

ATTACHMENT A

---Original Message---

From: Voorhis, Josh -FS <josh.voorhis@usda.gov>

To: spflyfish@aol.com <spflyfish@aol.com>

Sent: Wed, Dec 18, 2019 9:27 am

Subject: Forest Service Road Concerns

I have attached three maps. One of them shows that the road out of Sportsman's Paradise on the north side is closed to the general public. This road is authorized under a special use road permit to the landowners in Beaver Creek. They pay a yearly fee for the privilege of this road. In addition, they are responsible for all road maintenance. This closure also applies to all miners whether or not they have mining claims in this area.

The other two maps show that Forest Service Road 274 does not connect to Sportsman's Paradise. This section of road between Sportsman's Paradise and the end of Forest Service Road 274 is an illegal section of road. No motorized vehicles are authorized to be on it. The Forest Service has plans to close this illegal route in 2020. All access on Forest Service Road 274 would need to come in from the east. This section of road has been officially closed for over twenty years and was closed as part of a mineral withdrawal completed to protect the South Platte River.

Please feel free to pass this information along and if anyone has any questions they can call me.

Thanks for reaching out and let me know if you ever need anything else.

Josh

Joshua Voorhis
District Ranger

Forest Service

Pike & San Isabel NF & Cimarron & Comanche NG, South Park RD

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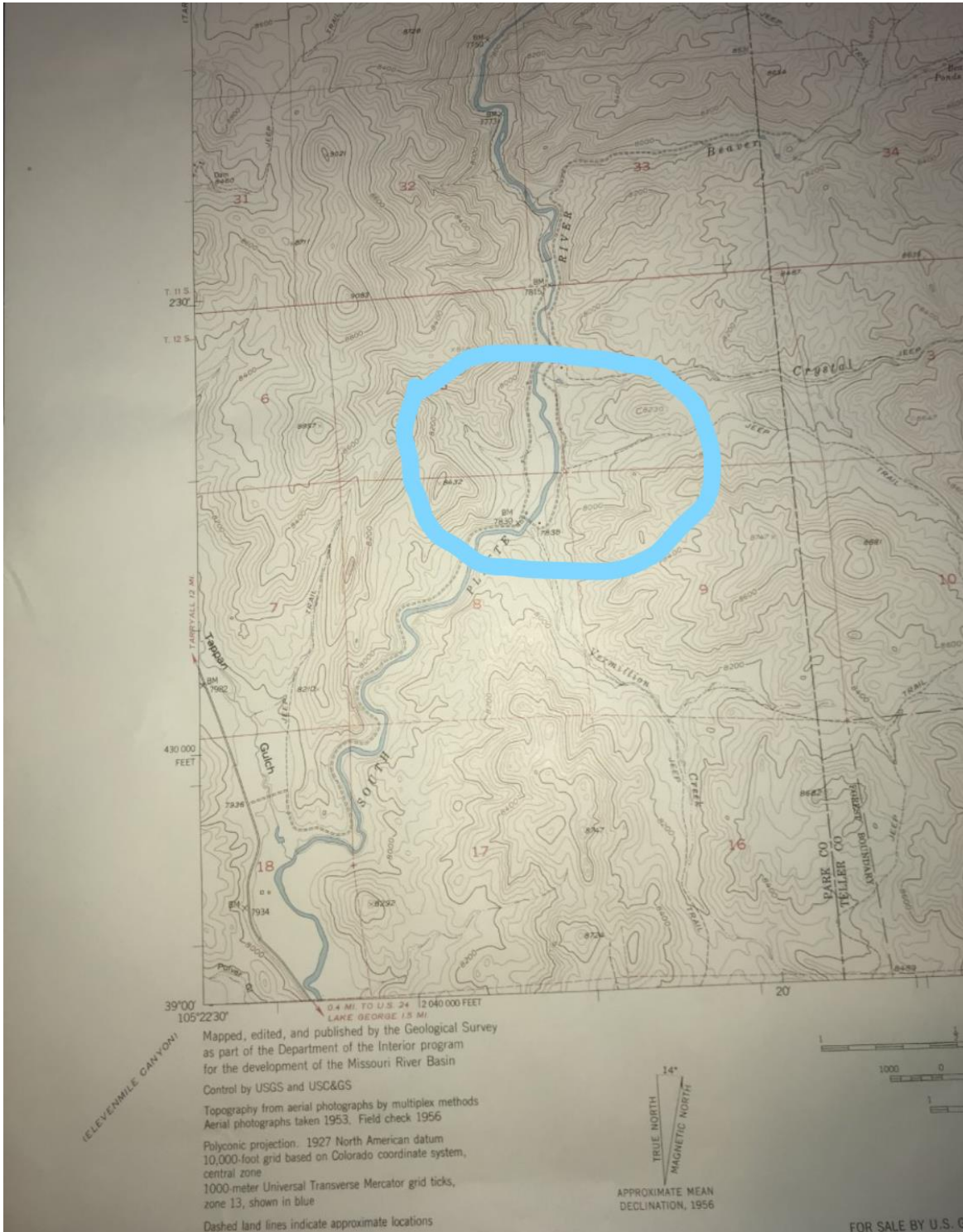
PO Box 219, 320 US Hwy 285

