

Originally submitted 9/20/2026. Resubmitting to include signature per recent FS submission requirements.

September 23, 2026

To: Mr. Brian Glaspell, Forest Supervisor, White River National Forest
c/o Ms. Leanne Veldhuis, District Ranger, Eagle-Holy Cross Ranger District

RE: Sweetwater Lake Recreation Management and Development Project, PALS #64047
Draft Environmental Impact Statement

Dear Forest Supervisor,

I appreciate this opportunity to comment on the Sweetwater Lake Draft Environmental Impact Statement (EIS). While the forthcoming comment from the Sweetwater Community Club (Sweetwater Lake Working Group) reflects my overall position, their submission covers additional issues and issues covered herein were edited for conciseness. This letter provides critical, detailed data regarding Baseline Recreation Levels and Wildlife Protection—specifically concerning Bald Eagles—and is intended to supplement, not conflict with, the community club's submission.

BASELINE RECREATION LEVELS

The Draft EIS indicates that “reliable historic visitation data specific to the project area are unavailable”, so instead uses an assumption of “full occupancy” as its basis, acknowledging that this “likely over estimates historic visitation”. (p. 106) Additional acknowledgments of artificially inflated visitor numbers are presented in the Traffic Report (see below).

The Draft EIS Table 2-2 (Summary Comparison of Alternatives, p. 41) presents visitor data based on “market demand” and “site capacity”, but fails to explicitly define the current baseline. Alternative 1 (No Action) project a “peak day visitor market demand” of 50-100 people and a “projected peak day operational site capacity” of 35-114 visitors.

Accurate baseline recreation visitation should not be compromised or inflated as this data is one of the single most important details and basis for evaluating short-term and long-term impacts from all of the Alternatives as it relates to resources and environmental factors from water quality to wildlife. The Forest Service and the Colorado Parks and Wildlife (CPW) have been planning this project since at least 2020^[1], well before the Forest Service acquisition. This was ample time for them to plan and complete an accurate baseline study and the lack of one is nothing less than negligent.

An EIS cannot accurately project the future impacts of a project without a rigorous, defensible snapshot of existing conditions.

[1] Letter from Acting Forest Service Supervisor Lisa Stoeffler to CPW Director Dan Prenzlowl December 17, 2020

Readily Available Historical Use Data

Two readily available sources of historical use data are the Forest Service's own Sweetwater Campground occupancy data, and the January 25, 2017 Colorado Department of Health & Environment's water classification for the outfitter (Supplier) that states the "Supplier serves on average 23 people during the Supplier's busiest 60 days." This combined data documents historical use levels before 2018 were on the order of **30 people/day** when the campground and outfitter were fully functional (i.e. Forest Service campsites, and before the outfitter's restaurant closed and cabins rentals ceased). The occupancy data provided by the Forest Service for their nine campsites was based on years, but for this calculation, the entire occupancy days were condensed into the months the outfitter was open. Otherwise, the average would be skewed to a much lower number by including months when camping generally does not occur.

This data may not meet the criteria of a baseline study, but should have been considered in the alternatives comparison rather than admittedly artificially inflating visitor use. What this data does not reflect is the significant reduction in recreation visitors since 2019.

Traffic Report

The Traffic, Parking, and Roads Technical Report (Traffic Report) prepared for the Draft EIS also acknowledges artificially inflating current visitation levels. (p. 26)

The Traffic Report Table 4. Existing Average Daily Traffic Within the Project Area indicates the average "vehicle trips per day" up-valley of the site entrance is 27, while down-valley is 52. The difference of 25 trips is understood to provide the average daily trips with the Project Area the destination. Dividing this by 2 to account for a standard round trip yields an annual daily average of 12.5 Project Area destined vehicles.

