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BY EMAIL AND FIRST CLASS MAIL

White River National Forest
Scott Fitzwilliams, Forest Supervisor
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White River National Forest
Leane Veldhuis, District Ranger
Eagle-Holy Cross Ranger District
P.O. Box 190
Minturn, CO 81645

Re: Flat Tops Wilderness Guides Comments & Objections to the Proposed Sweetwater Lake Recreation Management and Development Project

Dear Mr. Fitzwilliams:

Thank you for the opportunity to submit comments and objections to the proposed Sweetwater Lake Recreation Management and Development Project ("Project"). We represent LKS Outfitters, LLC dba Flat Tops Wilderness Guides ("Flat Tops"), an operator of expeditions and summer adventures within the White River National Forest ("White River NF"). Flat Tops operations are based at Turret's End lodge, which is located on Garfield County Parcel No. 186308100043, which is an inholding within the White River NF that abuts the northwestern boundary of the Project area.¹

Flat Tops is deeply concerned that the proposed Project is fundamentally inconsistent with the resource management requirements established by *Land and Resource Management Plan 2002 Revision for the White River National Forest* ("Forest Plan"). Additionally, amending the Forest Plan to accommodate the Project would be inconsistent with United States Forest Service ("Forest Service") regulations and would violate federal law. Moreover, discrepancies between the proposed action described in the Notice of Intent ("NOI") published in the Federal Register on March 6, 2024, and other Project Documents (defined below) render the planning

¹ We also represent Turret's End Stann Ranch, LLC ("Turret's End"), the owner of Parcel No. 186308100043 and Turret's End lodge. These comments and objections are made on behalf of Flat Tops and Turret's End.

process for the Project materially deficient. Further, the proposed Project would be inconsistent with Land and Water Conservation Fund ("L&WCF") requirements applicable to the Sweetwater Property (defined herein). These deficiencies should be addressed by the Environmental Impact Statement ("EIS") or corrected before the EIS is prepared.

I. BACKGROUND.

In 2020, the Conservation Fund acquired 488 acres (the "Sweetwater Property"), including Sweetwater Lake within the exterior boundaries of the White River NF. The following year, in 2021, the Forest Service purchased the Sweetwater Property from the Conservation Fund using monies from the L&WCF.

A. The Sweetwater Property is part of the White River NF.

The Sweetwater Property became part of the White River NF when it was acquired by the Forest Service in 2021 and must be permanently reserved, held, and administered as national forest lands. The Forest Service has both general and specific authority to acquire private lands. The Act of August 3, 1956, (the "Act") provides that the United States Department of Agriculture ("USDA") can purchase land or interests therein as necessary to carry out its authorized work.² This Act serves as the primary authority for the Forest Service to purchase land using monies from the L&WCF.³ Lands acquired by the Forest Service pursuant to the Act automatically become part of the National Forest System and are integrated into the national forest within which they are located.⁴ The Sweetwater Property was an inholding within the boundaries of White River NF prior to its acquisition by the Forest Service. Therefore, upon its acquisition by the Forest Service, it became part of the White River NF and must be permanently reserved, held, and administered as national forest lands.⁵

B. The Project area is part of the White River NF.

The entire Project area is part of the White River NF and must be permanently reserved, held, and administered as national forest lands. The Project area encompasses 832 acres, consisting of the recently acquired 466-acre Sweetwater Property and 366 acres of existing National Forest System land. The 366-acre portion has been part of the White River NF since the Forest Plan was established in 2002. As previously explained, the 466-acre Sweetwater Property also became part of the White River NF when it was acquired by the Forest Service in 2021 pursuant to the Act, using L&WCF monies. Consequently, the entire Project area must be permanently reserved, held, and administered as part of the White River NF.

II. PROJECT DOCUMENTS.

On March 6, 2024, the Forest Service published an NOI to prepare an EIS to evaluate the potential environmental impacts of the Project. Additionally, the Forest Service released a scoping letter, a proposed action fact sheet, a news release, a project map, and an aerial project map. Collectively, these documents, along with the NOI, are referred to as the

² See 7 U.S.C.A. § 2268a.

³ See Forest Service Manual 5420.11b.

⁴ See 16 U.S.C.A. § 1609.

⁵ See 16 U.S.C.A. § 521.

"Project Documents."⁶ These Project Documents inconsistently describe the Project's purpose and need, as well as the proposed action.

