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First name: Staufer

Last name: Jonathan

Organization:

Title:

Comments: Marcia Gilles

Acting District Ranger

%Matt Klein, Realty Specialist

Eagle-Holy Cross Ranger District

P.O. Box 190

Minturn, CO 81645-0190

Submitted Electronically

June 30, 2020

Dear Ms. Gilles,?

There are several issues that need to be considered before the proposed Whitney Creek Geotechnical Investigation (#58221) is allowed to commence.

The proposal will have an immediate detrimental impact on a designated Wilderness Area, perhaps harming it irretrievably; the proposal will detrimentally impact habitat of sensitive, threatened and endangered species, including but not limited to lynx (*lynx canadensis*) wolverine (*gulo gulo*), Colorado River cutthroat trout (*Oncorhynchus clarki pleuriticus*), white tailed ptarmigan (*lagopus leucura*), American martin (*martes americana*) and others; the proposal will detrimentally and the proposal will detrimentally impact an area that is used for wilderness recreation among other issues.

The Forest Service must examine these issues before allowing the project to proceed.

Obviously, this project can not be examined by itself. The construction of a new reservoir or expansion of the existing reservoir as well as any apparatuses that would be required to redirect the water to a proposed destination (i.e. pipelines, viaducts, pumping stations, etc) is a connected action under NEPA otherwise this project would not even be contemplated.

Finally, due to the fact that the major newspaper of record (Vail Daily) for the area nearest the proposal area only published an article discussing the project THE DAY BEFORE PUBLIC COMMENTS WERE DUE (June 29, 2020), it follows that the Public have not had enough time to evaluate and make useful and constructive comments to your department as required under NEPA.

Therefore, I urge the Forest Service to rescind the scoping notice until such a time as the project in full - including the new storage facility (reservoir) and conveyance devices (pipelines, etc) can be fully examined by the Public. At the very least, I hope that the Forest Service extends the comment period for Whitney Creek Geotechnical Investigation another 30 days to July 30 and redouble your efforts to make the Public aware of the proposal and its potential impact and allow more time for detailed analysis and comment.

NEPA is not merely a bureaucratic process by which certain criteria are fulfilled in order for a project to commence. Rather, the legislation was meant, and has been interpreted and expanded, to provide meaningful dialogue between proposing agency, other government agencies and the Public in order that the full impacts of a project can be disclosed and examined, and that detrimental can be mitigated to the fullest extent possible if a project can not be eliminated altogether.

The limited purview of the notice does not allow for the full intent of NEPA to be implemented. The project therefore be withdrawn.

Thank you very much for your time and consideration.

Sincerely,

Jonathan Staufer
100 E. Meadow Dr., #31
Vail, Colorado 81657
jonathanstaufer@gmail.com
(970)331-3401