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Advocates for our rivers

May 15, 2018

Scott Fitzwilliams
c/o Max Forgensi
Mountain Sports/Special Uses
White River National Forest
PO Box 0190
Minturn, CO 81645

RE: Golden Peak Improvements Project Draft EIS

Dear Mr. Fitzwilliams,

Thank you for the opportunity to provide comments regarding the Golden Peak Improvements Project. Eagle River Watershed Council advocates for the health and conservation of the Upper Colorado and Eagle River basins and strives to protect and enhance the high-quality natural, scenic and economic values that our rivers and tributaries provide. Vigorously protecting our aquatic systems ensures they will continue to provide their numerous social, economic, and ecosystem benefits in perpetuity. Although the proposed Golden Peak improvements will impact the community in variety of ways, our comments remain constrained to impacts to stream and aquatic ecosystem health.

We have reviewed the technical wetlands and water resources reports submitted by SE Group/Western Ecological Resources. The specialist reports identified 0.6 ac of wetlands in the project area, with likely irreversible impacts to 0.03 ac of hillslope wetlands (which may actually be fed by snowmaking infrastructure deficiencies). In addition, we are aware of the concern among some residents for increased landslide risk.

SE Group identified nine Project Design Criteria (PDC) based on the Watershed Conservation Practice Management Measures outlined by the regional Forest Service office. The geotechnical analysis and risk mitigation concerning landslide risk and sediment runoff appears appropriate and sufficient. Ski area infrastructure inevitably increases road density, which is well known to increase sediment loads and turbidity levels to receiving streams. The proposed Mill Creek restoration is an appropriate measure, but ERWC also supports strong BMP and runoff mitigation requirements for the lower project area throughout the construction period and during the operational phase of this project.

Should the project proceed, we support continued strong accountability and enforcement of these PDCs, with appropriate enforcement consequences for failure to comply included within any project approval stipulations. Although wetlands impacts for this project are fairly minimal in acreage, ERWC believes that for this project and future projects in the watershed, wetlands impact mitigation, as required by Clean Water Act §404, should exceed rather than equal a minimum 1:1 acreage ratio and functional value estimate. ERWC strongly believes that wetlands mitigation should only occur in-basin and benefit the impacted watershed directly. For example, project proponents should not be permitted to buy into a wetlands banking schema elsewhere in the state; mitigation and restoration actions must be required to occur within the Eagle River watershed, and preferably, within the Gore Creek watershed itself, as part of project approval.

In their project comments, Colorado Parks and Wildlife identified concerns with potential impacts to the Mill Creek ecosystem. We agree with their assessment and strongly support continued monitoring of aquatic life conditions in the post-construction operational phase of the project. Funding for these activities should be required in project approval, including requirements for the proponent to either conduct appropriate monitoring themselves or via 3rd party consultant, or to contribute to a portion of the WRNF Holy Cross District aquatics program budget earmarked for Mill and Gore Creek watersheds. Consistent with the 'polluter pays' principal in environmental policy frameworks, WRNF should not be required to take on additional monitoring expenses within their general aquatics program budget to accommodate the Golden Peak project's ongoing impacts. Should aquatic conditions exhibit degradation and decline, ongoing monitoring costs and any potentially required mitigation or compensatory measures should remain solely the financial and legal obligation of the project proponent.

Thank you again for the opportunity to provide input. Should you have any questions regarding our comments or concerns, please contact ERWC directly at your convenience.

Sincerely,

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