A. Inconsistencies between Project Documents render this planning process deficient.

Inconsistencies within the Project Documents render the Project planning process deficient, as it is unclear whether the proposed action includes amending the Forest Plan or establishing a special interest management area. Forest Service regulations and federal law mandate that the Forest Service provide formal public notification to initiate the development of a Forest Plan amendment or the establishment of a special interest management area.⁷ The notice "must clearly describe the action subject to notice and the nature and scope of the decisions to be made."⁸ Additionally, Forest Plan amendments and the establishment of a special interest management area must conform to the requirements of the 2012 Planning Rule.⁹

The NOI states that the "proposed action *may* require amending the forest plan" and does not reference establishing a special interest management area.¹⁰ However, the scoping letter states that the "Proposed Action *would* also amend the White River National Forest Land and Resource Management Plan (forest plan) to designate approximately 832 acres of federal land (466 acres of newly acquired private land and 366 acres of other National Forest System land) *as a special interest management area*."¹¹ Furthermore, the proposed action fact sheet and the news release do not mention amending the Forest Plan.¹²

As published, the NOI does not provide formal notification to the public that the White River NF is seeking to amend the Forest Plan or create a special interest management area. Therefore, if the Forest Service intends to amend the Forest Plan or create a special interest management area for the Project, as described in the other Project Documents, it has not completed the steps necessary to initiate the required planning process. The Forest Service must publish a revised NOI in the Federal Register if it plans to amend the Forest Plan or establish a special interest management area. Thus, the EIS must be limited to an assessment of the environmental impacts of the Project given the existing Forest Plan, and not evaluate the environmental impact of a Forest Plan amendment or the establishment of a special interest management area.

⁶ The Forest Service also created a webpage for the Project, which includes a description, location summary, project milestones, and links to the Project Documents. On April 1, 2024, the Forest Service published a Schedule of Proposed Action ("SOPA") report referencing the Project.

⁷ See 36 C.F.R. § 219.16

⁸ See *Id.*

⁹ See Forest Service Manual 1920.12.

¹⁰ See NOI dated March 6, 2024 (Emphasis added).

¹¹ See scoping letter dated March 3, 2024 (Emphasis added).

¹² See proposed action fact sheet dated March 2024 see *also* news release dated March 3, 2024.

III. FOREST PLAN.

The EIS must assess whether the Project is compatible with the forest-wide standards and guidelines, and management area direction established by the Forest Plan, given that the entire Project area is National Forest System land located within the White River NF. The National Forest Management Act (“NFMA”) required the Forest Service to develop land and resource management plans for all National Forest System units.¹³ It also requires all “[r]esource plans and permits, contracts, and other instruments for the use and occupancy of National Forest System lands” be consistent with the land management plan of the respective national forest.¹⁴ In addition, it provides that “future permits, contracts, and other instruments” are subject to valid existing rights.¹⁵ The Project located in the “Eagle-Holy Cross Ranger District of the White River National Forest in portions of Sections 5, 8, 9, 15 and 16 of Township 3 South, Range 87 West, Garfield County, Colorado, 6th Principal Meridian.”¹⁶ Therefore, all Project-level decisions, including the authorization of any special use permits, must be consistent with the forest-wide standards and guidelines, and management area direction established by the Forest Plan.

A. *Applicable forest-wide standards and guidelines.*

The Forest Plan provides mandatory standards and guidelines for the management of National Forest System land within the White River NF. These forest-wide standards and guidelines apply to the Project area. Therefore, the EIS must assess if the Project is consistent with the standards and guidelines for: (1) Soil; (2) Wildlife; (3) General Recreation; (4) Developed Recreation; and (5) Travel System Infrastructure.

1. *Soil.*

The Project is inconsistent with the forest-wide standards and guidelines for soil. The Forest Plan requires that roads and other disturbed sites be limited to the minimum feasible number, width, and total length consistent with the purpose of specific operations, local topography, and climate.¹⁷ Additionally, it mandates that roads and other disturbed sites be reclaimed when use ends to prevent resource damage.

Components of the proposed action are inconsistent with these forest-wide standards and guidelines for soil. The Project proposes to expand roads and disturbed sites within the Project area for a new campground area, cabins, equestrian facilities, lake access, lodge, and maintenance facilities.¹⁸ Moreover, the Project proposes to repurpose the “previously disturbed” middle pasture rather than reclaim the site. The EIS must evaluate whether these proposed actions are compatible with these forest-wide standards and guidelines for soil. If these proposed actions are inconsistent with the forest-wide standards and guidelines for soil, the Project must be rejected.

