



SENT VIA EMAIL

August 3, 2023

Destiny Chapman, District Ranger
San Carlos Ranger District
3028 East Main Street
Canon City, CO 81212

Dear District Ranger Chapman,

WildEarth Guardians (“Guardians”) is a non-profit, public interest, education, and conservation organization whose mission is to protect and restore the wildlife, wild places, wild rivers, and health of the American West. Guardians has more than 200,000 members and e-activists across the United States. This letter serves as Guardians’ comments on the analysis of the environmental impacts of the proposed Locke Park Land Exchange described in the Forest Service’s Notice of Proposed Action (“NOPA”) for the proposed land trade.

The Forest Service must provide a detailed description of the conservation easement that RTALC will place on the federal parcel.

A primary purpose of NEPA is to promote informed decision-making by federal agencies. To meet this purpose, NEPA requires that agencies assess the environmental effects of their proposed actions prior to making decisions. Under the recently revised CEQ rules on NEPA implementation, three types of effects, or impacts, must be considered: direct, indirect, and cumulative impacts. Direct effects are those effects caused by the proposed action or an alternative and occur at the same time or place as the action/alternative. Indirect effects also result from the action or alternative but occur subsequently in time or nearby the location of the action or alternative. Cumulative impacts are the incremental effects of the action/alternative when considered with other past, current or reasonably foreseeable future actions on the same resource. The Locke Park Land Exchange NOPA notes that the proponent, RTALC, intends to have a conservation easement on the national forest parcel it would receive with this trade. The Forest Service needs to outline the terms of the easement in the environmental assessment (EA) so that the public can assess the scale of impacts that may (or may not) result from the trade.

An analysis of the terms of the conservation easement is also necessary if the Forest Service is to comply with the Federal Land Policy and Management Act’s requirement that “the public will be well served by making that exchange.” 43 U.S.C. § 1716(a). A reasoned public

interest determination requires an understanding of the extent of development that could take place on the parcel after the conservation easement is completed.

The EA must disclose any potential liabilities associated with acquiring the private parcel or any remediation that may be needed.

We have no specific concern that the offered parcel contains or harbors any toxic substances but rural and forested lands are often used as dump sites/disposal grounds. The EA must describe all known historical uses of the parcel and disclose any evidence of toxic substances found on or below the surface of the offered parcel.

Thank you for the opportunity to comment on the Locke Park Land Exchange. I look forward to reviewing the EA when it is published. Please notify me when it is available.

Sincerely,

A handwritten signature in black ink, appearing to read "Christopher J. Krupp". The signature is fluid and cursive, with the first name "Christopher" and last name "Krupp" clearly distinguishable.

Chris Krupp, Public Lands Attorney
WildEarth Guardians