Fairplay, CO 80440

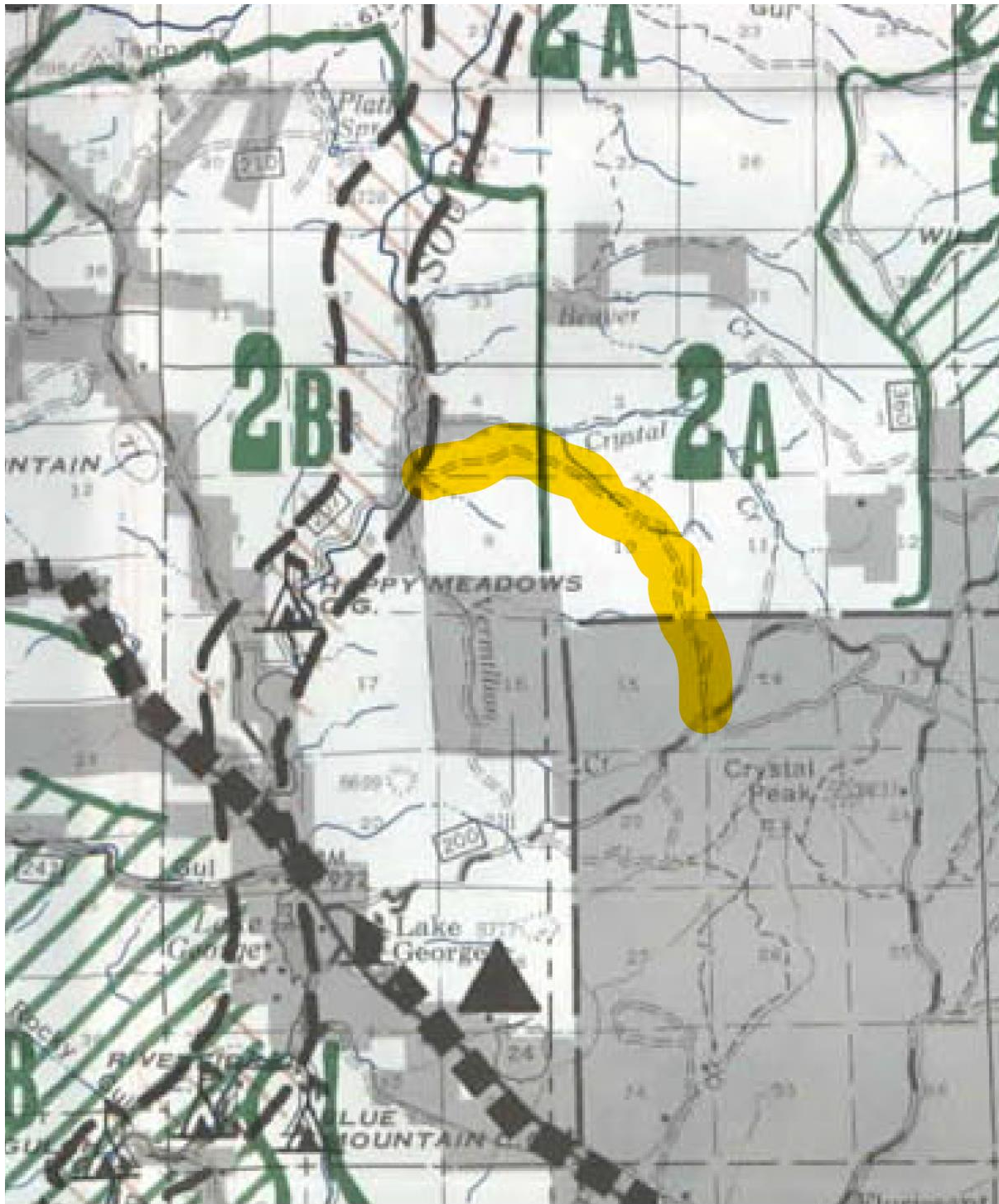
www.fs.fed.us

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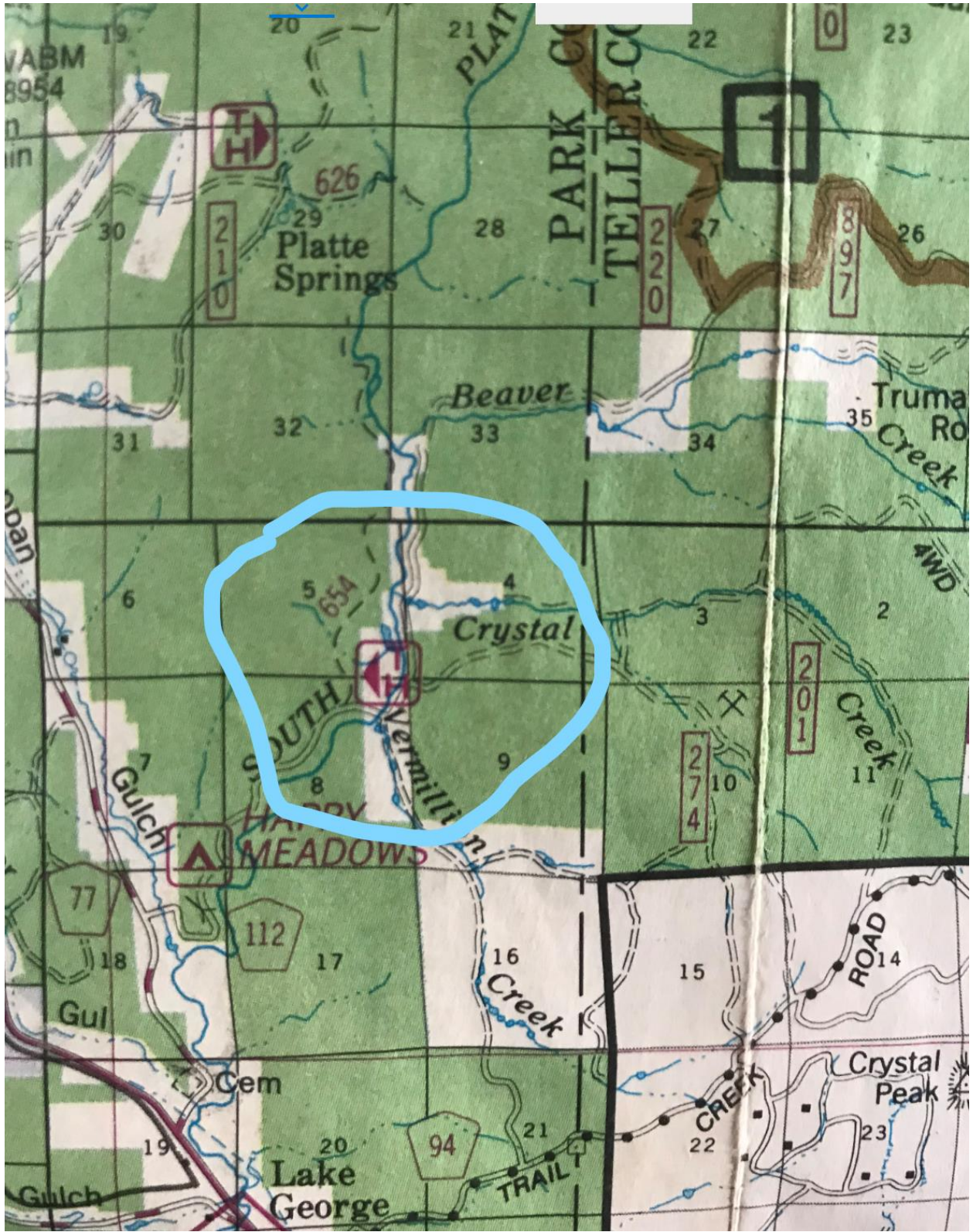
ATTACHMENT B



1956 USGS maps showing "JEEP TRAIL" that would become FSR 274 connecting to SP.



PSINF 1984 Forest Plan map showing FSR 274 connecting to SP.



