ones as needed or to provide better direction for progress toward the desired condition or objectives. Those that are not applicable to the plan area should not be included. See Appendix A for additional guidance on what a Forest may want to consider for additional standards.]*

- No surface occupancy for oil and gas or geothermal energy leasing activities shall occur within the CDNST corridor.
- No common variety mineral extraction shall occur within the CDNST corridor. Motorized use shall not be authorized on newly constructed segments of the CDNST. Existing motorized use may continue on the CDNST (where it overlaps with existing roads or motorized trails) in accordance sections xxx of the CDNST Comprehensive Plan.
- New motorized special use permits or events shall not be permitted on the CDNST.

Guidelines *[These are the recommended guidelines for the CDNST. All of these may not apply to every unit. Those that are not applicable for the plan area should not be included. Units may include additional guidelines, rephrase any of these to be standards, or adjust as guidelines to meet local needs. See Appendix A for additional guidance on what a Forest may want to consider for additional guidelines.]*

- To retain or promote the character for which the trail was designated, new or relocated trail segments should be located primarily within settings consistent with or complementing Primitive or Semi-Primitive Non-Motorized Recreation Opportunity Spectrum classes. Road and motorized trail crossings and other signs of modern development should be avoided to the extent possible.
- To protect or enhance the scenic qualities of the CDNST, management activities should be consistent with Scenic Integrity Objectives of High or Very High within the foreground of the trail (up to 0.5 mile either side).
- If management activities result in short-term impacts to the scenic integrity of the CDNST, mitigation measures should be included to meet the scenic integrity objectives within and adjacent to the trail corridor (within visible foreground of the trail at a minimum, up to 0.5 mile on either side of the trail). Examples of mitigation measure are screening, feathering, and other scenery management techniques for forest health projects.

- In order to promote a non-motorized setting, the CDNST should not be permanently re-located onto routes open to motor vehicle use.
- To promote high-quality scenic, primitive hiking and horseback riding opportunities along the CDNST, the minimum trail facilities necessary to safely accommodate the opportunities provided on any given trail segment should be provided.
- To protect the CDNST’s scenic values, special-use authorizations for new communication sites, utility corridors, and renewable energy sites should not be allowed within visible foreground (up to 0.5 mile) and visually subordinate in the middleground viewshed (up to four miles).
- To maintain the integrity of the CDNST and the values for which it was designated, new linear utilities and special use authorizations that cross the trail should be avoided. Where unavoidable, these should be limited to a single perpendicular crossing of the trail per special user authorization unless additional crossings are documented as the only prudent and feasible alternative.
- To promote a natural-appearing setting along the CDNST, any new temporary or permanent motorized routes (roads and trails) within the trail corridor should only be constructed if new routes are: (a) required by law to provide access to private lands, (b) necessary for emergency protection of life and property, or (c) determined to be the only prudent and feasible option. In such circumstances, any project involving construction of a motorized route across or within the CDNST corridor should be designed in such a manner that minimizes impacts to the scenic, natural, and experiential values of the trail.
- To provide a high quality, non-motorized trail in a naturally appearing setting, use of the CDNST for landings, skid trail, or as a temporary road for any purpose should only be allowed 1) Where the CDNST is currently located on an open road or to address hazard tree removal, and 2) No other haul route or skid trail options are available. Design criteria should be used to minimize impacts to the trail infrastructure.
- To promote natural-appearing settings, unplanned fires in the visible foreground (up to one-half mile) of the CDNST should be managed using minimum impact suppression tactics or other tactics appropriate for the protection of national scenic trail values. Prescribed fires in the foreground of the CDNST should be managed to incorporate national scenic trail values. Construction of firelines by heavy equipment should not be allowed within the visible foreground of the CDNST unless necessary for emergency protection of life and property.

