

Easement Correspondence and Forest Service excuses

File Code: 2730-1

Date: February 19, 2008

PARK COUNTY ROAD & BRIDGE
PO BOX 1373
FAIRPLAY, CO 80440

Dear County Commissioners:

This letter concerns the application, which Park County submitted to the South Park Ranger District, for public road easements on several roads located in the Hayman Burn area.

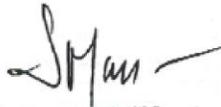
The application has been reviewed and a couple of items need to be addressed before it can be processed; 1) the application asks for an easement along Forest System Road (FSR) 540 (Corral Creek) across Section 32, T. 10 S., R. 71 W., 6th P.M. This segment of FSR 540 is actually located in Jefferson not Park County therefore you may not make application this portion of road. 2) due to the fact this application is for a public road easement(s) and covers segments of roads located on both the South Park and South Platte Ranger Districts it needs to be made to the Supervisor's Office, 2840 Kachina Drive, Pueblo, Colorado 81008. 3) last maps delineating the actual segments of these roads for which application is being made need to accompany the application.

I will forward the original application to Pueblo and let the lands department know that a revised application will be sent by the County. If you have questions please contact Jeff Hyatt of my staff at the phone number or address noted above.

(836-3855)

417

Sincerely,



SARA MAYBEN
District Ranger

cc: Jeff Hyatt, Wyoma Hansen

----- Forwarded Message -----

From: Betty Jean Wierth <BWierth@parkco.us>
To: "jerry@predator4wd.com" <jerry@predator4wd.com>
Sent: Monday, September 13, 2010, 11:36:46 AM MDT
Subject: RE: South Plate trails

Application has been submitted to the Forest Service. As of this date we have not heard from them.

Betty Jean Wierth
BOCC Administrative Assist.

----- Forwarded Message -----

From: Sexton, Kristen -FS <ksexton@fs.fed.us>
To: "jerry@predator4wd.com" <jerry@predator4wd.com>
Sent: Wednesday, March 7, 2012, 5:07:19 PM MST
Subject: RE: South Platte-Park County trails

Jerry, I am aware of the county's application for easements for the trails on the South Platte. We've gotten stuck trying to figure out what the current status of those trails are. I'll make a couple phone calls and see if I can find out where we're at.

Kris Sexton

District Ranger

South Park Ranger District

Pike & San Isabel National Forests

Cimarron & Comanche National Grasslands

719-836-2031

ksexton@fs.fed.us

From: Mayben, Sara -FS
Sent: 8 Mar 2012 20:50:29 +0000
To: Sexton, Kristen -FS;Hickenbottom, Randy -FS
Cc: Hyatt, Jeff -FS
Subject: RE: status of Park County roads in the Hayman
Attachments: Wildcat DN.doc

The NEPA decision signed for Wildcat (attached) is the roads would remain closed unless another public road agency (aka the county) assumed responsibility for the management/maintenance. I know when we entered into the easements with Teller County, we (Randy and I) outlined worked that had to be done before the roads could be opened and then the easement prescribed the maintenance needs. Teller County entered into an agreement with Predator 4x4 group to do the maintenance for them.

From: Sexton, Kristen -FS
Sent: Wednesday, March 07, 2012 5:11 PM
To: Mayben, Sara -FS; Hickenbottom, Randy -FS
Cc: Hyatt, Jeff -FS
Subject: status of Park County roads in the Hayman

Sara and Randy, we have an application here from Park County for easements on the roads that go down into the South Platte in the Hayman Fire. These are the roads that first go through Teller County (Teller has easements) and are currently closed at the county line.

We really need to process this application but Jeff and I aren't clear what the status or story is with these roads. What do you know or remember?

Thanks

Kris Sexton
District Ranger
South Park Ranger District
Pike & San Isabel National Forests
Cimarron & Comanche National Grasslands
719-836-2031
ks Sexton@fs.fed.us

----- Forwarded Message -----

From: Sexton, Kristen -FS <ksexton@fs.fed.us>
To: "jerry@predator4wd.com" <jerry@predator4wd.com>
Cc: "jhyatt@fs.fed.us" <jhyatt@fs.fed.us>
Sent: Monday, March 19, 2012, 11:20:57 AM MDT
Subject: RE: South Platte Trails

Yes, they are here. We are processing them but we are trying to determine the current status of these trails.