1992 PSINFS map showing FSR 274 connecting to Sportsmen's Paradise.

Motor Vehicle Use Map

**Pike
National Forest
South Park
Ranger District**



Valid For Year 2013

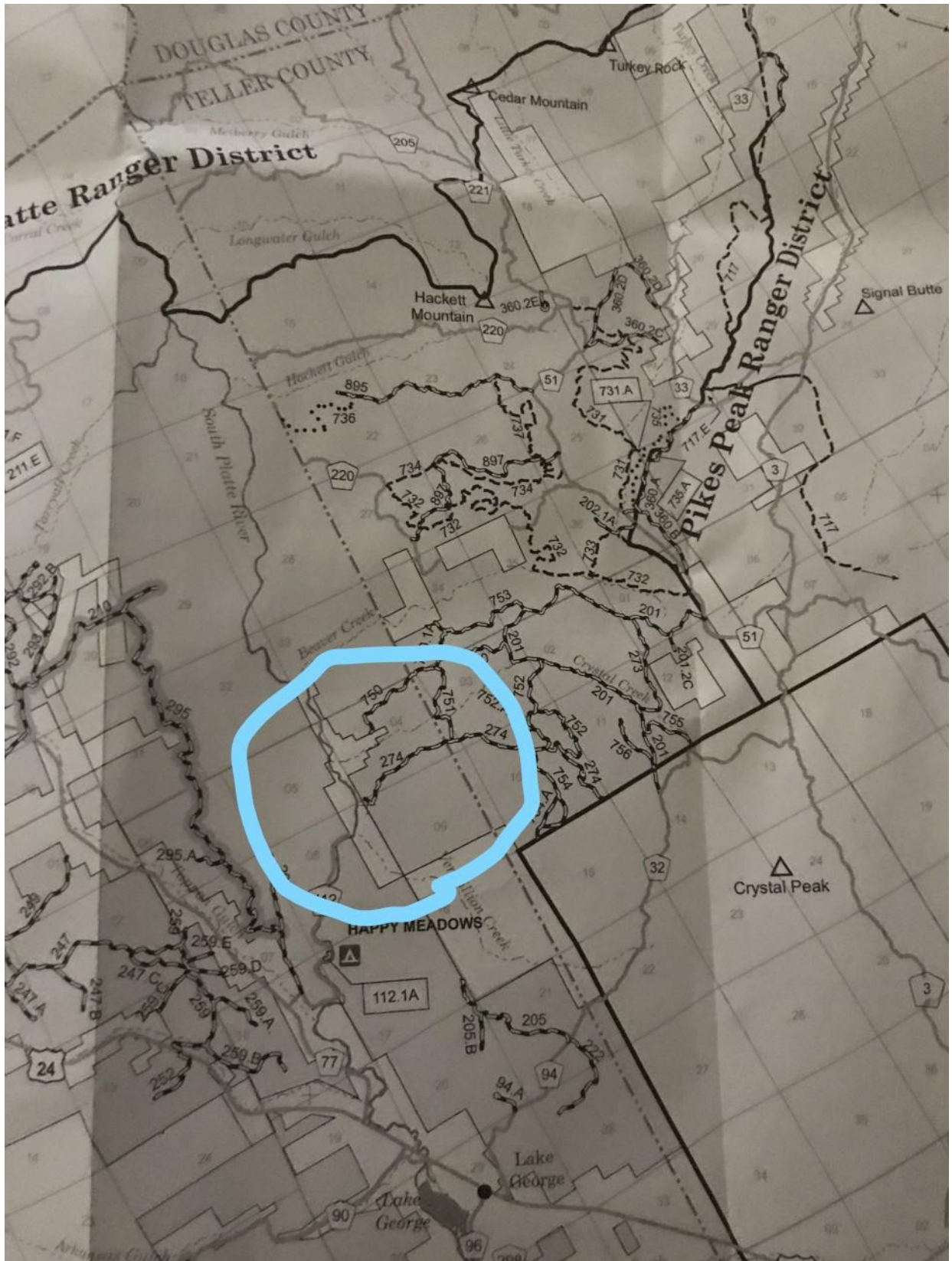