Optional Content in the Plan

Management Approaches *[These are recommended for inclusion if appropriate to the plan area. Changes would be through administrative change, not plan amendment. Others may be added as needed for the plan area. These should not be written as direction (objectives, standards, or guidelines) in this section.]*

Potential management approaches that support the nature and purposes for which the CDNST was designated may include:

- Collaborate with Federal, State, Tribal, county, and local governments, volunteer groups, partners, and adjacent landowners to plan, develop, relocate as needed, maintain, and manage the trail and facilities to maintain the character of the surrounding landscape, connect to adjacent communities, and support trail users .
- Evaluate proposed trail relocations using the established CDNST location review process.
- Consider identifying and pursuing opportunities to acquire lands or rights-of-way within or adjacent to the CDNST corridor.

- Consider how activities outside the visible foreground may affect CDNST viewsheds and user experiences and mitigating potential impacts to the extent possible.
- Encourage consistent signage along the trail corridor at road and trail crossings to adequately identify the trail and providing interpretive signs at key trail entry points and limited historic and/or cultural sites to orient visitors and enhance the visitor opportunity.
- Ensure incident management teams are aware of the CDNST as a resource to be protected during wildfire suppression activities, and clearly identifying fire suppression rehabilitation and long-term recovery of the CDNST corridor as high priorities for Incident Commanders, BAER Team Leaders and post-fire rehabilitation efforts.
- Monitor visitor use and resource conditions for alignment with desired conditions. Consider visitor use management strategies to maintain or achieve desired conditions. If unacceptable resource or social conditions that are moving the Trail away from desired conditions are documented, consider establishment of a visitor capacity for specific segments of the CDNST, and take appropriate management actions to maintain or restore the nature and purposes of the CDNST.

Suitability *[These may be used to place limits or conditions on projects or activities that may adversely affect the nature and purposes of the CDNST. See Appendix A for activities that are suitable, may be suitable, or not suitable along the CDNST.]*

Examples of Suitability statements:

Rio Grande

- The Continental Divide National Scenic Trail and corridor is not suitable for oil and gas or geothermal energy development or other leasable mineral activity.
- The Continental Divide National Scenic Trail and corridor is not suitable for common variety mineral extraction, including but not limited to limestone, gravel, and pumice.

Custer-Gallatin

- 01 The Continental Divide National Scenic Trail corridor is not suitable for timber production. Vegetation management, including timber harvest, is suitable for purposes such as fuels reduction, restoration, or wildlife habitat enhancement.
- 02 The Continental Divide National Scenic Trail is suitable for summer motorized transport only as necessary to meet emergencies, to provide for landowner access, or as allowed by administrative regulations at the time of designation, as long as such use does not substantially interfere with the nature and purpose of the trail. National Trail System Act (section 7c). Administrative trail maintenance equipment is authorized.
- 03 The Continental Divide National Scenic Trail is suitable for winter motorized over-snow vehicle transport over and around the trail, as long as such use does not substantially interfere with the nature and purpose of the trail.
- 04 The Continental Divide National Scenic Trail is suitable for mountain biking, as long as such use does not substantially interfere with the nature and purpose of the trail.

Appendix A: Other Uses and Activities to Consider

Individual units should consider and integrate CDNST direction with other relevant forest-wide, Geographic Area (GA), and/or Management Area (MA) specific direction. There may be plan components (e.g. forestwide desired ROS classes and SIOs) that already address desired resource conditions, objectives, and constraints that protect the values associated with the CDT. In addition, plan revision teams may want to consider the need for additional plan components to address specific activities based on local needs and conditions:

- Authorization of Special Use Permits, Recreational
- Mechanized transport, summer and winter
- Firewood gathering
- Commercial gathering of forest products
- Minerals, saleable- recommended for withdrawal
- Timber production

Appendix B: Lessons Learned from Plan Revision and Public Input

The CDNST forest plan revision template needs to emphasize flexibility and responsiveness to local conditions while ensuring compliance with NTSA, Comp Plan, etc.

The template is designed to be flexible and responsive to local conditions. The introduction states: “The intent is for CDNST units to continue using the recommended Forest Plan components for the CDNST trail corridor as the basis for discussions with the public when developing the proposed plan or amendment. Individual units may develop additional plan components, remove those that are not applicable, or adjust them to respond to local conditions and public input.”