¹³ See 16 U.S.C.A. § 1604.

¹⁴ See *Id.* NFMA also establishes extensive analytical and procedural requirements for the development, revision, and amendment of forest plans.

¹⁵ See *Id.*

¹⁶ See NOI.

¹⁷ See Forest Plan at 2-5 see *also* Forest Plan Amendment No. 1.

¹⁸ See NOI.

2. *Wildlife.*

The Project is inconsistent with the forest-wide standards and guidelines for wildlife. The Forest Plan requires seasonal restrictions to reduce disturbances in key wildlife habitats.¹⁹ In addition, the Forest Plan requires vegetation cover in riparian areas to be managed to provide suitable wildlife habitat along a minimum of 80 percent of the length of riparian zones, and new corridor interruptions must be spaced to minimize interruptions to habitat connectivity.²⁰ It also prohibits new roads or trails that would reduce the elk habitat effectiveness index below 0.4 in Data Analysis Units ("DAU").²¹

Components of the proposed action are inconsistent with these forest-wide standards and guidelines for wildlife. The Project proposes to allow year-round recreation, whereas seasonal restrictions are required in the Project area due to its designation as deer and elk winter range.²² Moreover, the Project proposes to "[d]evelop additional lake access points," which would create impermissible interruptions to riparian areas.²³ The Project also proposes to construct a new campground area, cabins, equestrian facilities, lodge, and maintenance facilities, which would negatively impact the elk habitat within the Project area below required levels.²⁴ The EIS must evaluate whether these proposed actions are compatible with these forest-wide standards and guidelines for wildlife. If these proposed actions are inconsistent with the forest-wide standards and guidelines for wildlife, the Project must be rejected.

3. *General Recreation.*

The Project is inconsistent with the forest-wide standards and guidelines for general recreation. The Forest Plan prohibits "camping within 100 feet of lakes and streams and system trails."²⁵ In addition, it requires that outfitter and guide permits be issued "based on need, administrative capability, and a suitable mix of guided and non-guided public capacity as determined by a forest-wide capacity study... [or] on an area-specific basis."²⁶ It also requires that proposed actions be consistent with the Recreation Opportunity Spectrum ("ROS") User's Guide for the adopted summer and winter ROS classes for the Project area.²⁷

Components of the proposed action are inconsistent with these forest-wide standards and guidelines for general recreation. The Project proposes to construct a campground, cabins, and lodge within prohibited areas near Sweetwater Lake, streams, and system trails.²⁸ Moreover, the Project proposes to construct recreation facilities, including equestrian facilities without regard for the need, administrative capability, or any capacity validation. Furthermore, the proposed campground area, cabins, equestrian facilities, lake access, lodge, and maintenance facilities are not consistent with the Project area's Semi-primitive ROS class designation.²⁹ The EIS must evaluate whether these proposed actions are compatible with

¹⁹ See Forest Plan at 2-16.

²⁰ See Id.

²¹ See Id.

²² See White River NF Management Areas.

²³ See NOI.

²⁴ See Id.

²⁵ See Forest Plan at 2-34.

²⁶ See Forest Plan at 2-18.

²⁷ See Id.

²⁸ See Project Map.

²⁹ See Summer ROS Map see *also* Winter ROS Map.

these forest-wide standards and guidelines for general recreation. If these proposed actions are inconsistent with the forest-wide standards and guidelines for general recreation, the Project must be rejected.

4. *Developed Recreation.*

The Project is inconsistent with the forest-wide standards and guidelines for developed recreation. The Forest Plan requires that “[a]ll new or reconstructed recreation facilities [provide] a range of universally accessible opportunities within the limits of the site characteristics and ROS classification.”³⁰ In addition, recreation facilities must blend with the elements found in the natural landscape, and existing recreation residences may only continue to be allocated if an environmental analysis does not show a higher need for the land.³¹ Moreover, facilities at trailheads must be consistent with the recreation setting and provide “parking, trailhead panels for trail information, and appropriate sanitation facilities.”³²

Components of the proposed action are inconsistent with the forest-wide standards and guidelines for developed recreation. The Project proposes developing recreation facilities, including a campground area, cabins, equestrian facilities, a lodge, and maintenance facilities, that do not provide a range of universally accessible opportunities within the Project area.³³ Additionally, these proposed facilities would not blend with the natural landscape, failing to maintain the aesthetic and environmental integrity of the area. Moreover, the EIS must assess if there is a higher need for the land to determine if existing structures should continue to be allocated or must be removed. The EIS should also assess the long-term impacts that developing recreation facilities will have on the natural landscape and local ecosystems. It must evaluate whether the Project will disrupt wildlife habitats, water quality, and the overall ecological balance of the Project area. Furthermore, the EIS must consider the social and economic implications for the local community, including the impact that increased recreation will have on the Flat Tops inholding and the Hill Top trailhead. The EIS must evaluate whether these proposed actions are compatible with the forest-wide standards and guidelines for developed recreation. If these proposed actions are inconsistent with these standards and guidelines, the Project must be rejected.