The study then multiplies this using an assumption that summer traffic volumes are 40-60% higher than annual averages, while winter volumes are 30% lower. However, as noted in the Traffic Report footnote on page 27, **these seasonal adjustments were derived from Interstate 70 traffic data, rather than data specific to the Sweetwater Road corridor or the Project Area.**

Applying the report's metric of 2.4 people per vehicle (footnote page 28) these vehicle trip counts yield the following visitation estimates:

- Annual daily average = 30 visitors
- Peak Summer Holiday Weekend Day = 57.6 visitors
- Median Summer Weekend Day = 39.6 visitors
- Median Fall Hunting Day = 38.4 visitors
- Median Winter Day = 20.4 visitors

Even these calculated figures are artificially inflated due to two critical errors and omissions in the underlying traffic data collection:

- 1) The 2025 Derby Fire Anomaly: A footnote on page 26 acknowledges that in August-September 2025, the Derby Fire significantly impacted traffic within the Project Area during these months. The Project area was a primary meeting/staging area for firefighters. Approximately 800 wildland firefighters worked the Derby Fire. Failing to isolate and remove this massive emergency response footprint skews the Average Daily Traffic (ADT) values upward.
- 2) Commercial and Non-Recreational Turnarounds: The data fails to account for non-recreational use of the "triangle parking lot." Because this lot serves as the only large-vehicle turnaround location on the entire 11.7-mile length of Sweetwater Road. Year round it experiences daily use by semi-trucks, snowplows, delivery vehicles (UPS, FedEx), and trucks with agricultural or heavy equipment trailers. Counting these operational turnarounds as "recreation trips" severely inflates the visitor baseline.

Because the Traffic Report fails to differentiate between recreational visitors, agency employees, and commercial turnarounds, its data is fundamentally unreliable as an environmental baseline.

Observed Human Activity – Bald Eagle Watch Monitoring Reports

A data source available to the Forest Service for the Draft EIS that can provide a limited characterization of current use levels of the project area is the Bald Eagle Watch (BEW) program monitoring data. Each monitoring report has a field for "human activity within ½ mile of the nest tree", "distance to human activity", "human activity notes" etc. The current recreation facilities (outfitter and campground) all generally fall within ½ mile of this nest.

The human activity documentation within the reports was limiting in that the number of visitors was not always provided. In about 39 percent of the reports there was not enough information to determine how many if any visitors were present. However, the reports do document an absence of visitors/recreation activity during 37 percent of the monitoring periods. While these reports have their limitations, they provide a crucial qualitative baseline: the wildlife within this half-mile zone is habituated to, and dependent upon, a considerable amount of solitude.

Baseline Conclusions and Recommendations

The Draft EIS states that there is a 2.5x increase in visitors between Alternative 1 (No Action) using the inflated levels, and Alternative 2 (Proposed action). This is incorrect. Based on the data presented herein, the increase using historical levels is more on the order of 8x, and when compared to the much lower current levels, it is likely on the order of 10x or more.

Because the area's wildlife has become accustomed to a lower, stable visitation density over the past several years, utilizing historical data or inflated regional metrics creates an inaccurate

baseline. Despite occasional seasonal spikes, the **actual baseline condition for wildlife in this project footprint is characterized by a significant amount of solitude.**

Without an accurate baseline for recreation visitations levels, the Draft EIS cannot accurately project the future impacts and is therefore legally deficient. An accurate baseline study should be completed and a corrected Draft EIS should be made available for public review and comment before a Record of Decision is made.

BALD EAGLE REVIEW

Forest Plan Bald Eagle Standards 1 and 2

The White River National Forest Land and Resource Management Plan – 2002 Revision (Forest Plan) Bald Eagle standards are not merely optional design preferences. They establish resource-protection requirements that must be addressed before the Forest Service selects an alternative that expands recreation around an active Bald Eagle nest and potential winter-roost habitat.

- 1. If a winter roost or nest site is discovered, write a management plan to ensure that the necessary habitat components are maintained.*
- 2. Human activities should be prohibited within 250 yards of bald eagle winter roosting areas between November 15 and March 1. Human activities should be prohibited within 400 yards of an active nest between February 1 and August 15.*

These standards require more than post-impact monitoring. They require the Forest Service to identify the protected resource, evaluate the necessary habitat components, and impose seasonal spatial restrictions before authorizing uses that may impair nesting, roosting, feeding, or sheltering behavior.

