



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

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MAY 21 2018

Ref: 8EPR-N

Scott Fitzwilliams, Forest Supervisor
White River National Forest
c/o Max Forgensi, Interdisciplinary Team Leader
24747 US Highway 24
Minturn, Colorado 81645

Dear Supervisor Fitzwilliams:

The U.S. Environmental Protection Agency Region 8 has reviewed the U.S. Department of Agriculture Forest Service's (USFS's) March 2018 Vail Mountain Resort Golden Peak Improvements Project Draft Environmental Impact Statement (EIS) (CEQ No. 20180057), pursuant to Section 309 of the Clean Air Act and the National Environmental Policy Act (NEPA). The proposed project includes constructing a lift and terrain including 42 acres of trails, operations buildings for racing starts and the lift, facilities for equipment and fuel storage and maintenance activities, and snowmaking infrastructure. Tree removal, vegetation management and additional snowmaking coverage are also proposed.

The EPA provided scoping comments for this Draft EIS in a May 1, 2017, letter that focused on assessing baseline environmental conditions, potential impacts to water resources, including wetlands, and potential impacts to air quality. We also participated in a site visit last summer and appreciated the USFS's willingness to meet and answer our questions about the project. The Draft EIS is responsive to the EPA's scoping comments and questions, and we support the strong project design criteria (PDC) and best management practices (BMPs) included, which are valuable for avoiding and minimizing impacts. Our few remaining comments highlight issues related to water resources, specifically water quality and wetlands, that we recommend be addressed in the Final EIS.

The EPA is rating the Draft EIS as EC-1, Environmental Concerns - Adequate Information. The EC-1 rating is based primarily on potential impacts to water resources from additional snowmaking and associated runoff. For your Final EIS consideration, our detailed recommendations are provided in the enclosure. A description of the EPA's rating system can be found at:
<https://www.epa.gov/nepa/environmental-impact-statement-rating-system-criteria>.

We appreciate the opportunity to participate in the review of the Draft EIS. We are committed to working with you as you prepare the Final EIS. If further explanation of our comments would be

helpful, please contact me at (303) 312-6704, or your staff may contact Amy Platt at (303) 312-6449 or platt.amy@epa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "P. S. Strobel".

Philip S. Strobel
Director, NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation

Enclosure

ENCLOSURE

The EPA considers protection of water resources to be among the most important issues to be addressed in the NEPA analysis for these types of ski area project activities. We support the USFS's proposed PDC and BMPs to protect these valuable resources in the project area.

Water Quality: The Draft EIS states that the stream health assessment focused on Mill Creek and the Mill Creek sub-basins because a majority of the project area flows into Mill Creek. Mill Creek is tributary to Gore Creek which is tributary to Eagle River which is tributary to the Colorado River. The Draft EIS also notes that the proposed project has the potential to impact water quality and quantity in the project area due to increased runoff from ground disturbance and additional snowmaking.

The Draft EIS limits assessment of potential water quality impacts to Mill Creek and Gore Creek, although impaired waters are identified both near the project area and further downstream. The 2016 Colorado Clean Water Act (CWA) Section 303(d) list for impaired waters includes Segment 9a of the Eagle River (temperature). Although this segment is quite a distance downstream from the project area, the Draft EIS notes that the Eagle River Water and Sanitation District, in consultation with the Colorado Water Quality Control Division and Colorado Parks and Wildlife, is collecting and evaluating temperature data to determine potential causes, impacts, and appropriateness of current standards. We recommend the Final EIS include any related information that becomes available between now and the release of the Final EIS, along with a commitment to work with the State on additional measures that may be necessary if Vail Ski Resort's proposed additional 62 acre-feet of water withdrawal for new snowmaking purposes may exacerbate downstream temperature issues.

The Draft EIS notes that the proposed additional snowmaking coverage may impact stream flows through water depletions or increased runoff or both. The *Water Resources Specialist Report* notes that the proposed action would result in increased flow rates and volumes and alteration in peak flow timing that could result in a decreasing trend in stream health, even with the installation of BMPs and other features proposed in the Drainage Management Plan (Attachment E of *Water Resources Specialist Report*). We recommend the Final EIS identify additional BMPs and project-specific mitigation that will be added in the event that the USFS determines that the Golden Peak PDCs and BMPs are not adequate to improve and protect watershed conditions consistent with Forest Plan objectives. If it has not already been done, we encourage the USFS to reach out to the Town of Vail and other stakeholders for input on the Drainage Management Plan.

Wetlands: The Draft EIS includes numerous PDC and BMPs that will be implemented to avoid and minimize any potential impacts to wetlands. The *Vegetation and Wetland Specialist Report* identifies Wetland B emanating from a small spring. This wetland/spring area is located in an existing ski trail and the disturbance area for the proposed upgraded snowmaking pipeline. We recommend that a Wetland Biologist be present on site during the construction phase of the pipeline upgrade through the wetlands/spring section of the disturbance area. Having such expertise on hand will ensure real-time marking of wetlands to inform placement of work activities and will provide oversight to address unanticipated issues that may arise during the construction phase of the project.