5. *Travel System Infrastructure.*

The Project is inconsistent with the forest-wide standards and guidelines for travel system infrastructure. The Forest Plan requires that “[n]ewly acquired facilities will not be retained unless sufficient maintenance funding is available or cooperative maintenance can be secured and substantial government benefit can be demonstrated.”³⁴ In addition, public access restrictions should be imposed for health, safety, or other considerations.³⁵ Moreover, seasonal restrictions should be considered if it is necessary to resolve conflicts between users.³⁶

³⁰ See Forest Plan at 2-35.

³¹ See Id.

³² See Id.

³³ See NOI.

³⁴ See Forest Plan at 2-39.

³⁵ See Id.

³⁶ See Id.

The proposed action must include access restrictions to the Hill Top trailhead from Sweetwater Road to avoid conflicts with inholdings and address health, safety, and other considerations. Additionally, if maintenance funding is unavailable to improve the Hill Top trailhead, the Project should limit public access by way of Sweetwater Road. The Hill Top trailhead is located on an inholding with no public parking and accessible only by traversing a dirt road with a steep grade and switchbacks. The roadway is in desperate need of repair, and additional traffic or use will pose a health and safety risk to recreationists. Moreover, the proximity to inholdings often results in conflicts when individuals park along the road, causing disruptions to Flat Tops' and other inholders' existing rights.³⁷ The EIS must evaluate whether the proposed Project should include restrictions on accessing the Hill Top trailhead. If the proposed actions are determined to significantly impact the amount of traffic attempting to access the Hill Top trailhead, the Project must be rejected if the impacts cannot be mitigated with access restrictions or improvements to Sweetwater Road.

B. Applicable management area direction.

The Forest Plan provides mandatory standards and guidelines for the management of specific areas within the White River NF. These management area standards and guidelines establish what activities can be conducted and what types of public use are permitted on specific National Forest System lands. According to the Forest Plan, the Project area includes lands designated as: (1) Deer and Elk Winter Range and (2) Elk Habitat. Therefore, the EIS must assess if the proposed actions are consistent with the standards and guidelines for Deer and Elk Winter Range and Elk Habitat.

1. Deer and Elk Winter Range.

The Project is inconsistent with the management area standards and guidelines for deer and elk winter range. Portions of the Project area have been designated by the Forest Plan as deer and elk winter range. National Forest System land within the White River NF designated as deer and elk winter range must be managed to provide adequate amounts of quality forage, cover, and solitude for deer, elk, and other species.³⁸ The Forest Plan requires that human activities in these areas be restricted to prevent habitat manipulation, recreation, and development, in order to protect wintering big game from disturbance.³⁹ Specifically, the Forest Plan requires that the White River NF "[r]estrict recreation activities that would disturb deer and elk during winter and spring periods."⁴⁰ In addition, the Forest Plan mandates that the White River NF must "[d]iscourage special uses that require access during winter and spring periods."⁴¹

Components of the proposed action are inconsistent with these management area standards and guidelines for deer and elk winter range. The Project proposes to allow year-round recreation on National Forest System land where the Forest Plan requires recreation be restricted during the winter and spring. In addition, the Project proposes to construct a new campground area, cabins, equestrian facilities, lake access, lodge, and maintenance facilities in the Project area, which is inconsistent with the Forest Plan's preclusion on developing

³⁷ Sweetwater Road is not wide enough to allow trucks trailering horses to pass each other.

³⁸ See Forest Plan at 3-57 to 3-59.

³⁹ See Id.

⁴⁰ See Id.

⁴¹ See Id.

recreation facilities within lands designated for deer and elk winter range.⁴² The EIS must evaluate whether these proposed actions are compatible with the management area standards and guidelines for deer and elk winter range. If these proposed actions are inconsistent with these standards and guidelines, the Project must be rejected.

