

Anni Davis



November 9, 2020

USDA Forest Service Rocky Mountain Region
Attn: Objection Reviewing Officer
P.O. Box 18980 Golden, CO 80402
Submitted online via email: SM.FS.r02admin-rev@usda.gov
RE: Berlaimont Estates Access Route FEIS and ROD

Attention: Objection Reviewing Officer

The following is my letter of Objection to the proposed Berlaimont Estates Access Route FEIS and ROD, and the draft decision by White River National Forest Supervisor, Scott Fitzwilliams. This is an additional letter to be added to earlier letters I have sent. With the extraordinary wildfires this season, I want to add additional concerns in the area of new circumstances and information.

The announcement that the USFS has approved the building of an access road to this in-holding property is ***beyond all reasonable comprehension***. During earlier Public Input the overwhelming majority of local residents, over 90%, have protested strongly against this proposed development which will impact every single one of us living here.

The mis-use of the ANILCA law is the fundamental problem with the draft Record of Decision. There are many in-holdings in Colorado including ones in Eagle County, notably the Fulford Community, that show by example that the USFS does not have a historical responsibility to build a road to an in-holding. The law only states: ***allow*** access. Yet, it seems our WRNF has caved to threats of a lawsuit based on this law as it is the only possible reason the 30 foot wide paved road has been granted. In fact, it is stated in the Draft ROD that the No Action alternative was used only as a baseline and never considered as a true alternative.

I submit that the only reasonable action is to start over and review this proposal with an active assessment of the NO ACTION alternative, as it is the only alternative that allows the Forest Service to honor its mandate to secure "minimal impact on natural resources" while providing reasonable access under ANILCA.

You have heard and read multiple input about the irreparable harm to our vastly diminishing wildlife herds because of development and that this particular property is acknowledged as one of the PRIME winter habitat ranges left to these herds. What happens to your ruling in this area of forced seasonal closures?

Clearly, a 30 foot wide cut-and-fill paved road on these slopes will a) be an eyesore for the community, b) create many impassible barriers for wildlife due to 20-40' high retaining walls that extend for 400 – 1200'. It also compromises one of our most highly used recreational trails in order to give a handful of people unnecessarily easier access to their property. They currently have the access required by law. The requirement of the Forest Service is to provide "reasonable access" and they have done so with the dirt road that is in place. Using the ANILCA law in this situation is wrong and smacks of cronyism.

As the stewards of our public lands and forests we now have huge problems with the credibility of the USFS decision and of those making that decision. Again, the remedy here is to start over and choose the No Action Alternative.

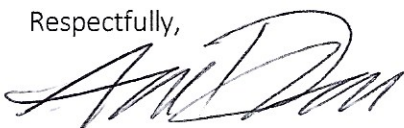
I would like to add further thoughts in regards to the Urban Wildlands Interface and its influence on the extraordinary wildfires in 2020. Due to climate change, there is a clear trend towards warmer and drier climate conditions which directly correlate to larger and more rapid fire spread. We had 2.5 million HA of forest fires this year in the US, 10,000 structures were lost. The majority of these fires were ignited by human related activities. There were 1000 deaths this year attributed to smoke inhalation. Colorado was rated as having exceptional drought. We lost close to 700,000 acres from over 1000 fires. This property is a south facing slope, very susceptible to drought and a difficult distance from emergency services. The developer wants to maintain a single egress/ingress to the property which creates exceptional difficulty in the case of wildfires. Emergency vehicles trying to access the area while people are evacuating – all on a steep, narrow two-lane road with hairpin switchbacks. This will put a huge strain on our valley's firefighting capabilities.

The bigger issue is that there is no appreciable availability of water. Further, the reservoir planned for fire use at the top of Berlaimont is not proven to be adequate. Water is either going to need to be pumped thru several pumping stations or delivered by truck to this property. The availability of water on the Western Slope is already being challenged. The impact of this development on our community will substantially affect our dwindling supply of water.

Studies submitted through *JFSP Fire Science Exchange Network* have shown that pre-fire mitigation efforts have failed to prevent any substantial structural loss in large fires. Studies show that there is very little knowledge of the consequences of building and developing into this wildland interface. Furthermore, there is an expectation that developers expect public resources to be fully responsible for protecting them from any losses or damages. This puts additional strains on our community and our resources, the safety and health of all of us and the financial costs that we will inevitably have to share. All this is for the benefit of the developer and only 19 homeowners vs an entire community that highly values wildlife, view corridors and our faith that the stewards of our public lands care as much as we do and will hold our wildlife sacred.

The best decision would be to keep looking for a land exchange, or to revisit this application and strongly consider the only reasonable option which is the No Action Alternative.

Respectfully,



Anni Davis