Kris Sexton

District Ranger

South Park Ranger District

Pike & San Isabel National Forests

Cimarron & Comanche National Grasslands

719-836-2031

ksexton@fs.fed.us

From: "Sexton, Kristen -FS" <ksexton@fs.fed.us>
To: Jerry Panek <jerry@predator4wd.com>
Cc: "Hyatt, Jeff -FS" <jhyatt@fs.fed.us>
Sent: Thursday, April 19, 2012 10:36 AM
Subject: RE: South Platte Trails

To: Jerry Panek <jerry@predator4wd.com>

Cc: "Hyatt, Jeff -FS" <jhyatt@fs.fed.us>

Sent: Thursday, April 19, 2012 10:36 AM

Subject: RE: South Platte Trails

Yes, we did receive a proposal from the county just over a year ago.

Unfortunately, we have a substantial backlog of these kinds of applications due to a substantial lack of funding to this program area. Staffing for these types of applications are generally restricted to a couple dozen days per year. So yes, it take a long time to process this type of application, especially when there may be substantial environmental analysis to complete with a lack of funds and staffing to process these types of proposals.

I know this doesn't help you with your processes and staff work but the work load associated with this application is not currently funded or scheduled for this year. We are still hopeful to at least begin the process to move forward with the county's proposal sometime this summer.

We do appreciate all your efforts and concerns but please bear with us during these difficult budgetary times.

Kris Sexton

District Ranger

South Park Ranger District

Pike & San Isabel National Forests

From: Heagley, Lisa -FS
Sent: 18 Sep 2013 21:26:44 +0000
To: teisenman@parkco.us
Cc: Heagley, Lisa -FS
Subject: Corral Creek road application

Tom,

I'm hoping you can help me or let me know who the appropriate person is regarding an application Park County submitted to the Forest Service.

It is my understanding that Park County has submitted an application to obtain an easement for the Corral Creek Road, located off of Forest Service Road 211. I also understand that this application was sent to the PSICC-Supervisor's Office in Pueblo, however the Supervisor's Office has been unable to locate it.

If Park County can resubmit the application and send it to the South Platte Ranger District office, we will be able to assist Park County with the easement process.

Thank you for your help.

Sincerely,

Lisa Heagley
Recreation, Lands, Wilderness Staff Officer
South Platte Ranger District
19316 Goddard Ranch Court
Morrison, CO 80465
Phone: 303.275.5624
Fax: 303.275.5642

The Forest Service decides they no longer want to grant the easements.

From: Mitchell, Brandon L -FS
Sent: Friday, February 07, 2014 11:00 AM
To: Dollus, Scott -FS; Morrison, Gary -FS
Subject: RE: corral, hackett, longwater

Gary brings out some very good points. I would think we would want to sit down with them with maps, INFRA data, etc. and clarify expectations. Asking Joe for a survey would be really great if we can get his time and find the funding. We would also want him to provide the legal descriptions for the easement exhibits.

I have not been through this process but Lisa has, it would also need some time from John Brown. John or the RO probably has a checklist of what we would need for the RO submittal.

As Scott and I have discussed, we don't have good technical capability to monitor and manage these routes, I know Scott is pursuing a grant for that purpose. Keep in mind the need for preservation of the Wild & Scenic River ORV's. Do we really feel confident that Park Counties volunteers will adequately patrol and maintain these routes. Where do we find a copy of the relevant Forest Plan amendment?

As a side note, the approach via Cedar Mountain road (Teller County 51) is in pretty rough condition. We have already started down the road to reopening Wildcat I think by giving Teller those easements, currently proper management of the area is languishing. The gates are open off the 51 road so people drive down there and what's to stop them from using the routes on Park County and/or creating new routes and utilizing existing non-system routes, I know that's what the Jeep Clubs are for but is it currently effective?

In response to Gary:

1 & 2- great suggestions.

3- why are these shown on the rec map (don't think they are on the MVUM) if there is no easement as they are in Park County? PS Northrup (road 206) is also on the rec map.

4- correct, is it possible however to include it on the Park County easements (if granted)?

5- agreed (see #3 above)

6- that's correct, challenge is making something new a priority (Joes time, SO time RO time) when we are understaffed, over allocated and underfunded, requires lots of following up and perserverence

Brandon

From: Painter, Mikele -FS
Sent: 4 Jun 2014 22:03:17 +0000
To: Jeff Spohn - DNR (jeff.spohn@state.co.us); Meyer, Kristen E -FS
Cc: Welker, Michael -FS
Subject: Photosand recap of Wildcat Cyn 6/3/2014
Attachments: 3Jun2014.zip

Hi Jeff and Kristen,

Here is a zip file of the photos I took on our trip to Wildcat Canyon on the South Platte River yesterday. I just wanted to recap our actions and discussions in a quick email.