2. *Elk Habitat.*

The Project is inconsistent with the management area standards and guidelines for elk habitat. The entire Project area has been designated by the Forest Plan as elk habitat. The Forest Plan requires that National Forest System land within the White River NF designated as elk habitat be managed for elk.⁴³ Specifically, elk habitat must be managed to maintain low road densities and optimum forage and cover ratios.⁴⁴ The Forest Plan also requires that human activities in elk habitat be restricted in winter from December 1 to April 14 and for calving from May 15 to June 20.⁴⁵

Components of the proposed action are inconsistent with the management area standards and guidelines for elk habitat. The Project proposes to allow year-round recreation in elk habitat when the Forest Plan requires that recreation in elk habitat must be restricted during portions of the year.⁴⁶ Moreover, the Project proposes to construct a new campground area, cabins, equestrian facilities, lake access, lodge, and maintenance facilities within elk habitat, which would be inconsistent with the management area standards and guidelines for those areas. The EIS must evaluate whether these proposed actions are compatible with the management area standards and guidelines for elk habitat. If these proposed actions are inconsistent with these standards and guidelines, the Project must be rejected.

C. *Special use permit concerns.*

Authorizing a special use permit for Colorado Parks and Wildlife ("CPW") under the Granger-Thye Act to implement and maintain Project improvements and manage the Project area would be inconsistent with Forest Service policy and violate federal law. Section 7 of the Granger-Thye Act of April 24, 1950, authorizes special-use permits for up to 30 years for the use of structures or improvements under the administrative control of the Forest Service and for the use of land in connection therewith, without acreage limitation. However, the application and authorization process for special uses is established by 36 CFR 251.54, and Forest Service Handbook 2709.11 provides term limits for specific types of special uses. The proposed Project does not comply with the requirements of 36 CFR 251.54 or Forest Service policy.

CPW has not submitted the information required by 36 CFR 251.54 for the Forest Service to evaluate and authorize their request for a special use permit. Specifically, CPW is required to submit a description of the proposed activity, the location and description of the National Forest System lands and facilities they would like to use, the estimated number of participants and spectators, and a copy of the authorization under which the proposal is made. CPW has not provided an estimate of the number of participants and spectators nor a copy of

⁴² See NOI.

⁴³ See Forest Plan at 3-61 to 3-69.

⁴⁴ See Id.

⁴⁵ See Id.

⁴⁶ See NOI.

the authorization under which the proposal was made. Therefore, the proposal does not meet the required criteria for the Forest Service to formally accept it as an application. This lack of information hinders the public's ability to properly evaluate the NOI and determine its compliance with federal regulations and policies. Therefore, the Forest Service cannot continue to evaluate a proposal for which it does not have the information required by statute.

Additionally, the proposed 20-year special use permit does not comply with the term limits established by Forest Service Handbook 2709.11. Specifically, for recreation special uses involving government-owned improvements, the allowable permit terms for campgrounds are 5+5 years, and the term for outdoor recreation improvements is limited to ten years. Forest Service Handbook 2709.11 also indicates that the Granger-Thye Act is not the proper authority for a special use permit for equestrian facilities, cabins, or lodges. Therefore, the NOI asserts the incorrect authority for granting a special use permit for the purposes described. The EIS must evaluate whether these proposed actions are compatible with Forest Service policy for special uses and federal law. If the proposed 20-year special use authorization is inconsistent with Forest Service policy and federal law, as it clearly is, the Project must be rejected.

IV. ADDITIONAL COMMENTS.

A. Emergency services.

Flat Tops is concerned that the proposed Project will negatively impact the ability to obtain emergency services within the Sweetwater community. Currently, it is already challenging to get an emergency responder to the Sweetwater area in a timely manner due to the remote location and limited accessibility. An increase in traffic resulting from the Project will exacerbate this issue, making it even more difficult for emergency services to respond promptly. Moreover, the proposed Project is likely to bring more visitors to the area, which will further strain the already limited emergency services.

Therefore, it is crucial that the Project includes the development of comprehensive emergency protocols to ensure the safety and well-being of both residents and visitors. These protocols should include clear procedures for emergency response, coordination with local and regional emergency services, and adequate resources to address emergencies effectively. The EIS must thoroughly evaluate the potential impact of increased traffic on emergency response times and propose necessary measures to mitigate these risks. Without these protocols, the Project poses a significant safety risk to the community and visitors to the National Forest and wilderness areas.

