Scott Fitzwilliams,

c/o Max Forgensi, Mountain Sports/Special Uses Administrator

White River National Forest

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Via electronic web submission:

<https://cara.ecosystem-management.org/Public//CommentInput?Project=47937>

April 27, 2017

Dear Scott and Max,

The following are the comments of Rocky Smith, Jonathan Staufer, and Wendi LoSasso on the proposed Golden Peak projects at Vail Ski Area, as described in the scoping letter (SL) dated March 21, 2017.

I. THE PROPOSAL DIFFERS ONLY SLIGHTLY FROM ONE THAT WAS REJECTED DUE TO RESOURCE CONCERNS.

The proposed enhancements to race facilities on Golden Peak would include a new lift and approximately 42 acres of new trails. SL at 3. A previous proposal (see further discussion below) that was not implemented would have installed two new lifts and added 45 acres to the trail network. 2007 Vail Ski Area Improvements Project Draft Environmental Impact Statement (2007 DEIS) at 2-6.

A comparison of the maps for the two proposals shows a similar amount of terrain for the two proposals, as the acreage figure above indicates. Compare 2007 DEIS Figure 2-2B with the map in the SL. The terrain and lift on Golden Peak appear to be exactly the same. For the area below that, the earlier proposal had a ski run from the edge of the proposed new race terrain going northwest down to the bottom of a proposed lift. The current proposal would not install a lift here, but it would construct a moguls course in most of the area that would have been covered by the ski run. Snowmaking was/is proposed for each proposal.

Thus the modification of the original proposal appears minor. Presumably, any reduction in impacts would also be minor, absent new proposed design and mitigation features.

We expressed concerns about the Golden Peak proposal in our comments on the 2007 DEIS dated February 10, 2009.

Most of the proposed 2007 improvements were approved in the 2009 Record of Decision (2009 ROD) for this project. However, the facilities on Golden Peak were specifically not approved because of the “current diminished stream health conditions, both within the Mill Creek drainage and downstream in Gore Creek”. 2009 ROD at 6. In fact, conditions at that time were viewed as so poor in these streams that then-proposed mitigation measures would not fully remedy the potential impacts. Id. at 7.

Gore Creek near the proposed project area is on Colorado’s 303(d) list, which is a list of water bodies that chronically fail to meet numerical standards and/or designated uses. See Colorado Department Of Public Health And Environment, Water Quality Control Commission, Regulation #93 - Colorado's Section 303(d) List Of Impaired Waters And Monitoring And Evaluation List, 5 CCR 1002-93, at 48. This rule became effective on November 20, 2016.

Snowmaking on the new runs would prolong the snowmelt period each spring. This would increase soil erosion and deposition into Mill and Gore Creeks, two streams that already have poor stream health due to sediment.

How is the new proposal any different from the one previously rejected due to concerns about additional impacts to stream health? What measures would be used to reduce impacts? Before approving the Golden Peak proposal, the Forest Service must present persuasive evidence that mitigation measures will be applied, and be effective in ensuring that there is no increase in impacts to Mill and Gore Creeks. The analysis also must show that connected disturbed area would be decreased. Without effective mitigation, the proposal would almost certainly violate various provisions of the agency’s Watershed Conservation Practices Handbook, FSH 2509.25.

II. PROPOSED FUEL STORAGE IS EXCESSIVE AND COULD CAUSE PROBLEMS. Another concern with the Golden Peak project is the proposed underground fuel tank, which would be located near the Vista Bahn Express lift’s mid-station and hold 100,000 gallons of diesel fuel. SL at 3. This is said to be “a logical location to store fuel for use on Golden Peak” to maintain “racing/training areas and terrain parks”. Ibid. It is hard to imagine how such a large amount of fuel would be needed for maintenance of the racing and training facilities.

There is no “logical” place to store that amount of fuel underground anywhere on the mountain, due to the likelihood of leaks, which would pollute the soil and water. A huge hole would have to be dug to create the space for a tank that could store that amount of fuel underground. Subsurface water would likely be encountered in doing so. If an underground tank of this size is still contemplated, there must be a detailed analysis of possible impacts to soils and water quality.

Unless a pipeline is installed, it would also take a very large number of tanker truck trips to fill a tank of this size. It might not be easy, or even possible, for such large trucks to navigate the narrow access road to the location of the proposed tank. Fuel should instead be stored in an above-ground tank in a location that is easily accessible by tanker trucks, perhaps in or near the same location(s) where fuel is currently stored for use in vehicles maintaining the ski area, provided that additional fuel storage would be safe in these areas.

CONCLUSION. Whatever the purported desire of Vail Resorts for expanded race and training facilities, the Forest Service must, first and foremost, ensure protection of the soil and water resources. The expanded facilities on Golden Peak must not be approved unless impacts can be minimized, and the impacts from the project do not increase stream health problems in Mill or Gore Creeks. The DEIS must have a complete discussion of mitigation, including how likely measures are to be implemented and an evaluation of their likely effectiveness.

Please keep us informed on progress of this project. Be sure to send us a notice when the DEIS is available.

Sincerely,

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