America's Great Outdoors

COLORADO 2010

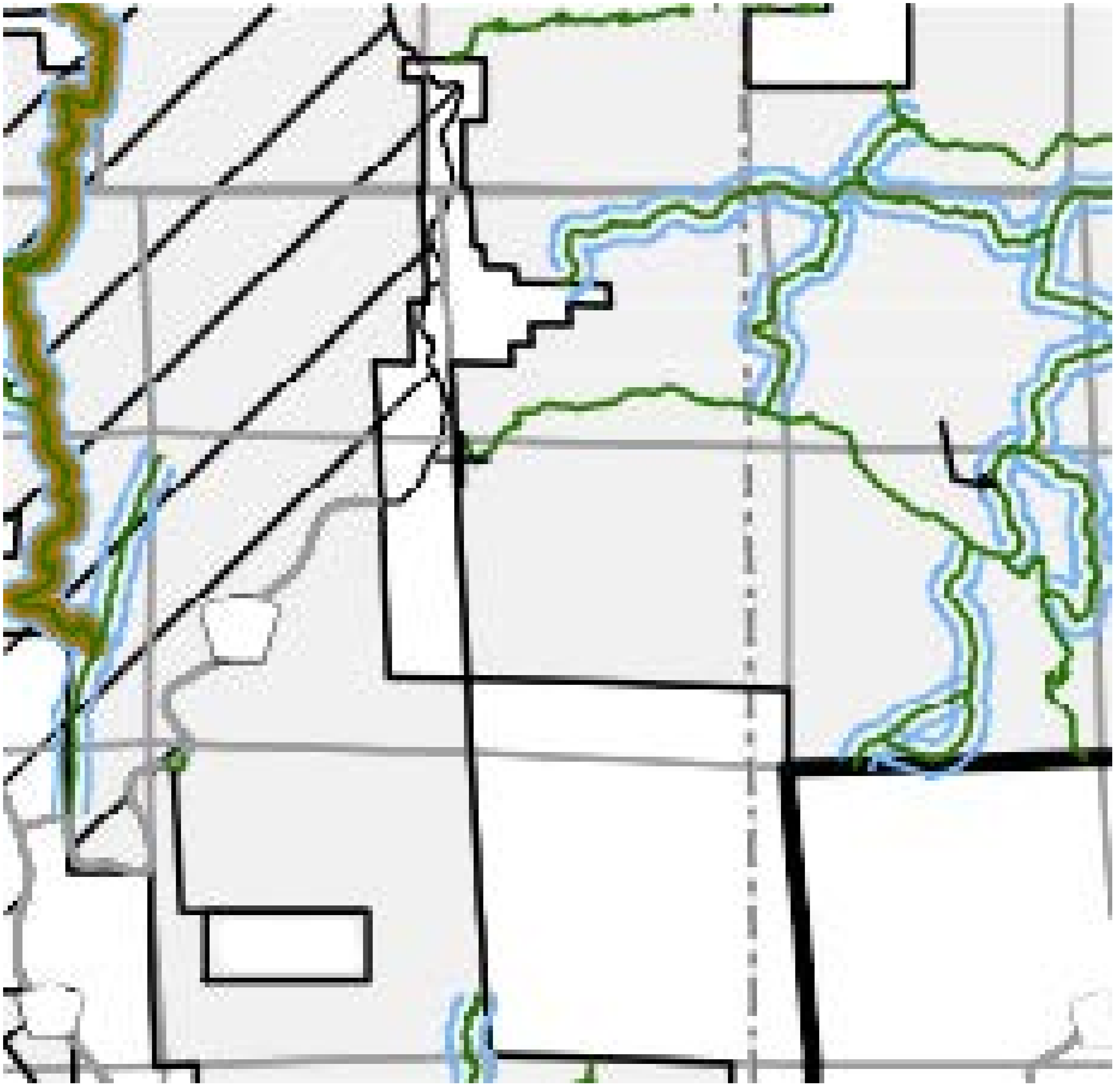
Forest  Service

United States Department of Agriculture

Cover of 2010 MVUM published by USFS.