B. Hunting restrictions.

Flat Tops is also deeply concerned that the proposed Project will restrict access to areas within the Project area that have been open to hunting for generations. These hunting grounds are not only a significant part of the local heritage and culture, but they also provide vital recreational opportunities for residents and visitors alike. Limiting access to these areas would disrupt long-standing traditions and negatively impact the local community, which relies on these lands for seasonal hunting activities. Additionally, hunting in these areas contributes to the local economy through tourism and related businesses. The potential restrictions could diminish these economic benefits and adversely affect those who depend on hunting for economic and recreational purposes. The planning process must thoroughly

evaluate the implications of restricted access on hunting activities and consider measures to preserve these historical and cultural practices within the Project area.

C. Conflicts with prior rights.

Flat Tops is concerned that the proposed Project will significantly impact their prior rights to access their inholding, particularly regarding clients visiting Turret's End lodge. Increased traffic through and to the Project area will make it difficult for clients of Flat Tops to reach Turret's End lodge, a problem that will become untenable if day use limits are not enforced and overflow parking is allowed along Sweetwater Road. Traffic counts conducted by both Garfield and Eagle Counties support these concerns, indicating that the Forest Service can expect a notable increase in traffic for the proposed action compared to the no-action alternative.

The planning process must thoroughly evaluate the potential impact of increased traffic on Flat Tops' existing right to access its inholding and for clients to visit Turret's End lodge. The EIS must also evaluate and propose measures to mitigate these impacts, such as access restrictions. Without such restrictions, the Project poses a significant safety risk to the community and visitors to the White River NF, and improperly impacts the prior rights of Flat Tops by undermining their access and negatively affecting their business.

D. Community impacts.

The proposed Project will fundamentally alter the inherent nature of the Sweetwater region, leading to permanent and irreversible changes. This transformation will disrupt the unique character and natural beauty that have long defined the area, making it less appealing to current residents and visitors who value its pristine condition.

As a result, members of the Sweetwater community, including Flat Tops, will face significant economic losses. The attractiveness of their properties, which has been heavily reliant on the untouched natural environment and tranquil setting, will be diminished. This reduction in appeal will likely lead to a decrease in economic opportunities, making it difficult for owners to operate their business at pre-Project levels. Furthermore, the influx of traffic, environmental degradation, and increased commercialization will detract from the area's desirability as a recreational location. Local businesses, especially those catering to eco-tourism, outdoor recreation, and nature enthusiasts will suffer as the area's natural allure is compromised. The loss of these economic opportunities will be felt throughout the community, reducing income and employment prospects for residents. These economic consequences are compounded by the fact that these changes are permanent. Once the area's nature is altered, it cannot be restored to its original state, meaning the economic losses incurred will be enduring and impossible to recover. The Project planning process must thoroughly assess these economic impacts and consider alternatives or mitigation measures to preserve the area's character and prevent these substantial and lasting economic losses.

V. CONCLUSION.

Flat Tops is deeply invested in the preservation and proper management of the Project area. As a member of the Sweetwater community, it has significant concerns that the proposed action is inconsistent with the Forest Plan and that inconsistent Project Documents undermine the integrity of the planning process. The EIS must rigorously assess the Project's

compatibility with the Forest Plan's standards and guidelines, including those for soil, wildlife, general recreation, developed recreation, and travel system infrastructure. Additionally, the EIS must evaluate the Project's alignment with management area directions for deer and elk winter range and elk habitat.

Flat Tops is also concerned about procedural deficiencies related to the proposed special use permit for CPW. CPW has not provided the requisite information for evaluation, and the proposed 20-year permit does not comply with Forest Service policy term limits. The planning process should ensure the Project aligns with Forest Service policy and federal law.

Additional concerns include the Project's potential to hinder emergency services, restrict hunting access, and impact prior rights to access Turret's End lodge. Increased traffic will exacerbate emergency response times, strain limited local services, and disrupt longstanding hunting traditions, making it difficult for Flat Tops' clients to access their inholding. Flat Tops strongly urges that the planning process thoroughly evaluate these impacts and propose alternatives to mitigate the Project's effects or reject the Project. Without proper mitigation, the Project poses significant risks to the community, natural environment, and local businesses. The EIS and planning process must address these critical issues to protect the Sweetwater community's well-being and the integrity of the White River NF.

Flat Tops and Turret's End reserve the right to supplement these comments and objections related to the proposed Project. As the planning process progresses, additional information and developments may arise that could further inform our position and concerns. Flat Tops and Turret's End remain committed to actively participating in this process to ensure that the interests of the Sweetwater community and the integrity of the White River NF are upheld.

Best regards,

CLARK HILL



Axel Buchwalter



Chris Clare