

Sulphur Ranger District
Attn: Lands Staff, Alden Whittaker, acting
P.O. Box 10 Granby, CO 80446

April 3, 2022

Mr. Whittaker;

Please accept and fully consider the following comments on the proposed Willow Creek Land Exchange on behalf of the Quiet Use Coalition

The Quiet Use Coalition is a 25-year-old non-profit organization working to preserve and create quiet use areas on out public land and waters, while protecting natural soundscapes and wildlife habitat.

WILDLIFE

The Notice of Proposed Action (NOPA) on page 4 states that "acquisition of non-Federal parcel would further provide for and protect an elk production area and important elk migration routes".

We believe this statement is inaccurate, as there are no mapped elk production areas or clearly defined important elk migration routes that include the non-federal parcel of land.

A review of the current Colorado Parks and Wildlife (CPW) species habitat GIS data for elk indicates that the nearest elk production area is almost two miles away from the non-federal land parcel, and there are no elk migration corridors or highway crossings identified near the non-federal parcel. That data identifies elk migration patterns in the area, but these are over one mile away from the property. See Figure 1 below.

CPW defines elk migration patterns as being subjective indicators of general movement. This in contrast to CPW defined elk migration corridors as specific mappable sites through which large numbers of animals migrate and, if lost, migration routes would change. Elk highway crossings are defined as locations where elk traditionally cross highways and encounter conflict.¹

The lack of CPW defined elk migration corridors, highway crossings, and production areas near the property, indicates that this property is of relatively limited value as elk habitat. The propensity of elk to avoid roads is well-documented in the literature, and there is no point on the

¹ Colorado Parks and Wildlife GIS Species Activity Mapping Definitions. Elk definitions. Page 8. Available online March 2022 via <https://cpw.state.co.us/learn/Maps/CPW-Public-GIS-Species-Activities-Definitions.pdf>

private parcel that is more than 270 yards from a designated road. In addition, even if the USFS acquires this property there is an adjacent 35-acre parcel of private land directly to the west. Future unknown development of that private land is possible, which would further compromise the effectiveness of this area for wildlife. All of this indicates the property is much less valuable for elk and other wildlife than the NOPA indicates.

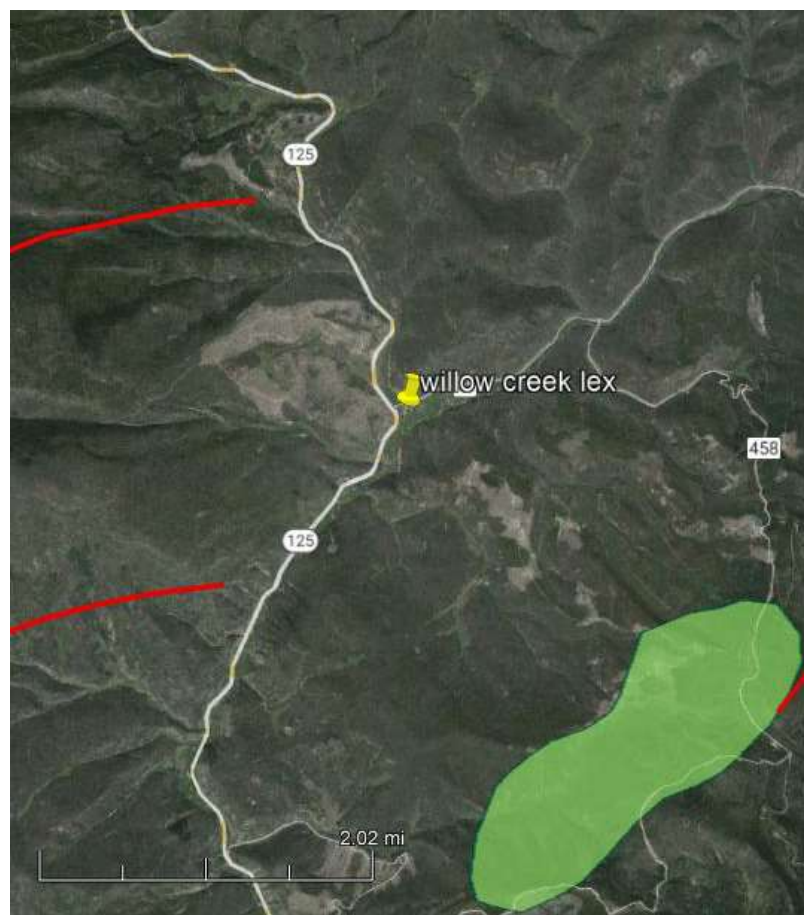


Figure 1.

Data available online March 2022 via <https://cpw.state.co.us/learn/Pages/KMZ-Maps.aspx>

CPW elk production areas depicted as green shading. CPW elk migration patterns as red lines

MANAGEMENT

The Agency should describe how the acquired parcel would be managed, if this exchange goes through, as this would affect the value of the land for wildlife, biodiversity and conservation, and would address the impacts of the Troublesome fire.

Does the Agency have a standard policy/existing direction for interim management of newly acquired properties? This would be helpful to avoid situations where newly acquired parcels of land were 'trashed' by unmanaged public use because the USFS had not specified what would occur and how the newly acquired land would be managed. The public used access roads that the private land owner had developed could be used for destructive activities such as tree cutting, dumping trash, driving motor vehicles off road and so forth.

A review of aerial images of this parcel indicates two or three existing access roads from designated roads leading onto the parcel. It is not clear if these roads are gated or adequately blocked or not. Given that the Sulphur Ranger District MVUM indicates off road travel up to 300 feet from Forest Road 123 is allowed in the area, and there is existing public access from the highway and this USFS road, it is possible that the public will instantly begin to use/abuse this parcel unless stronger and more specific USFS management is specified.

RELATIVE VALUE OF PARCELS TO BE EXCHANGED

Although it is difficult to place a monetary value on both parcels, the fact that the USFS parcel proposed to be exchanged could potentially benefit the Town of Winter Park, the Winter Park Resort, and TMII Development LLC with up to 75 condominiums proposed on the parcel suggest that the USFS parcel is very valuable. TMII Development paid \$580,000 for the private parcel of land in 2019 according to the Grand County Assessor tax records. That was over three and one-half times the assessed value. We thus do not believe this is an equitable exchange.

LEGAL ACCESS FOR FOREST ROAD 123

The NOPA on page 3 suggests that a benefit of this exchange would be to secure legal public access to NFSR 123. We believe legal public access to that segment of road already exists. It has been considered Grand County Road 4 in the past. The 1979 Arapaho National Forest Visitor Map depicts that road as Forest Road 107 the Stillwater Pass Road. If for some reason legal public access is questioned, the history of this route suggests it could be easily obtained via a prescriptive rights claim.

For the above reasons, we do not support this proposed exchange and do not believe it is in the public's best interest.

Sincerely

Tom Sobal, Director
Quiet Use Coalition
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Salida, CO 81201