Draft EIS Mitigation Measure RPM-WLD-9 is Reactive and Inadequate

The Draft EIS offers the following recommended mitigation measure for Alternatives 2 and 4:

“RPM-WLD-9: Adaptive Management: Add a seasonal timing restriction(s) on Trail #1855 if there is evidence of bald eagles changing winter roosting or nesting behavior in response to human disturbance.”

RPM-WLD-9 does not demonstrate consistency with Forest Plan Bald Eagle Standards 1 and 2. It postpones protection until after evidence of altered Bald Eagle behavior exists. That approach is backwards for a known nest, an area with documented recreation-related disturbance, and a project that proposes to increase public use.

- The Forest Service did not include the requisite management plan to ensure the necessary habitat components are maintained. Nor did the Draft EIS complete an evaluation or monitoring for winter roost location(s). The roosting and nesting habitats are not being protected under RPM-WLD-9 from the anticipated influx of recreation visitors on and in the vicinity of trail #1855.

- The Draft EIS does not identify winter-roost locations or prohibit human activity within 250 yards of winter-roosting areas between November 15 and March 1. Instead, RPM-WLD-9 would add restrictions only after disturbance has been detected.
- Under RPM-WLD-9, the Draft EIS does not prohibit human activity within 400 yards of the active nest between February 1 and August 15, specifically on and in the vicinity of Trail #1855, which includes unsanctioned eagle nest overlooks not identified in the Draft EIS.
- Because the Bald and Golden Eagle Protection Act (BGEPA) treats qualifying disturbance as a form of take, the Final EIS should evaluate whether the proposed construction planned to occur during 10 consecutive years of nesting seasons and increased in recreation zones and visitor levels, are likely to agitate or bother the resident Bald Eagles to a degree that decreases productivity, interferes with normal breeding, feeding, or sheltering behavior, or causes nest abandonment. The current Draft EIS does not adequately make that showing.

Alternatives 1 and 3 also fail to meaningfully address Bald Eagle Standards 1 and 2. They are omitted for Alternative 1, and the same mitigation recommended under Alternatives 2 and 4, with the standard inconsistencies, is offered for Alternative 3. Even if the Forest Service does not select a proposed state-park alternative, the Forest Service still must apply applicable Forest Plan standards to ongoing management of the property.

Documented Human Disturbance and Site-Specific Tolerance Restrictions Reported 2025 Disturbance / Potential Take

On August 5, 2025, a letter was submitted to the CPW Commission, the Forest Service, and the U.S. Fish and Wildlife Service reporting a Bald Eagle disturbance/potential take at the Sweetwater Lake nest (2025 Reported Take). The letter was co-signed by the Sweetwater Lake Working Group, Roaring Fork Audubon Society, Colorado Sierra Club Roaring Fork Group, Arkansas Valley Audubon Society, Audubon Colorado Council, Evergreen Audubon, Grand Valley Audubon Society, Grand Junction, Hawk Migration Association, and Wilderness Workshop. The letter requested application of CPW's Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors (2020).

The reported incident involved recreation at the overlook approximately 225 meters from the nest during the early breeding period. The available BEW reports indicate that the Bald Eagles were incubating in late March and April 2025, but ceased by May 9. The Draft EIS should not dismiss this incident without explaining how the timing, distance, activity type, and later nest outcome were evaluated under the Forest Plan standards, the USFWS National Bald Eagle Management Guidelines, CPW raptor guidance, and BGEPA disturbance criteria.

The Forest Supervisor's September 11, 2025 email declined to accept the allegation of a take and stated that the "Sweetwater Bald Eagle nest has been intermittently successful in recent years". That response does not resolve the Forest Plan issue and whether if the standards had

been applied would a different story be told about the success of the Bald Eagles. The Draft EIS must address those standards directly.

BEW Monitoring is Useful, but Not Adequate as the Project-Level NEPA Baseline

The Forest Supervisor explained in his email that the nest monitoring was performed under the Bald Eagle Watch (BEW) volunteer training program that “determine if recreation or other factors are in fact causing disturbance based on the behavior of the eagles to date.”

