

Data Submitted (UTC 11): 7/18/2017 2:03:19 AM

First name: Ron & Ann

Last name: Heck

Organization: M Lazy C Guest Ranch

Title: Owners

Comments: To Pike and San Isabel National Forests Cimmaron and Commanche National Grasslands

Forest and Grassland Supervisor

Erin Connelly

attn: Maria Beltran

mbeltran@fs.fed.us

2840 Kachina Drive

Pueblo, CO 81008

719-553-1400

We, acting as agents for Bear Trail LLC, in April 2015, purchased the assets of Mule Creek Outfitters the holder of Special Use Permit for Outfitting and Guiding (Auth. ID. SPK506) and have leased from the owners of Mule Creek Outfitters, Randy and Brenda Myers, with an option to purchase, the real estate from which it has operated a dude ranch. The M Lazy C. The transaction provides for our wranglers to be outfitters employed by Mule Creek in order to make use of the Mule Creek permit while conducting trail rides and over-night pack trips on USFS property. (Mule Creek ceased conducting trail rides in April 2015.) The transaction also requires the Mule Creek and the Myers to support a Bear Trail application for a similar permit once the purchase of the real estate has been completed. The use of the Mule Creek permit is a critical element of the operation of M Lazy C and therefore of the purchase transaction.

We have enclosed copies of the Asset Purchase Agreement (between Mule Creek Outfitters and Bear Trail), the Ranch Lease Agreement (between the Myers and Bear Trail) and a sample employment agreement between Mule Creek and our wranglers. Together these are evidence of the over-riding agreement to purchase and continue to operate the M Lazy C business. We look forward to being a USFS outfitting and guiding permittee for the foreseeable future. But we now have more pressing problems.

In January the USFS sent out notice of a new fuel management project which happens to encompass areas where the permit allows Mule Creek, and therefore our wranglers, to run our 1 hour and 2 hour and 1/2 day and over-night camping trips. Mule Creek, the permit holder did not inform us of the new fuel management project, nor did it provide the USFS a critique of the project.

The USFS actions contemplated by the fuel management project are truly incompatible with, and will cause disruption of a long term nearly permanent nature to, the activities contemplated by the permit.

We communicated with Josh Voorhis, (district ranger), about our objections to aspects of the fuel management project, and sought his assistance in either stopping it, or in mitigating its deleterious effects on public access to the forest and our business, e.g. by helping us reroute our trail rides. Mr. Voorhis was communicating with us until he met with the Myers. He states he has no paperwork showing anytype of relationship with the Forest service and us (below see letter April 10 th).(also see attached wrangler

agreements that the Myers said were being filed with the Forest service each year)

Voorhis, Josh -FS

Apr 10

to Janine, Jeff, Joseph, Joseph, Cory, brenda, me

There are two parts to this email that I will discuss, the first being the work that is being completed and secondly the permit system that this agency uses.

First the work that is being completed is being done by Forest Service employees. This work is pre-contract work and is necessary to bring the road up to a specific standard as part of the contract work that will occur at a later time, most likely late fall through winter as I discussed in a previous email. Approximately 150 trees of various sizes have been cut and a Forest Service dozer will spend about a week making improvements to the road. When the contract has been formally signed and I have a date for that work I will let you know.

The second issue is the permit that authorizes the Myers' commercial operations on National Forest. This office does not have a formal relationship with you, no paperwork has been provided by the Myers that authorize this office to discuss the permit with you. At this time any discussion regarding the administration of the permit will be limited to the Myers. If the Myers would like to request that their trail be relocated I will need that in writing from them not from you. Without that request I expect the existing trails that have been provided to this office to be utilized. I understand that you have purchased a business from the Myers but my understanding is that it did not include in anyway the Forest Service permit. I appreciate your understanding in this issue.

Thanks

Josh

Joshua Voorhis
District Ranger

Forest Service

South Park Ranger District,

Pike/San Isabel National Forests & Cimarron/Comanche National Grasslands

p: 719-836-3857
c: 719-839-1305
f: 719-836-3875
jvoorhis@fs.fed.us

320 Hwy. 285 - PO Box 219
Fairplay, CO 80440
www.fs.fed.us

Now, we are faced with the prospect of starting our busy season with leading beginner riders into areas where tree cutting is going on. The tree cutting in the vicinity of ridden horses poses a safety risk. The increased risk will likely undermine the good name of the M Lazy C. It also changes the riders' experience. Riding through a nearly pristine forest, with well-spaced aspen groves and open meadows is restorative and inspiring. A clear cut is not.

Pursuant to the contracts between Mule Creek and Bear Trail wranglers, we have been leading trail rides in the forest for the past two summers and have had no issues. Our trail rides have been consistent both with the multiple use philosophy of the Forest Service and the Bear Trail business model. Now, when we need to discuss a reroute for the permitted trail rides because of the tree cutting, Mr. Voorhis will not discuss the issues with us. We are concerned about safety, aesthetics and public access to the forest. The lack of collaboration also threatens a decline in our income and threatens the Mule Creek/Bear Trail transition. We have done some research and found another trail-ride route to the east of us. We would like to collaborate with the Forest Service to get that plan implemented.

We will appreciate any assistance you can give us. The tree cutting has already begun. The trees are already marked. Some trees, not included in the map of the fuel management area but in the permitted over-night camp site, are marked for cutting. Will you help us to reroute the trails we use? Will you protect our camp site?

Thank you for giving our letter your consideration. We are willing to meet at any time with Mr. Voorhis and any others to assure the mutual support of our mutual goals.