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USDA Forest Service Rocky Mountain Region

P.O. Box 18980 Golden, CO 80402
Attn: Objection Reviewing Officer

Submitted online via: <https://cara.ecosystem-management.org/Public//CommentInput?Project=50041>

RE: Berlaimont Estates Access Route FEIS and ROD

Dear Reviewing Officer:

I am writing this letter to state my objections to the Proposed Access Route for Berlaimont Estates REIS and ROD. My objections are listed below:

1. The proposed paved road will negatively impact wildlife. Both the road the developer desires and the road the Forest Service has proposed will cause irreparable harm to the landscape and local wildlife including deer, elk and sage grouse. The herds of deer and elk in the Eagle River valley are already at risk and in decline due to human impact and development, and this road would put the remaining population at severe risk.

The land through which the paved road would cut through is critical winter habitat for deer and elk. All potential access road segments would bisect deer and elk winter range. Because the selected access road would be open year-round to motorized vehicle use, disturbance of adjacent key wildlife habitat would be increased. Currently the access roads are closed to motorized vehicles during the winter to protect vulnerable wildlife.

There is no mitigation that could be implemented to make the alternatives consistent with the Forest Service standard (*Wildlife (General) Standard #1: Seasonal restrictions will be applied to reduce disturbance in key wildlife habitats*), which requires restricting activities to avoid disturbing proposed, threatened, or endangered species during breeding, young rearing, or at other times critical to survival. Exceptions may occur when individuals are adapted to human activity, or the activities are not considered a threat. (USFS CFR 219.9)

A Forest Plan Amendment would be required for the selected alternative, describing why this standard would be set aside for this project that only benefits the developer and not the wildlife, nor Eagle County residents that recreate in this area. Also, I believe that this proposal shows the USFS's failure to minimize impacts on federal resources as required by 36 CFR § 251.114, which states: "The route is so located and constructed as to minimize adverse impacts on soils, fish and wildlife, scenic, cultural, threatened and endangered species, and other values of the Federal land". I believe the construction of a paved road will violate these rules.

Any alternative road proposal from the Forest Service will require retaining walls, anywhere from 20 to 40 ft. high, and from approximately 400 to 1200 feet long. These cuts in the middle of the migration corridor will be impossible for deer and elk to navigate without substantial risk to their safety, and would provide an impassable barrier for the animals to move.

In addition, the subsequent approval for development of Edwards River Park and expansion of McCoy Park, which were not taken into consideration in the ROD, will cut off migrating wildlife on both sides of the valley, thereby effectively ensuring their demise when they are not able to find suitable winter habitat, as well as safe areas to give birth and protect their young.

Therefore I recommend that the Forest Service start the review process anew and consider a No Action alternative.

2. Proposals for additional recreational trails in the area would also negatively impact wildlife and the environment, in particular if these trails will be open year round. If the construction of a paved road will cause more recreation trails to be constructed nearby, this will be as detrimental to existing wildlife as expanding the road. Higher use will also cause more erosion of the area.

As a Wildlife Trail Ambassador for the VVMTA, I disagree with the position taken by the alliance which is in favor of creating more recreation trails in the studied area. The proposal as stated by the VVMTA does not take into consideration the impact of expanding recreational trails on wildlife migration and winter habitat. Stating that the closures aren't enforced by the USFS is not a valid argument for expanding our recreational footprint in the Berry Creek, Beard Creek, and Singletree areas. Even though outside of the area studied in the EIS, the proposal by VVMTA is still part of the migration corridor and winter habitat for deer and elk (which runs from Avon to State Bridge). VVMTA could instead protect wildlife by assisting the USFS in monitoring and enforcing existing winter wildlife closures, rather than suggesting the closure be removed. I recommend that the Forest Service work with the VVMTA in enforcing the trail closures already in place. Adapting the existing trails to a more practical mix to better accommodate multiple users is a better option than creating more trails in a previously undeveloped area.

3. The property is already accessible by 2 Forest Service dirt roads (774 and 780) that would provide the developer and subsequent landowners with reasonable access to their properties. An additional paved road is not necessary and will be destructive to the environment. Again, I recommend that the USFS start the review process anew to consider upgrading these existing roads (keeping them as dirt roads with improvements to accommodate highway vehicles) is a viable option.
4. The environmental impact of this development will be negative. Water quality will suffer due to runoff from construction of the road. The presence of a paved road will cause an increase in greenhouse gas emissions due to increased motor vehicle traffic (by homeowners, service vehicles, water trucks, snow plows, etc.) This goes directly against Eagle County's Climate Action Plan to reduce GHG emissions. The plan calls for overall GHG emission reductions: 25% by 2025, and a minimum of 80% by 2050. The 2050 target is in alignment with the recent recommendation of the Intergovernmental Panel on Climate Change (IPCC, 2014).

The building of large homes in this remote area will be at risk for wildfires, which evidence shows will be larger and more frequent due to climate change, severe drought conditions, and excess of

available fuel. Having to now protect these estates during a wildfire will put an undue burden on already stressed fire protection services.

Therefore I recommend that the Forest Service start the review process anew and consider a No Action alternative.

These statements are in alignment with a previous objection written by me in 2019 regarding the negative impact to wildlife, recreation and the environment.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary E. Pierik", is written over a horizontal line.

Mary E. Pierik