The BEW program is a useful statewide volunteer monitoring tool. It is not, by itself, a sufficient project-level NEPA baseline for a proposal that would substantially expand recreation around a known Bald Eagle nest and possible winter-roost habitat. The Draft EIS appears to rely on monitoring that was not designed to answer the central NEPA questions presented by this project: how many people use the nest area now, how close they get, how the resident Bald Eagles respond, and what level of future use would likely cause disturbance.

- The monitoring frequency and duration are too limited to establish a reliable recreation baseline or a reliable disturbance threshold for the Sweetwater Lake nest.
- Monitoring generally did not occur when recreation use would likely be highest. Of the 62 BEW reports evaluated (2021-2026), only six were on weekend dates, and only two observations occurred on peak-season weekend dates between mid-June and August.
- The BEW form does not consistently document the number of recreationists, precise activity type, exact location, duration of the activity, noise level, dog presence, boating/shoreline use, or line-of-sight conditions.
- The BEW program does not identify or monitor winter night roosts or communal roosts, even though winter-roost protection is expressly addressed in Forest Plan Standard 2 and CPW raptor guidance.
- A volunteer monitoring protocol can help flag issues, but it cannot substitute for a qualified, site-specific Bald Eagle impact analysis tied to the proposed action, future visitor levels, future infrastructure, and enforceable mitigation.

The Final EIS should therefore treat BEW data as partial observational evidence, not as a complete impact analysis or adequate recreation baseline. Additional qualified-biologist surveys and recreation-use monitoring are necessary before the Forest Service can reasonably conclude that expanded use would avoid nest failure, abandonment, reduced productivity, or winter-roost disturbance.

USFWS Nesting Sensitivity Framework

The USFWS National Bald Eagle Management Guidelines identify early breeding stages as the most sensitive periods for Bald Eagles. This framework is directly relevant because the reported 2025 disturbance occurred during the early breeding period, and the Draft EIS proposes recreation management that could increase human presence during courtship, egg laying, incubation, and fledging.

Phase	Activity	Sensitivity to Human Activity	Comments
I	Courtship and Nest Building	Most sensitive period; likely to respond negatively	Most critical time period. Disturbance is manifested in nest abandonment. Bald eagles in newly established territories are more prone to abandon nest sites.
II	Egg laying	Very sensitive period	Human activity of even limited duration may cause nest desertion and abandonment of territory for the breeding season.
III	Incubation and early nestling period (up to 4 weeks)	Very sensitive period	Adults are less likely to abandon the nest near and after hatching. However, flushed adults leave eggs and young unattended; eggs are susceptible to cooling, loss of moisture, overheating, and predation; young are vulnerable to elements.
IV	Nestling period, 4 to 8 weeks	Moderately sensitive period	Likelihood of nest abandonment and vulnerability of the nestlings to elements somewhat decreases. However, nestlings may miss feedings, affecting their survival.
V	Nestlings 8 weeks through fledging	Very sensitive period	Gaining flight capability, nestlings 8 weeks and older may flush from the nest prematurely due to disruption and die.

BEW Report Review and Recreation Baseline

The Sweetwater Lake BEW reports were reviewed to evaluate reported human activity and reported Bald Eagle disturbance. As of July 23, 2026, the file included 65 BEW monitoring reports spanning six nesting seasons. One January 16, 2025 report lacked completed human-activity fields, and duplicate reports for June 23, 2026 and July 14, 2026 were reconciled by using the more detailed reports. The resulting evaluation used 62 reports.

- In at least 37 percent of the evaluated reports, the observer was the only documented human presence within 1/2 mile of the nest. No recreation visitors, only the nest observer.
- Approximately 10 percent documented human presence in the “human activity” field but did not identify the number of people. (Example “Ranchers were moving in new horses on the opposite side of the lake from the nest.”)
- Approximately 10 percent documented fewer than five people. (Example “Two people fishing on the opposite side of the lake from the nest.”)
- Approximately 5 percent documented more than five people (Assumption from comments such as “Several groups of people across frozen lake ice fishing.”)
- Approximately 39 percent of the reports did not provide enough information to determine the level of human presence (individual or multiple), because the “human activity” field was left blank or the human activity comment was something like “recreation = fishing.” Additionally, 11 percent of these under the field “Human activity within 1/2 mile of nest tree” selected “Agriculture or ranch operations” from the drop-down menu, but the observations were made during the season the Sweetwater Ranch (outfitter) was closed and no additional human activity comments were provided.
- Approximately 50 percent of documented human activity was at or beyond 600 meters, which is relevant because BEW human disturbance to resident eagles was recorded at 600 meters.

