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First name: Clint

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Organization: Wagner Cattle Co

Title: Allotment Owner

Comments: As a documented allotment owner (Upper Hermosa and Elbert C&H) that dates back to pre 1800's, (see Hermosa Landscape Grazing Analysis) I object/do not approve of the proposed project based on the following reasons, that will be explained further in detail below:

1. Existing improvements are directly impacted and continue to be impacted by winter use.
2. Failure to complete 2008 FEIS and land exchange on fence construction IE. table 2-6 legends
3. Trash, Equipment and scrap metal being stored on the USFS land
4. Cow/building/lift conflicts have not been mitigated
5. Increase in sediment, extended run off and recreation on Upper Hermosa Riparian area.
6. USFS tree seedling project directly impacted by new ski runs
7. Spring enclosure ie. Old Man Spring
8. Foresight of construction, Pasture Creek being closed to grazing during construction/re-establishment of grasses
9. Fence construction will be torn down after re-build.
10. Creating new maintenance road, this would create a new access point for cattle into the East Hermosa
11. Increase of water usage and impacts on livestock water and Quality for CRTC reintroduction
12. Tearing up the Historic Rico/Rockwood wagon road

Problems Explained:

1. Snowcats/snowmobiles continue to be a problem for drift fences. Gates are ran over, posts are bent/broken off and wire is picked up by tracks and broken. this is especially true in the high traffic areas. The drift fence near the backside lifts have to be re-constructed on a yearly basis. The Project has a lift proposed on TOP of the existing fence/Improvement and ski runs that transect it. What is being proposed to mitigate this?
2. In the Harris park land exchange, 2008 FEIS and per federal law, supported by Colorado law (35-46-101): Fencing was to be constructed and never completed. What is being done to complete previous agreed upon projects, before approval of new projects?
3. Why is Ski area allowed to park old equipment and scrap metal in an unsafe manner on USFS land IE. Boneyard and around all terminals and buildings? would the approval of this project create more problems?
4. Conflicts of cattle being able to rub on lift towers and use the ice melt salt under decks have somewhat been resolved. But, wouldn't adding another lift/buildings create more conflict?
5. Being in attendance of the East Hermosa stream health work group meeting, the top contributing factors for diminished stream health were: Increased sediment, Extended Run off season due to snow packing operations and higher recreation traffic. This was a direct impact why the streambanks have been degrading and the Cutthroat re-introduction was being hindered. Cattle grazing was not mentioned due to the 5 yr break and the documented incidental use. Wouldn't adding another lift and ski runs at the actual headwaters create more of a problem, if it has already been documented that it is occurring?
6. USFS Planted seedling trees in the proposed area and is on ski runs 78/77. What is being done to reimburse the USFS for the impacted planting?
7. "Old Man Spring" this spring is valuable to our pasture in our allotment. It is located on Proposed ski runs 78/77. What is in the Proposed action to protect this valuable water source, we vitally need for our Grazing Allotment?
8. Construction, Taking a entire pasture out of the rotation for two possibly three years while work and re-establishment of grasses is too detrimental to our permitted time on the USFS lands.
9. The Drift fence in the project area is slotted, in our 3yr fence plan, to be rebuilt this year. All work will be wasted, due to the fact, that ski runs are proposed over top of the fence and ski terminals are to be placed on top of it. (Granger-Thye Act of 1950) What is the Proposed action to mitigate this?
10. According to the proposed action another access road will be constructed off the backside for maintenance,

this will create a freeway for cattle to enter into the East Hermosa park. Along with the fence that has not been done(2008 FEIS), what is being proposed to help stop cattle from entering?

11. By creating more ski runs and snowmaking ability what is being done to help protect our livestock watering (Organic Act of 1944) and the effects of the water quality in this hyper sensitive riparian area?

12. Rico/Rockwood wagon road (The National Historic Preservation Act of 1966) Isn't this a historic road and therefore only already established construction and NO further construction is authorized?

In conclusion, I feel that this proposed action has been haphazardly pushed through without taking into account the CRTC fish re-introduction (40 CFR 1508.27(b), The Bankhead-Jones Farm Tenant Act of 1937 and Organic Administration Act of 1897. Our water sources, Improvements and overall valid existing rights to our allotment have not been taken into account concerning this project. I do not approve of this project due to all the negatives involved. All forest users have been striving for a wild scenic area for everyone to enjoy.

respectfully submitted,

Clint and Miranda Wagner