We drove in from FSR 211 (Matukat Rd), and the new boulders placed beside the gate appear to be effective against cars and trucks, but ATVs and motorcycles can drive under the locked gate. The old Corral Creek road was easily passable by high-clearance 4x4 vehicles all the way to the river. The river volume on Tuesday was much higher than base flow, but we could see where vehicles have been driving across and next to the S. Platte. We placed 2 "No Motorized Vehicle" carsonite posts on the west bank of the river to indicate that the Corral Creek side of the river is closed to motorized vehicles. We also walked the 2-track from Corral Creek to Tarryall Creek along the S. Platte River. At all locations by the river we noticed fresh vehicle tracks in the sand and mud, and picked up trash in a couple spots. It appeared that vehicles (ATVs) were driving up Tarryall Creek and further south along the S. Platte. Before we departed, we agreed that ideally all roads would end several hundred feet before reaching the riparian vegetation along the river.

Anecdotally, visitor impacts are starting to show negative trends compared to a few years ago. We agreed that in addition to monitoring fish habitat conditions (i.e., water quality, physical aspects of the river channel, and condition of the riparian vegetation), it would be great to get an idea of current visitor use along the river in Wildcat Canyon.

Sound about right?

Mikele Painter, Wildlife Biologist
South Platte Ranger District, Pike NF
19316 Goddard Ranch Ct.
Morrison, CO 80465
mpainter@fs.fed.us
303-275-5614

From: Meyer, Kristen E -FS
Sent: 5 Nov 2014 16:10:50 +0000
To: Lamb, Sheila -FS
Subject: RE: Wildcat Canyon Meeting...

They were glad there was representation from the District, but folks wondered where Josh and Jeff were. Jeff really should have been there, since it does involve our District as well, but Josh told him that we did not need more than one person to attend.

I felt that Randy really prefers to leave it closed, because we have no clear solution as to how to keep it under control, but he knows that the County can take this to court, so feels it needs to be considered. CPW wants it to remain closed as do I, Mikele, and Denny. It is classified as Wild and Scenic and is a very unique natural resource area. I would prefer entertaining some type of UTV loop trails in portions of Badger Flats than opening Wildcat. The guy from Predator was pretty insistent that we allow camping down along the river, preferably non-designated, allowing for parking of multiple motor vehicles. I love how they are so willing to compromise with us. 😊

It was a tough meeting. I love how Carol just tells it like it is. It will be interesting to see how we proceed.

From: Painter, Mikele -FS
Sent: 18 Jun 2015 20:45:19 +0000
To: Dow, John R -FS; Voorhis, Josh -FS
Cc: Bohon, Denny -FS; Heagley, Lisa -FS; Meyer, Kristen E -FS
Subject: RE: Debrief from Wildcat trip on Monday, June 15

I would recommend that South Platte and South Park districts reject Park County's requests for road easements, citing insufficient NEPA coverage and our desire to explore all the options to ensure management actions are consistent with all applicable directives and guidance. Then we can see what we get from SPEB and the MVUM/TAP processes.

-Mikele

South Park Ranger Josh Voorhis emails Park County Manager Tom Eisenman asking to discuss the roads, after which Tom rescinds the easement request.

Joshua Voorhis
District Ranger
Forest Service
South Park Ranger District,
Pike/San Isabel National Forests & Cimarron/Comanche National Grasslands
p: 719-836-3857
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f: 719-836-3875
jvoorhis@fs.fed.us
320 Hwy. 285 - PO Box 219
Fairplay, CO 80440
www.fs.fed.us

Caring for the land and serving people

-----Original Message-----

From: Tom Eisenman [<mailto:TEisenman@parkco.us>]
Sent: Tuesday, August 18, 2015 3:49 PM
To: Voorhis, Josh -FS
Subject: RE: Lunch

Want time to you think for tomorrow?

-----Original Message-----

From: Voorhis, Josh -FS [<mailto:jvoorhis@fs.fed.us>]
Sent: Tuesday, August 18, 2015 1:04 PM
To: Tom Eisenman
Subject: RE: Lunch

Do you have any time this week to discuss the County application for Wildcat Canyon?

