

Glenwood Springs – Main Office

201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen

323 W. Main Street
Suite 301
Aspen, CO 81611

Montrose

1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Jeffrey J. Conklin

Partner/Shareholder

jjc@mountainlawfirm.com

Direct: 970.928.2124

Office: 970.945.2261

Fax: 970.945.7336

**Direct Mail to*

Glenwood Springs Office

May 20, 2022

Via U.S. Mail and Electronic Submittal

Dana Gardunio, Ouray District Ranger

United States Forest Service

2505 S. Townsend

Montrose, Colorado 81401

Re: Comments on USFS Draft of Proposed Action for Blue Lakes Visitor Use Management Plan

Dear Dana:

This firm represents Wolf Land Company, L.P. (“Wolf Land”). Please accept this letter as written comment on the USFS Draft of Proposed Action for the Blue Lakes Visitor Use Management Plan (the “Draft Plan”). Wolf Land operates an integrated agricultural operation in Ouray County and San Miguel County with significant land, water, and livestock investments in areas affected by users of the Blue Lakes planning area. Blue Lakes, the Blue Lakes Trail, Mt. Sneffels, and other recreational and scenic areas in the Blue Lakes planning area are all stunning public resources. Wolf Land values and appreciates USFS stewardship of the Blue Lakes planning area and encourages USFS to appropriately manage this area in the face of increased use and associated impacts. To that end, Wolf Land largely supports the Draft Plan and wishes to emphasize certain elements thereof for more specific attention by USFS as it works through the planning process.

1. General Impacts/Capacity Management. Over the years, Wolf Land has observed the dramatic increase in recreational users of the Blue Lakes planning area as well as the resulting impacts, with a particular spike in the last 2-3 years. The areas impacted include not only the National Forest, but also County Road 7 (East Dallas Road), County Road 5, Miller Mesa Spur Road, and properties adjacent to those roads and the National Forest, such as Wolf Land properties. Quite simply, recreational users have overburdened the existing facilities, resulting in: unauthorized parking and camping along public roads and on private property, accumulation of trash in these areas, trespassing on private property, degradation of road areas, interference with livestock operations, and impacts to water resources.

Accordingly, we strongly encourage USFS to regulate the use of the Blue Lakes planning area in a manner that does not permit the use to exceed the management capacity. Doing so will aid reducing the existing negative impacts and also preserve the wilderness experience for

recreational users. We believe the permit systems in the Draft Plan would aid in this respect, and we support this approach.

2. Parking/Camping/Facilities. As discussed above, it is not uncommon for cars and vans to be parked along County Road 7, on adjacent private property, and otherwise in locations not designed or suitable for parking. Many vehicles are parked overnight, often with persons camping in the vehicles. Unfortunately, such use far too often results in road damage, littering, trespassing, and wildfire threat. In addition, there are related safety concerns with the number (and speed) of vehicles traveling up and down County Road 7, including those that are unable to find parking at the trailhead only to travel back down County Road 7.

Accordingly, Wolf Land strongly supports the elements of the Draft Plan (in particular those in the Lower East Dallas Zone) designed to improve and delineate parking, restrict parking to the designated parking areas only, construct appropriately sized new parking areas, improve wayfinding to parking areas, contain camping to designated camping areas, and limit any campfires to campfire rings. These management prescriptions will aid in reducing the existing impacts described above.

Further, we recommend the Lower East Dallas Zone section of the Draft Plan be updated to include a specific Indicator/Threshold/Management Action section with respect to parking violations (similar to the Blaine Basin Zone) and USFS give consideration to a permit system for such parking.

3. Livestock Management. Wolf Land grazes cattle on its property adjacent to the National Forest. We request prioritizing the protection of such grazing activities and taking measures to avoid human interaction with grazing livestock. For example, because dogs can easily scare and disturb cattle in the area, we support the management prescriptions requiring dogs to be on leashes, except for working cattle dogs. Public use areas should also avoid coming near existing, adjacent pasture land.
4. Water Resources. Wolf Land encourages management of this area in a manner that protects water infrastructure, such as ditches, headgates, flumes, and the flow of water through such structures. Many ranches depend on the undisturbed flow of water through these ditches to irrigate pasture and water cattle. Damage to ditches and appurtenant infrastructure could cause significant problems for these ranches and repair of ditch damage would likely be in difficult to reach places. Any trail or facility development should avoid impacting private ditches and public users should be guided away from these areas. We request further emphasis on this issue in the Draft Plan.
5. Fire Protection. Wildfire hazards pose a significant risk in the area. As drought conditions exacerbate this risk, the potential for human-caused wildfires rises with the increase in users of the Blue Lakes planning area. Thus, in addition to the other reasons set forth in this letter, we encourage the USFS to take steps in the Draft Plan to regulate the number of overnight

uses to control wildfire hazards. We further request that USFS include emergency preparedness as an element of the Draft Plan.

6. Drone Use. Wolf Land has observed a startling number of aerial drones flying above its properties and in close proximity to the structures, residents, and animals on the properties. It appears that the drones have typically been “launched” from the adjacent National Forest. Drones have the potential to interfere with wildlife and livestock, and otherwise disturb the enjoyment of property, including users of the National Forest. Although there are existing limitations on drone use in Wilderness Areas outside of the Draft Plan, we strongly and respectfully request that the Draft Plan include management prescriptions that prohibit the take off, landing, or operation of drones in the Blue Lakes planning area.
7. Supervision/Enforcement. We recognize that there exist overarching budget limitations; however; to ensure the effective implementation of the management prescriptions in the Draft Plan, we request that the USFS endeavor to provide appropriate staffing to supervise and enforce the Draft Plan once adopted.

In short, Wolf Land is largely supportive of the Draft Plan with requested emphasis on the issues discussed above. Thanks for your consideration of these comments. We look forward to reviewing the next iteration of the Draft Plan and working towards successful adoption and implementation. Feel free to contact me with any questions you may have.

Very truly yours,

KARP NEU HANLON, P.C.

A handwritten signature in blue ink, appearing to read "Jeffrey J. Conklin", with a long horizontal flourish extending to the right.

Jeffrey J. Conklin

JJC: