

**A Training Program
to assist BCH Chapters Monitor Implementation of
The Forest Service Trails Classification System**

Part 4 – Examples of rationale that we may receive in response to our inquiries.

We can anticipate that some trail managers will consider it within their discretionary authority to determine the types of uses that are considered appropriate on our trails. In many cases this may be a subjective interpretation based on broad and general descriptions of experiences the agency determines are appropriate within recreation opportunity settings or management areas. In other cases it may be judgments made regarding the types of uses that can be sustained based on the existing condition of trails. Based on the court's decision, however, the managed or designed uses of a trail **must** be established **pursuant to a public process** and can only be changed pursuant to a public process. Set out below are some likely explanations you may be given when you try to determine how the agency determined the specific Trail Management Objective to use for a particular trail.

Examples:

Based on Existing Condition: Trail managers may tell you that they selected a Trail Management Objective based on their interpretation of which Trail Class and Managed/Designed Use best reflects the current condition of the trail. However, this method of selecting a TMO is incorrect. Based on what was disclosed in the court case, the Forest Service apparently had previously instructed its trail to apply trail classifications based on existing conditions and the current management plan for that trail. Trail managers may focus solely on the past direction to apply trail classifications “based on existing conditions” and ignore the guidance to also take into account “the current management plan for that trail.” If they did that, they would be making decisions on the managed or designed use of a trail without any public involvement. Based on the court order, however, the managed or designed uses of a trail **must** be established **pursuant to a public process** and can only be changed pursuant to a public process. If there is no evidence that a managed or designed use was established through a public process, then the Forest Service needs to go through a public process before it can prohibit a use or intentionally limit a use by assigning inadequate design parameters (except for emergency actions).

The problem with basing the management objective on “existing conditions” is that trail conditions often do not reflect the agency's management intent or objective for the trail – the condition that the agency would like them to be if they had the financial resources to maintain them as their planning documents specify. If the management objectives were driven by a trail's existing condition, continued deterioration of the trail would result in continually downgrading the objectives. Also, if managers were allowed the discretionary authority to base objectives on deteriorated conditions on the ground, there is a potential for abusing the system and simply allowing conditions to deteriorate to a condition that will not sustain pack and saddle stock use as a means of excluding our use.

Basing trail objectives on “Existing Condition” does not meet the test in the court decision which states: ***“The managed and designed uses of a trail are established by individual forest staffs ... with the public's active assistance, and any changes require a public involvement process in land management planning determinations, including appropriate [NEPA] review.”***

Trail Management Objectives were based on Recreation Opportunity Spectrum (ROS) or Wilderness Recreation Opportunity Spectrum settings (WROS):

Trail managers may tell you that they used Recreation Opportunity Spectrum (ROS) or Wilderness Recreation Opportunity Spectrum (WROS) classification for the area of the Forest where a trail is located to determine the Trail Management Objective. An ROS or WROS classification applies to relatively large areas of Forests and provides a general framework for defining the types of outdoor recreation opportunities to be provided in that area. While not exactly the same, they're somewhat akin to a zoning status. A specific ROS or WROS classification would include: 1. a description of the '*activities*' the area is being managed for (hiking, horseback riding, hunting, camping, nature study, etc.); 2. a description of the physical attributes of the '*setting*' (degree of modification of the natural environment, level of interaction between users, etc.); and 3. a description of the '*experience*.' In the ROS Users Guide, horseback riding is listed as potentially occurring in all ROS settings. Therefore, a ROS classification does not, in itself, exclude horseback riding. The planning document would need to specifically make that determination.

The Trail Fundamentals and Trail Management Objectives Training Reference Package, October, 2008, states "The Trail Class Matrix shows the combinations of Trail Class and Recreation Opportunity Spectrum (ROS) or Wilderness Recreation Opportunity Spectrum (WROS) settings that commonly occur, although all Trail Classes may and do occur in all settings."

The Forest Service Manual (FSM 2311) requires, as a part of recreation planning, that the agency "Identify, analyze, and display recreational access and travel needs and opportunities."

Based on the above Forest Service directives, the agency is responsible for identifying the activities or uses that would be permitted or managed on a given unit of land. If there is no evidence that a managed or designed use was established through a public process, then the Forest Service would need to go through a public process before it can prohibit a use or intentionally limit a use by assigning inadequate trail design parameters (with the exception of emergency measures).

Based on a RIM (recreation information management) Trails inventory: Trail managers may tell you that they used something called the RIM (or recreation information management) trails inventory in order to determine the appropriate Trail Management Objective for a trail. The RIM Trails data base was used up until the late 1990s to inventory Forests trails and document management objectives for those trails. The RIM Trails inventory would classify the trails by three categories based on their difficulty class (easy, more difficult and most difficult). These difficulty classes could be in place of or in addition to the historical classes of mainline, secondary and way. It was in use in many places at the time that the new system was implemented. The RIM Trails data base was updated on an annual basis; if it is retrievable, it would give an indication of the level of development and the management objectives in place prior to implementation of the new Trails Classification System. But be cautious of simply accepting the development and management objective set out in the RIM Trails data base as valid because it included information that the agency had the discretion to change without public involvement and appropriate NEPA review such as the current condition and maintenance status; it also included information on management objectives which require a public involvement process and NEPA to change. If the RIM Trails inventory is used by the agency as a justification for assigning managed/designed use under the new TCS, it is still appropriate to request the planning document used as a basis for that determination.