- 33 percent of the time that humans were observed within 300 meters (~1,000 feet) of the nest, it resulted in a documented Bald Eagle disturbance.

These data are imperfect because the forms were not designed as a visitor-use study. Still, they support an important conclusion: the resident Bald Eagles and other wildlife near the nest are accustomed to substantial solitude and the eagles have been disturbed by human presence. The Draft EIS's own warning that increased human presence could lead to nest failure, nest abandonment, or nestling mortality makes this gap material. (p. 213-214)

BEW Reports and the 2025 Disturbance

The Forest Supervisor's September 11, 2025 email referenced the BEW nest monitoring program, characterized the Sweetwater nest as "intermittently successful" and stated that Forest Service monitoring had occurred since 2021. The BEW records described in this section do not fully support that characterization. Before Forest Service volunteers joined the BEW monitoring in 2024, the BEW coordinator monitored the nest twice in 2021, three times in 2022, and once in 2023. The single 2023 observation occurred on May 20, lasted approximately 45 minutes, and was later described by the BEW program manager as "unoccupied/undetermined."

The Draft EIS and Wildlife Report should not rely on the single 2023 BEW visit to characterize the nest as unsuccessful in 2023. The record is more accurately described as insufficient or undetermined for that season unless the Forest Service has additional monitoring data not provided in the BEW records. A FOIA request submitted on August 16, 2026 sought any additional Sweetwater Lake Bald Eagle monitoring data used for the Draft EIS, but no response was received in time for this comment.

There also were no BEW reports on March 8, 2025, the date of the reported disturbance/potential take. BEW monitoring occurred on February 19, 2025 and March 12, 2025, creating a gap of more than half a month during the most sensitive part of the breeding period. The February 19 report observed one adult Bald Eagle and ice-fishing recreation approximately 400 meters away. The March 12 report documented zero eagles observed, again with recreation approximately 400 meters away. The next monitoring did not occur until March 31, when the eagles were documented as incubating. Based on the BEW reports, the eagles continued incubating through April but ceased by May 9. According to the Bald Eagle devoted website <https://www.elfruler.com/> "Stressful events like intrusions or human disturbance cause the release of adrenal hormones (Corticosterone, Epinephrine, Norepinephrine)." "These hormones suppress the reproductive hormones, which can decrease the production of gametes or throw the hormonal cycles of the mated pair out of sync." "They are more sensitive to human disturbance early in the breeding season than later. (Newton 1979)" This begs the question, where the Bald Eagle eggs unviable as a direct result of the reported disturbance on March 8?

Because the Draft EIS relies on a reactive mitigation measure, these monitoring gaps matter. The agency cannot reasonably conclude that "low" recreation numbers demonstrate no disturbance

when monitoring did not capture the reported incident, did not consistently occur during high-use periods, and did not establish site-specific tolerance thresholds before increased visitor use is authorized.

BEW-Documented Bald Eagle Disturbances

The BEW records include at least three documented human-activity disturbances to the Sweetwater Lake Bald Eagles, in addition to the separately reported 2025 incident. The most useful presentation is a concise disturbance table, followed by the site-specific buffer conclusion.

Date	BEW observation comment	Reported eagle response from dropdown menu	Human activity	Distance from nest
Apr. 2, 2024	Two adults on nest incubating	Divebomb /Circle overhead.	Human presence, including observer.	600 m
Feb. 1, 2026	Two adult eagles flew from nest to northwest, out of view. Did not return during monitoring period.	Adult(s) flushed and leave area.	Recreation	200 m
July 15, 2026	One adult Bald Eagle in tree and One fledgling in nest. Fled after kayakers approached bank and loud group arrived.	Juvenile(s) flushed prematurely from nest due to disturbance	Recreation	120 m

The documented disturbances occurred at distances ranging from 120 meters to 600 meters from the nest. This site-specific record is more protective than the minimum 400-yard Forest Plan active-nest buffer. It shows that the Sweetwater Lake Bald Eagles may respond to human activity at or beyond approximately 600 meters, depending on activity type, noise, line of sight, boating/shoreline intrusion, season, and breeding stage.