How do we address utility corridors, developments (e.g. ski areas), and other incongruencies that do not align with CDNST desired conditions?

The CDNST Comprehensive Plan acknowledges that there are sections of the trail that may not meet the nature and purposes to provide for a continuous trail.

Sec IV. C (1): Use the ROS system in delineating and integrating recreation opportunities in managing the CDNST. Where possible, locate the CDNST in primitive or semi-primitive non-motorized ROS classes; provided that the CDNST may have to traverse intermittently through more developed ROS classes to provide for continuous travel between the Canada and Mexico borders.

Examples from the draft Grand Mesa, Uncompahgre, Gunnison National Forest (GMUG) plan:

FW-GDL-DTRL-13: To protect the scenic values of the Continental Divide National Scenic Trail, special-use authorizations for new communication sites, utilities, and renewable energy sites should not be within the visible foreground of the trail (up to one-half mile either side), and should not be visually dominant within the middleground viewshed of the trail (up to 4 miles either side). Exception: the utility corridor overlay and Monarch Ski Area.

FW-GDL-DTRL-14: To maintain the integrity of the Continental Divide National Scenic Trail and the values for which it was designated, new linear utilities and special use authorizations that cross the trail should be avoided. Where unavoidable, these should be limited to a single crossing of the trail per special user authorization. Exception: the utility corridor overlay and Monarch Ski Area.

Appendix C: CDNST Law, Policy & Legislative History

[For reference only, not to be included in Forest Plan.]

The following references are provided to help agency staff understand the purposes of the Congressionally designated National Trails System and our responsibilities in managing the CDNST as a part of that system. **This appendix is to serve as a primer, not as a comprehensive list of all applicable law and policy related to the CDNST.**

LAW

The National Trails System Act (NTSA), P.L. 90-543 (NTSA), signed into law Oct 2nd, 1968, established policies and procedures for a system of congressionally designated, interconnected, linear landscapes for recreation, conservation and interpretation. Section 3(a)(2) [16USC1242] states that National scenic trails are “extended trails so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural, or cultural qualities of the areas through which such trails may pass.”

The National Parks and Recreation Act of November 10, 1978 amended the NTSA of 1968 (16 U.S.C. 1241-1251) and established and designated the CDNST (Pub. L. No. 95-625, 92 Stat. 3467).

- Sec. 2(a): In order to provide for the ever-increasing needs of an expanding population and in order to promote the preservation of, public access to, travel within, and enjoyment and appreciation of the open-air, outdoor areas and historic resources of the Nation, trails should be established....
- Sec. 2(b): The purpose of this Act is to provide the means for attaining these objectives by instituting a national system of recreation, scenic and historic trails...
- Sec. 2(c): ...it is further the purpose of this Act to encourage and assist volunteer citizen involvement in the planning, development, maintenance, and management, where appropriate, of trails.
- Sec. 3(a)(2): National scenic trails...will be extended trails so located as to provide for maximum outdoor recreation potential and for the conservation and enjoyment of the nationally significant scenic, historic, natural or cultural qualities of the area through which such trails may pass.
- Sec. 5(a)(5): The CDNST shall be administered by the Secretary of Agriculture in consultation with the Secretary of the Interior.
- Sec. 5(f): Develop a comprehensive plan that prescribes the specific objectives and practices to be observed for the acquisition, management, development and use of each trail.
- Sec. 7(c): The use of motor vehicles along any national scenic trail shall be prohibited...but limited motorized use may be allowed to: meet emergencies, provide landowner access, provide for motor vehicle crossings.
- Sec. 7(c): Reasonable efforts shall be made to provide sufficient access opportunities to such trails and, to the extent practicable, efforts be made to avoid activities incompatible with the purposes for which such trails were established.
- Sec. 7(c): Other uses along the CDNST which will not substantially interfere with the nature and purposes of the trail, and which, at the time of designation (Nov. 10, 1978) are allowed by administrative regulations, including the use of motor vehicles, shall be permitted by the Secretary charged with administration of the trail.

