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Organization:

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Comments: This is the comment that was submitted on 11/1/2019 (Letter ID 48214-3121-2157) and is referenced in the 12/18/2020 objection.

We petition the United States Forest Service (USFS) that Chaffee County Roads CR226, also known as NFSR 226, and CR226A also known as NFSR 226.A remain open to public motor vehicle use without any restrictions or limitations of any kind. To those unfamiliar with the situation; the USFS, which was established in 1905, was sued by special interest groups. The resulting settlement agreement in November, 2015 mandated the USFS to undertake motorized travel management planning to designate roads, trails and areas open to public motor vehicle use. Unfortunately our private parcel, the historic townsite of Arbourville, was not identified as a private parcel on the San Isabel National Forest Salida Ranger District Motor Vehicle Use Map, which is the legal document that conveys to the public where motor vehicle use is allowed, even though it is identified as a private parcel on the San Isabel National Forest Visitor Map. We believe because of this oversight and discrepancy, CR226A/ NFSR 226.A was mistakenly slated in the DEIS Proposed Action Alternative to be converted to an Administrative Use Only road. and CR226/NFSR 226 was designated as "Keep as is", implying that the whole road will remain open for public use even though on the ground the east end of this road has been temporarily barricaded closed. The ownership and management of CR226/NFSR 226 and CR226A/NFSR 226.A is a disputed topic with outreaching legal implications between Federal, State, local governments and agencies as well as the local community and property owners. The public has, and continues to, use CR226/NFSR 226 and CR226A/ NFSR 226.A to access Arbourville and the local area. We offer free public tours of the Hermits Cabin and historic townsite. Our long range plan is to construct a care taker residence and restore Arbourville to its 1800s glory while working with the community and local historic societies. For the health and safety of the public, CR226/NFSR 226 and CR226A/NFSR 226.A should remain open to the public without restrictions or limitations of any kind. The determined governing body should improve access to Arbourville, perhaps paving the access and building public facilities, or at the very least, provide a parking area at the entrance to the Arbourville parcel, along CR226A/NFSR 226.A.

Chaffee County is the purported owner of record of CR226/NFSR 226 and CR226A/NFSR 226.A and has historically maintained CR226/NFSR 226 and CR226A/NFSR 226.A. A brief history of CR 226/NFSR 226 and CR226A/ NFSR 226.A, the communities they serve, and current proposed actions regarding them will help clarify public use and provide an enlightened perspective on the USFS proposed closures and use restrictions. In the early 1800s County Road 226 was a trail, and wagon road, that led up the South Fork of the Arkansas River to the mining districts on Monarch Pass. The road continued over the pass and serviced communities and individuals on the western side of the Continental Divide. In 1879 the townsite of Arbourville was established five miles west of Maysville on Monarch Pass. The road continued through the community of Arbourville, to other towns and then over the pass. The wagon road eventually turned into a State highway (Rainbow Route) then a US highway. During the 1940s and 1950s the historic townsite of Arbourville was made famous by the eccentric Hermit Frank Gimlett, who gained national attention as well as being a local tourist attraction and a feature of numerous articles. The highway was eventually rerouted to the north for an improved grade. The traditional route became CR 226 (approximately 1.2 miles) with connecting spurs to the new US Highway 50. The western (upstream) spur leading to our private Arbourville parcel eventually was renamed as CR226A/ NFSR 226.A. Both CR226A/NFSR 226.A and CR 226/NFSR 226 have provided continuous and uninterrupted prescriptive access to the parcel of Arbourville for more than 140 years. CR 226/NFSR 226 also provides access to Garfield Reservoir, located approximately 1/2 mile downstream from Arbourville, as well as camping spots along the South Fork of the Arkansas River. Garfield Reservoir is a valuable resource that provides fishing and camping opportunity for the local community and general public. The eastern 1/2 mile of CR226 downstream of Garfield Reservoir has been temporarily barricaded closed due to erosion and water/road issues, and needs to be

repaired and reopened for public use. Limiting or restricting the public, as well as the private property owners, in any way to this important and historically significant property would be an unfortunate injustice. We request that all of CR 226/NFSR 226, and CR226A/ NFSR 226.A remain open to public motorized use. Sincerely, Daniel Treat