2010 MVUM published by USFS showing FSR 274 connecting to SP property boundary.



2010 MVUM - DEIS No-Action Alternative A (clearer on MVUM)

ATTACHMENT C



Location Map of FSR 274

ATTACHMENT D

Josh,

This email certainly helps explain the confusion. The attachment you included is one of the ones that you sent to Eric back on December 18th, but this is the first time that I've heard you say that it purports to reflect the 2010 MVUM. Now I understand why you are confused by Alternative A. I also now understand the markings on it (PLO 6846 WDL USFS Ext by PLO 7485). At the risk of sounding impertinent, where did this attachment come from? When was it created? What do the markings creating the square around the end of the road as shown on the map mean? How do we know this map reflects the 2010 MVUM?

I am attaching photos of the actual paper version of the 2010 MVUM that was printed and distributed by the NFS that Eric Hendrickson has in his possession which clearly shows the final dogleg on 274 leading to our property boundary (which as noted earlier is also reflected in Alternative A). This is why we are so confused by your assertion that the 2010 MVUM shows the road ending where the withdrawal began (I use past tense here because until someone proves otherwise, it is our position that the withdrawal expired in 2011). The actual, physical version of the MVUM published in 2010 certainly doesn't support that assertion.

At this point, I would respectfully request that you forward my emails to the Supervisor's Office and copy me on them as I would like to make sure they are hearing my concerns, seeing the information I am sharing with you, and understanding our position. To be clear, I am not accusing you of withholding anything. I just think it would be helpful to make sure everyone is reviewing the same information going forward.

Matt

From: Voorhis, Josh -FS <josh.voorhis@usda.gov>
Sent: Tuesday, January 28, 2020 2:08 PM
To: Matt Walter <mpwalter96@hotmail.com>
Cc: Titterington, Amy J -FS <amy.j.titterington@usda.gov>
Subject: RE: FSR 274 of the South Park District of Pike San Isabel Nation Forest

Again I apologize for the confusion. The 2010 MVUM does show the road as being closed prior to reaching sportsman property. This office is simply implementing the existing closure that is shown on the 2010 MVUM. See attached document. This part of the equation is not confusing.

The why of the closure is where the confusion comes in. However, the cause of the closure does not effect the closure now being in place. Since the MVUM is our legal document regarding motorized travel management, I am obligated to enforce this closure.

You are correct in that Alternative A is supposed to be the 2010 MVUM. In this case I do not know why they are not exactly the same. I am checking with the SO.

A CE is categorical exclusion. Congress has provided us with these categories of projects that have been excluded from the full blown NEPA process. Currently, opening or closing roads is not one of these categories but has been proposed to be included by this administration.

Again my apologies for the confusion.

Joshua Voorhis
District Ranger

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From: Matt Walter <mpwalter96@hotmail.com>
Sent: Tuesday, January 28, 2020 1:12 PM
To: Voorhis, Josh -FS <josh.voorhis@usda.gov>
Cc: Titterington, Amy J -FS <amy.j.titterington@usda.gov>; Eric Hendrickson <spflyfish@aol.com>; David Smith <david@dpsmithlaw.com>
Subject: Re: FSR 274 of the South Park District of Pike San Isabel Nation Forest

Josh,

Thanks for the reply. I understood the closure to be triggered by the withdrawal based on Amy's response to my question of where the coordinates for the road closure came from which was that the road ends where the withdrawal begins. I must have misunderstood. It now seems that you're telling me that the road is closed, but you don't know what caused it to be closed, even though the basis for the settlement is the 2010 MVUM for the South Park Ranger District which clearly shows the road going to our property boundary. This is all very confusing.

I guess the questions that I have now are: How do you know the road is closed? Where does this statement come from? What led you to come to the conclusion that the road is closed? Where do the coordinates that Amy sent me come from?

