Data Submitted (UTC 11): 9/25/2023 6:00:00 AM
First name: SUZANNE
Last name: O NEILL
Organization: Colorado Wildlife Federation, Inc.
Title: Executive Director
Comments: Attached

Dear Mr. Bacon:

The Colorado Wildlife Federation (CWF) consists of thousands of members and supporters across Colorado who are hunters, anglers, wildlife viewers and others who care sincerely about conserving Colorado[rsquo]s wildlife species for present and future generations.

CWF had submitted written comment on November 22, 2022 in opposition to the draft Environmental Assessment (EA). This Objection submission is in addition to CWF[rsquo]s signature to the Objection letter submitted by Colorado Wildlife Conservation Project (CWCP). CWF incorporates by reference the Objection submitted by CWCP.

The purpose for CWF[rsquo]s Objection letter in addition to the CWCP Objection letter is to stress that as a matter of law the Forest Service must alter its course and develop an Environmental Impact Statement (EIS) in lieu of proceeding to issue a Final EA (FEA). CWF had emphasized the reasons for this requirement in its comment letter to the draft EA. Specifically, CWF objects to the Finding of No Significant Impact (FONSI). The proposed Mad Rabbit Trails project, in fact, will produce significant environmental effects (impacts). This reality necessitates preparation of an EIS following the conduct of an appropriate level of programmatic analysis and evaluation of the cumulative impacts that this proposed project will exact upon the wildlife, and the iconic E-2 elk herd. CWF endorses the specific grounds specified in CWCP[rsquo]s Objection.

An evaluation pursuant to the legally required EIS process also will consider the consequences and cumulative impacts that are intensified by the dire winter-kill this past winter. The Mad Rabbit Trails project area is within the Severe Winter Zone designated by Colorado Parks and Wildlife (CPW). CPW, in its updated 2023 big game regulations summary, refers to [ldquo]the severity and duration of the historic winter in the northwest corner of the state from Rangely to Steamboat Springs and to the Wyoming state line.[rdquo] CPW reduced the antlerless elk licenses in E2 by 5,600 (that is, by 89%) and all public cow hunts to the minimum of 10 licenses per hunt code.

The 1998 Forest Plan which serves as the basis for the Forest Service determination to opt for an EA instead of an EIS is 25 years old! This very old plan simply cannot be relied upon and applied in 2023 in the face of the accumulated peer-reviewed scientific studies of impacts to elk and other species from recreational trail disturbance, Colorado[rsquo]s population growth and the substantial expansion of recreation use and demand in

this area. Further, CWF notes the

National Forest Management Act requires that forest plans be revised at least every 15 years. 16 U.S.C. [sect] 1064 (f) (5)(A). This plan has continued in existence for 10 years beyond the required time for development of a new or updated plan !

Therefore, CWF respectfully urges a decision of No Action, retraction of the FONSI and the expeditious preparation of an EIS.

Sincerely,

Suzanne O[rsquo]Neill, Executive Director, Colorado Wildlife Federation

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