Thanks

From: Tom Eisenman
Sent: 21 Sep 2015 16:51:18 +0000
To: Voorhis, Josh -FS
Subject: Forest Service Road(s) easements

Mr. Voorhis,

This email is to rescind Park County's application for easements for;
 F.S. road 220 (Hackett Gulch)
 F.S. road 220A (Hackett Gulch Crossover)
 Junction F.S. road540 (Corral Creek)
 F.S. road 221 (Longwater Gulch)
 F.S. road 540 (Corral Creek)

Thank you for your time and efforts on this initial request.

Thomas Eisenman
 Park County Administration Officer
 teisenman@parkco.us
 719-836-4203 (o)
 719-839-1149(c)

received 9/22/2015

STANDARD FORM 299 (6/99)
 Prescribed by DOI/USDA/DOT
 P.L. 96-487 and Federal
 Register Notice 5-22-95

**APPLICATION FOR TRANSPORTATION AND
 UTILITY SYSTEMS AND FACILITIES
 ON FEDERAL LANDS**

FORM APPROVED
 OMB NO. 0596-0082

FOR AGENCY USE ONLY

NOTE: Before completing and filing the application, the applicant should completely review this package and schedule a pre-application meeting with representatives of the agency responsible for processing the application. Each agency may have specific and unique requirements to be met in preparing and processing the application. Many times, with the help of the agency representative, the application can be completed at the pre-application meeting.

Application Number:

Date Filed:

1. Name and address of applicant (including zip code)

Park County Board of County Commissioners
 P.O. Box 1373
 Fairplay, CO 80440

2. Name, title and address of authorized agent if different from item 1 (include zip code)

Park County Public Works Department for and
 On behalf of the Park County Commissioners

3. Telephone (area code)

719/836-4201

Applicant

Public Works

Authorized Agent

South Park Ranger Josh Voorhis opposes analyzing reopening the Wildcat Canyon roads in the Pike San Isabel NF travel management EA, which was requested during scoping by numerous motorized users.

The Wildcat Canyon DN did not discuss road status if a county did not want the roads only the above statement that the roads would not open unless an agreement with a road management agency was entered into. So what does this mean for the status of these roads now that Park County has declined these roads? I am not sure how Gary came to the conclusion that these roads are level 1. Why not consider them decommissioned or anything else for that matter? The Hayman Roads Wildcat Canyon DN left us without a decision for their final status.

Sheila and I played devil's advocate for a while today and I think our best strategy is to not do any NEPA on the Corral Creek side. We simply close the roads that have been opened illegally. On the other side we can do the same or do a CE for trail construction for a full size motorized trail. The Hayman roads analysis included NEPA and specifics for closing and decommissioning. I think we would be implementing that DN/EA.

Since Erin does not have a decision for us, the option is to leave the final consideration of these roads for the MVUM EIS. That could eliminate the option of the counties taking the roads in the future under the Hayman Roads EA, could re-open the roads to the public with us managing them or it could decommission them for us. I would guess that any of these options would be on the table.

Thoughts?

Joshua Voorhis
District Ranger

Forest Service
South Park Ranger District,
Pike/San Isabel National Forests & Cimarron/Comanche National Grasslands

p: 719-836-3857

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f: 719-836-3875

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320 Hwy. 285 - PO Box 219

Fairplay, CO 80440

www.fs.fed.us



Caring for the land and serving people

From: Voorhis, Josh -FS
Sent: Thursday, July 20, 2017 2:49 PM
To: Meyer, Kristen E -FS <kristenemeyer@fs.fed.us>
Cc: Morrison, Gary -FS <garymorrison@fs.fed.us>; Statezny, James P -FS <jstatezny@fs.fed.us>;
Maestas, Lisa D -FS <lisadmaestas@fs.fed.us>; Dow, John R -FS <jrdow@fs.fed.us>; Painter, Mikele -FS
<mpainter@fs.fed.us>; Banks, Brian -FS <bbanks@fs.fed.us>
Subject: Re: Question about GIS Analysis

Interesting, how and why are we analyzing in the EIS wildcat reopening. As the ranger I never requested this. Who slipped this in? Since it was not the line officer I expect this to be removed from the EIS alternatives. This email is for Gary and John. I would be more than happy to sit down and discuss but my direction is still the same. Thanks

Sent from my iPhone

From: Voorhis, Josh -FS
Sent: 28 Jun 2018 17:31:08 +0000
To: Condit, David - FS
Cc: Banks, Brian -FS;Martinez, Oscar -FS
Subject: FW: Wildcat Canyon
Attachments: Observations of Alternatives regarding Wildcat Canyon.docx