Accordingly, the Final EIS should not assume that the Forest Plan's 400-yard active-nest buffer is sufficient for Sweetwater Lake. At minimum, the Final EIS and any special use permit should require seasonal closure of human activity within >600 meters (0.4 mile) of the active nest from February 1 through August 15, with a strong preference for CPW's 0.5-mile active-nest buffer given the documented disturbance at 600 meters and CPW's own statewide raptor guidance.

Recommended Buffers Based on Sweetwater Lake Bald Eagle Tolerance

The Wildlife Report's statement that the Sweetwater Lake Bald Eagles are "certainly adapted to the current level of human disturbance" is not a sufficient basis for rejecting seasonal restrictions. The current level of human disturbance appears to be low, episodic, and poorly documented. The record contains multiple examples of disturbance when group recreation, boating, shoreline activity, ice fishing, or human noise occurs near the nest.

The USFWS National Bald Eagle Management Guidelines recognize that even intermittent, occasional, or irregular uses that pre-date nesting can disturb Bald Eagles, and that human activity should be adjusted or relocated when such impacts occur. That principle applies directly to Sweetwater Lake. Group recreation involving as few as 14 people and two dogs was reported

as causing a disturbance/potential take in 2025, and BEW records document additional disturbances from recreation or human presence at 120, 200, and 600 meters from the nest. The Final EIS, Record of Decision, and any special use permit should include the following minimum restrictions:

- Active-nest closure: prohibit human activity within at least 0.4 mile of the active nest from February 1 through August 15, and evaluate adoption of CPW's 0.5-mile active-nest buffer as the more scientifically defensible and agency-consistent restriction.
- Adaptive management floor: treat the Forest Plan and CPW raptor buffers as minimum enforceable conditions, not optional post-disturbance measures.
- Public enforceability: show closure boundaries on maps, install physical closure/signage before February 1 each year, and include enforceable permit terms rather than aspirational mitigation language.

Omission of Winter Roost Evaluation and Protections

The Draft EIS failed to include an evaluation for the Bald Eagle winter roosts. This omission was specifically raised during the 2024 scoping period, when comments stated that additional studies were required for Bald Eagle winter night roosts and/or communal roosts. (Summerlin 2024 p.2) The omission is material because winter-roost protections could affect recreation activity, trail use, lake access, and other project-area uses during the fall and winter months.

The public cannot meaningfully evaluate or comment on winter impacts to Bald Eagles when the Draft EIS does not identify winter roost locations, does not analyze roost use, and does not explain how winter recreation would be managed to comply with Forest Plan Standard 2 or CPW raptor guidance. RPM-WLD-9 does not cure this problem because it delays protection until after behavioral change is observed.

At minimum, the Forest Service should implement Forest Plan Standard 2 immediately, independent of the ongoing NEPA process:

- Human activities should be prohibited within 250 yards of Bald Eagle winter-roosting areas between November 15 and March 1.

Because the Sweetwater Lake record indicates that the local Bald Eagles may respond to human disturbance beyond the Forest Plan's minimum distances, the Forest Service should also evaluate and apply CPW's winter-roost guidance:

- Winter night roost and/or communal roost, no direct line of sight: no permitted, authorized, or human-encroachment activities within 1/4 mile (1,320 feet / 400 meters) of an active night and/or communal roost from November 15 through March 15.
- Winter night roost and/or communal roost, direct line of sight: no permitted, authorized, or human-encroachment activities within 1/2 mile (2,640 feet / 800 meters) of an active night or communal roost from November 15 through March 15.

Surveys should begin in November 2026 to identify winter-roost locations and should continue for as many seasons as necessary to determine consistent roost use, disturbance thresholds, and enforceable seasonal management requirements. These protections should apply regardless of which alternative is selected in the Record of Decision.