- Sec. 7(h): The Secretary charged with the administration of a ...national scenic...trail shall provide for the development and maintenance of such trails within federally administered areas, and shall cooperate with ...the States.

Executive Order 13195 (Trails for America in the 21st Century, 2001): “Federal agencies will... protect, connect, promote, and assist trails of all types... This will be accomplished by... protecting the trail corridors associated with National Scenic Trails... to the degrees necessary to ensure that the values for which [the] trail was established remain intact.”

POLICY

CDNST Comprehensive Plan: Developed in response to Sec. 5(f) of the NTSA, this document, signed by the Chief of the U.S. Forest Service in 2009, serves as the authority for broad based policy and direction for the development and management of the CDNST. This document applies to the entire CDNST, not just NFS units.

- Sec. II A: The nature and purposes of the CDNST are to provide for high-quality, scenic and primitive hiking and horseback riding opportunities and to conserve the natural, historic, and cultural resources along the CDNST corridor.
- Sec. III E.: Land and resource management plans are to provide for the development and management of the CDNST as an integrated part of the overall direction for the land area through which the trail passes.
- Trail Location:
 - Sec. IV. B(1)(b)(1): Where possible, locate the CDNST in primitive or semi-primitive non-motorized ROS classes, provided that the CDNST may have to traverse intermittently through more developed ROS classes to provide for continuous travel.
 - Sec. IV. B(1)(b)(2): Locate a CDNST segment on a road only where it is primitive and offers recreational opportunities comparable to those provided by a trail with a designed use of Pack and Saddle Stock.
 - Sec. IV. B(1)(b)(3): The trail shall be located as close to the geographic divide as possible...
- Scenery:
 - Sec. IV(4)(c)(1): The CDNST is a concern level 1 travel route. The scenic integrity objective is to be high or very high. The inventory will be performed as if the trail exists even in sections where it is proposed for construction or reconstruction.
- Uses:
 - Sec. IV(5)(b)(2): Bicycle use may be allowed if the use is consistent with the forest plan and will not substantially interfere with the nature and purposes of the CDNST.
 - Sec. IV(6)(b): Motor vehicle use by the general public is prohibited on the CDNST with limited exceptions. The vehicle class and width allowed on segments of the CDNST prior to Nov. 10, 1978 may be allowed as long as such use does not substantially interfere with the nature and purposes of the CDNST.
 - Sec. IV(6)(b): Over-snow vehicle use is allowed in accordance with 36 CFR Part 212, Subpart C, as long as the use will not substantially interfere with the nature and purposes of the CDNST.

(Author’s note: During the revision process, it would be helpful to overlay the CDNST trail corridor with specific information layers or MAs to evaluate compatibility with the nature and purposes of the CDNST – these could include: Suitable timber/vegetation management, firesheds, special uses/utility corridor locations, ROS, Scenery Management System (SMS) layers, range allotments, etc.)

FSM 2300, Chapter 50 (Trail, River and Similar Recreation Opportunities):

- FSM 2353.42: Administer National Scenic and National Historic Trail corridors to be compatible with the nature and purposes of the corresponding trail.

- FSM 2353.44(b)(1)(a): Except where the CDNST traverses a wilderness area and is governed by wilderness management prescriptions, establish a management area for the CDNST that is broad enough to protect natural, scenic, historic, and cultural features; b. Prescribe desired conditions, objectives, standards, and guidelines for the CDNST...”
- FSM 2353.44b(7): The one-half mile foreground viewed from either side of the CDNST travel route must be a primary consideration in delineating the boundary of a CDNST management area.
- FSM 2353.44b(9): Trail segments should fall into Trail Class 2 or 3 and have a designed use of Pack and Saddle Stock...