Lastly, based on this page - https://www.fs.fed.us/emc/nepa/nepa_procedures/index.shtml - I think I know what NEPA, EA and EIS stand for, but what is a CE? What can we do as a club to support the proposal for the agency to open five miles of roads that would include the final 600' of FSR 274?

Many thanks for your patience as I continue to try to get up to speed on all of this,

Matt

From: Voorhis, Josh -FS <josh.voorhis@usda.gov>
Sent: Tuesday, January 28, 2020 12:27 PM
To: Matt Walter <mpwalter96@hotmail.com>
Cc: Titterington, Amy J -FS <amy.j.titterington@usda.gov>
Subject: RE: FSR 274 of the South Park District of Pike San Isabel Nation Forest

I just wanted to weigh in on this conversation on one main point that may be missed, the road is currently closed no matter the cause.

Neither Amy or I were here when the 2010 MVUM was produced so we are not sure what exactly caused this road to close. As I have said before, our best guess based on timing and location of road closure, is that the mining withdrawal which was based on protection of the South Platte river had something to do with it. However, I am not sure if the mining withdrawal caused the road to close or if the road closure was directly related to protection of the South Platte river. During this time period of the mid-2000's there was considerable work completed around a Wild and Scenic designation for the South Platte river. I suspect that may be what caused the mining withdrawal.

The main issue is at this point is the road is closed. This closure can only be undone through completion of a NEPA analysis. Based on current regulations and our court order, the level of NEPA analysis would have to be an EA or an EIS. As I mentioned when you visited, the administration has a proposal that would allow the agency to open or close up to five miles of road through the use of a CE. At this time, this is only a proposal.

Even if the mining withdrawal is no longer valid, the road remains closed until such time a NEPA document and decision is completed that would open the road to public use. As I have said before, we are planning on installing two gates to enforce this closure. We are not planning at this time to rip or otherwise decommission the road. The road will still be available to the agency and our partners for emergency purposes such as fire or evacuations.

Thanks and hope the meeting goes as well as possible.

Josh

Joshua Voorhis
District Ranger

Forest Service

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Caring for the land and serving people

From: Matt Walter <mpwalter96@hotmail.com>

Sent: Tuesday, January 28, 2020 11:24 AM

To: blm_co_info@blm.gov

Cc: Voorhis, Josh -FS <josh.voorhis@usda.gov>; Titterington, Amy J -FS <amy.j.titterington@usda.gov>;

Eric Hendrickson <spflyfish@aol.com>; David Smith <david@dpsmithlaw.com>

Subject: FSR 274 of the South Park District of Pike San Isabel Nation Forest

Dear Sir or Madam,

I am emailing on behalf of Sportsmen's Paradise, a 501(c)(7) community association in Lake George, Colorado, to inquire about Public Land Order 6846 (56 FR 14865) entitled "Withdrawal of National Forest System Lands for Protection of Wild and Scenic Values on the South Platte River; CO." This order can be found on page 37 of the following .pdf -

<http://cdn.loc.gov/service/ll/fedreg/fr056/fr056071/fr056071.pdf>).

I am hoping you can point me to the right person in your office who can answer the following questions:

PLO 6846 specifically says it is for the withdrawal of lands for mining; would this order still allow for the use of forest service roads within the withdrawal for recreational purposes only?

PLO 6846 also says the order is in effect for 10 years unless the Secretary of the Interior decides to extend it. Public Land Order 7485, which can be found

at <https://www.federalregister.gov/documents/2001/05/10/01-11739/public-land-order-no-7485-extension-of-public-land-order-no-6846-co>, extended this order for another 10 years in 2001, but I have not been able to find an extension beyond that. Can you confirm for me whether an extension beyond 2011 exists or whether the withdrawal order has expired?

If possible, it would be very helpful to have this information for our January board meeting tonight.

Many thanks in advance for any assistance you might be able to provide,

Matt Walter

President
Sportsmen's Paradise

[Public Land Order No. 7485; Extension of Public Land Order No. 6846; CO](#)

This order extends Public Land Order No. 6846 for an additional 10-year period. This extension is necessary to continue the protection of the Wild and Scenic River values in the South Platte River. These lands have been and will remain open to mineral leasing.

www.federalregister.gov

ATTACHMENT E



View of NFS sign at end of FSR 274 at SP's gate.



View of NFS sign from inside SP.