Bald Eagle Conclusions

The Draft EIS should be revised to include this information and made available for public review and comment before a final Record of Decision. The present record contains a known Bald Eagle nest, repeated references to low existing recreation use, documented disturbances at distances up to 600 meters, an unresolved reported disturbance/potential take during the 2025 breeding season, no adequate winter-roost evaluation, and a reactive mitigation measure that would wait for Bald Eagle behavior to change before seasonal restrictions are imposed.

That is not a defensible basis for authorizing expanded recreation or state-park development around the Sweetwater Lake nest. The Forest Service should require the following revisions and conditions:

- Prepare a Bald Eagle management plan under Forest Plan Standard 1 for the Sweetwater Lake nest and winter-roost habitat.
- Identify and map active-nest buffers, winter-roost buffers, and all project components or visitor-use areas that fall within those buffers.
- Apply enforceable seasonal restrictions before the 2027 nesting season, including a minimum 0.4-mile active-nest closure and evaluation of CPW's 0.5-mile active-nest buffer as the appropriate Sweetwater Lake standard.
- Conduct winter-roost surveys beginning in November 2026 and apply Forest Plan and CPW winter-roost restrictions before authorizing winter recreation expansion.
- Replace RPM-WLD-9 with mandatory, pre-impact closure and monitoring requirements tied to measurable thresholds, qualified-biologist review, public maps, and permit enforcement.
- Revise the Wildlife Report and EIS to accurately describe the limits of BEW monitoring, the limited 2023 data, the reported 2025 incident, the BEW-documented disturbances, and the inadequacy of using low existing recreation as proof of future tolerance.
- Condition any CPW special use permit on compliance with Forest Plan Bald Eagle Standards, BGEPA disturbance analysis, CPW raptor guidelines, and site-specific monitoring results.

The Sweetwater Lake Bald Eagles should not be used as a public-facing attraction while the governing agencies defer protection until after disturbance occurs. If the Forest Service and CPW intend to expand recreation at Sweetwater Lake, the EIS must first disclose the Bald Eagle risks, apply the applicable standards, and impose enforceable protections that match the site-specific tolerance of the resident eagles.

CLOSING

The use of inflated visitation levels, the omission of an accurate baseline recreation study, and the failure to adhere to mandatory Bald Eagle evaluation standards demonstrate that the Draft EIS fails to meet the required standard of care. By omitting these critical factors, the Draft EIS resembles an exercise designed to achieve a pre-determined outcome rather than a hard look at realistic, science-based impacts and alternatives.

Although not addressed in detail herein, the Draft EIS simply skips pertinent required Forest Plan Wildlife General standards including but not limited to:

1. "Seasonal restrictions will be applied to reduce disturbance in key wildlife habitats." The Draft EIS omits this protection for the elk severe winter range (except for the Keep Ditch Trail) and ungulate calving/fawning habitat north of Sweetwater Road (CR150).
8. "Discourage land use practices and development that adversely alter the character of peregrine falcon hunting habitat or prey base within ten (10) miles of the nest site and the immediate habitats within one (1) mile of the nesting cliff."

It appears these standards were deliberately skipped due to the implications it would have on the proposed development.

As stated in the Forest Plan (p. 2-1): "A standard is defined as a course of action that must be followed, or a level of attainment that must be reached, to achieve forest goals. Adherence to standards is mandatory. Standards are used to assure that individual projects are in compliance with the forest plan. **They should limit project-related activities, not compel or require them.**" The current Draft EIS fails this mandate.

Furthermore, CPW and the Forest Service prepared their own science-based recommendations in the 2024 Sweetwater Lake Property Resource Stewardship Plan and the 2021 Sweetwater Issues and Opportunities for Wildlife. These vital documents were withheld from the public until August 4, 2026, and were only disclosed following a specific public request. The Forest Service must explain why the science-based recommendations of its own agency and its primary state partner were excluded from the Draft EIS and withheld from timely public review. Particularly when application of the CPW and Forest Service recommendations would presumably make the project consistent with the Forest Plan.

I look forward to a revised or supplemental Draft EIS that corrects these deficiencies and fully integrates the science-based recommendations of the CPW and the Forest Service.

Sincerely,



Maria Summerlin, P.G. (FL)

Retired Natural Resources Environmental Consultant