2012 Forest Planning Rule:

- 36 CFR § 219.19 Definitions: *Designated area*. An area or feature identified and managed to maintain its unique special character or purpose. Some categories of designated areas may be designated only by statute and some categories may be established administratively in the land management planning process or by other administrative processes of the Federal executive branch. Examples of statutorily designated areas are national heritage areas, national recreational areas, national scenic trails, wild and scenic rivers, wilderness areas, and wilderness study areas. Examples of administratively designated areas are experimental forests, research natural areas, scenic byways, botanical areas, and significant caves.
- 36 CFR § 219.7 (d) *Management areas or geographic areas*. Every plan must have management areas or geographic areas or both. The plan may identify designated or recommended designated areas as management areas or geographic areas.

FSH 1909.12 Chapter 20 (Land Management Plan):

- Sec. 24.43(1)(c). The Interdisciplinary Team shall use the national scenic and historic trails rights-of-way maps required by 16 U.S.C. 1246(a)(2) to map the location of the trails. Where national trail rights-of-way have not yet been selected, the Interdisciplinary Team shall reference the establishing legislation (16 U.S.C. 1244(a)) as the primary source for identifying and mapping the national scenic and historic trails right-of-way. If the right-of-way has not been selected, either through legislation or publication in the Federal Register, the Interdisciplinary Team should use other information to delineate a national scenic and historic trails corridor that protects the resource values for which the trail was designated or is being proposed for designation (16 U.S.C 1244(b)).
- Sec. 24.43(1)(f): Responsible official shall include plan components that provide for the nature and purposes of existing NSHTS in the plan area.
- Sec. 24.43(1)(d): The Responsible Official shall consult with neighboring Responsible Officials when developing plan components for national scenic and historic trails that cross unit boundaries and shall strive to maintain or establish compatible management approaches while recognizing diverse resource conditions and needs in the different plan areas.
- Sec. 24.43(2): Plan “must include plan components including standards or guidelines for a designated area,” “should” include desired conditions, “may” include objectives, standards or guidelines, suitability plan components, and provide a management area. Must identify and map the trail per #1c above.

LEGISLATIVE HISTORY

House Report No. 90-1631 accompanying P.L. 90-543 clarifies the intent of specific wording in the NTSA: “selection of routes for National Scenic Trails – Such rights-of-way shall be:

(1) of sufficient width and so located to provide the maximum retention of natural conditions, scenic and historic features, and primitive character of the trail area, to provide campsites, shelters, and related public-use facilities, and to provide reasonable public access; and

(2) 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....

National scenic trails shall be administered, protected, developed, and maintained to retain their natural, scenic, and historic features; and provision may be made for campsites, shelters, and related public-use facilities; and other uses that will not substantially interfere with the nature and purposes of the trails may be permitted or authorized, as appropriate: Provided, That the use of motorized vehicles by the general public along any national scenic trail shall be prohibited..." (1968 U.S. Code Cong. & Admin. News 3855, 3863-3864, 3867).

Senate Report No.95-636, 1978: "The Act was intended to insure that long-distance, high-quality trails with substantial recreation and scenic potential were afforded Federal recognition and protection...."

"Background" for H.R. 12536 states that, "Title V establishes new units of the National Park and National Trail Systems which the committee believes to be essential additions to these national programs. Timely action to preserve portions of our heritage, both historical and natural, within the states and insular areas is needed to assure these resources are not lost through adverse actions by special interest groups" (H.R. 95-1165).

The CDNST Study Report of 1976, prepared by the Bureau of Outdoor Recreation in response to the identification of the CDNST, under the NTSA, as a potential addition to the national trails system, describes:

- The primary purpose of this trail is to provide a continuous, appealing trail route, designed for the hiker and horseman, but compatible with other land uses...
- One of the primary purposes for establishing the Continental Divide National Scenic Trail would be to provide hiking and horseback access to those lands where human impact on the environment has not been adverse to a substantial degree and where the environment remains relatively unaltered. Therefore, the protection of the land resource must remain a paramount consideration in establishing and managing the trail.
- There must be sufficient environmental controls to assure that the values for which the trail is established are not jeopardized...
- The trail would provide the traveler her best encounter with the Continental Divide — its serenity and pure air — and would supply for every trail traveler some of the world's most sublime scenes.