I had my biologist go through the maps and information that is currently available to us to determine if the changes to the MVUM EIS related to Wildcat Canyon had actually occurred. Based on the information that we have the changes that were requested have not happened. For what has been changed refer to the attached document. The requested changes from the districts are:

1. All currently closed (level 1) roads in Wildcat be proposed as decommission (removed from the INFRA database), this includes all of the roads in Park County on the east side of the canyon, and Corral Creek road on the west side. I believe this includes: FSR #220a, 220b, 220 and Corral Creek, (unknown number). This includes the full decommissioning of the Corral Creek Road, some options in the EIS are leaving a portion of the road open to the public.
2. No creation of a non-motorized trail into Wildcat Canyon, that will create some issues. If a trail is desired it can be designed and implemented later, this EIS is not the correct venue. Currently the EIS proposed a non-motorized trail.

Please let me know if there are some issues that I am unaware of. Otherwise, I thought this should have already happened.

Thanks

Josh



Joshua Voorhis
District Ranger
Forest Service
South Park Ranger District

From: Banks, Brian -FS
Sent: Thursday, July 20, 2017 2:54 PM
To: Voorhis, Josh -FS <jvoorhis@fs.fed.us>; Meyer, Kristen E -FS <kristenemeyer@fs.fed.us>
Cc: Morrison, Gary -FS <garymorrison@fs.fed.us>; Statezny, James P -FS <jstatezny@fs.fed.us>;
Maestas, Lisa D -FS <lisadmaestas@fs.fed.us>; Dow, John R -FS <jrdow@fs.fed.us>; Painter, Mikele -FS
<mpainter@fs.fed.us>
Subject: RE: Question about GIS Analysis

I concur with Josh. We specifically discussed this and agreed we did not want it in the EIS.



Brian Banks
District Ranger
South Platte Ranger District
Forest Service
Pike/San Isabel National Forest Cimarron/Comanche National Grasslands
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Morrison, CO 80465
www.fs.fed.us

When CORE tried to get Park County to submit a new easement application in spring 2019, Voorhis had his biologist prepare a Supplemental Information Report to the 2004 EA to invalidate it and prevent Park County from obtaining an easement. Park County subsequently put out a press release saying they wanted nothing to do with the roads.

Sent: 25 Apr 2019 19:35:44 +0000
To: Trujillo, Diana M -FS;Condit, David - FS
Cc: Banks, Brian -FS;Beltran, Maria -FS;Hyatt, Jeff -FS;Roeber, Erich -FS
Subject: FW: Signed Hayman Roads Wildcat SIR
Attachments: Hayman Roads SIR final.pdf

Attached is a Supplemental Information Report for the 2004 Hayman Roads EA/DN. South Platte and South Park worked jointly to review and determine if the Hayman Roads analysis was still sufficient or if conditions have changed that would require the agency to complete a new environmental analysis. The joint determination was that the EA/DN from 2004 is no longer sufficient due to the changed conditions.

What this means is that if Park County requested an easement in Wildcat Canyon, (the County just reconfirmed they are not interested in an easement last week), the FS would have to complete an entirely new environmental analysis.

This will upset certain individuals in the motorized community and you will probably receive a phone call or two. I have also let the Park County Manager know as he will also get calls. Brian and I have been working jointly with the County on Wildcat Canyon now for several years.

Please let Brian and I know if you have any questions or need more information.

The entire Pike is working together on the next steps for this area.

Thanks

Josh



Joshua Voorhis
District Ranger

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



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Posted on: April 16, 2019

Press Release - Park County Wildcat Canyon Area



Park County Commissioners have had many requests from various 4-Wheel Clubs and off-road enthusiasts to reconsider our position as related to the re-opening of Wildcat Canyon, Hackett Gulch, Longwater Gulch, and Corral Creek to motorized vehicles.

Even though the commissioners are strong supporters of all recreation within Park County's boundaries, "We are not the experts in this type of recreation or establishing the needs for this type of recreation. We have left that up to the experts that we recognize as those individuals who manage public lands within the Forest Service."

In or around 2015, the County informed the South Park Ranger District that we have no interest in obtaining any easements related to the above mentioned areas. We are inclined to support any management plan the Forest Service will put forward in those areas.

For editorial information, please contact Mr. Tom Eisenman, County Manager, at (719) 836-4203 or via E-Mail.

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