



May 3, 2015

Glenn P. Casamassa, Forest Supervisor
Arapaho and Roosevelt National Forests and Pawnee National Grassland
c/o Objections Processing Officer
USDA Forest Service
Rocky Mountain Regional Office
740 Simms Street
Golden, CO 80401

Dear Mr. Casamassa,

The Nederland Parks, Recreation and Open Space Advisory Board (PROSAB) submitted comments on the Draft EIS for the Eldora Mountain Resort Ski Area Projects in May of 2014, and these are included in the Eldora Mountain Resort Ski Area Projects Final EIS Appendices. On the basis of those stated comments, the Board would like to register objections to certain elements of the Eldora Mountain Resort Ski Area Projects Draft Record of Decision.

Our objections:

- We do not believe that the Town's earlier stated concerns are addressed in the FEIS. Preservation of the "critical balance between active recreation and wilderness," as we urged in our comments on the DEIS last year, can best be achieved by denying expansion of the Resort boundaries north to Middle Boulder Creek (MBC). This would alleviate many concerns expressed by Colorado Parks and Wildlife, Boulder County, the City of Boulder and ourselves regarding potentially negative impacts upon aquatic and forest habitat, water quality and important viewsheds.

The FEIS clearly explains in Chapter 3, "Corridors" section that the proposed expansion North towards Middle Boulder Creek is not consistent with their own Standard 99. The FEIS requests to remove the applicability of the Standard 99 only to the Middle Boulder Creek for this one time situation. In the Draft Record of Decision, (ROD-14) it is clearly stated that "The intent of the standard is to maintain wildlife travel corridors within riparian areas". The FEIS (pages 3-221 and 3-222) clearly detail that the proposed development area is the primary wildlife travel corridor. The below quotes are taken from the FEIS, "Corridors":

- "Alternative 2 effects to this community would be consistent with all Forest Plan direction, except Standard 99."
- "It is likely that most terrestrial and arboreal wildlife movements along Middle Boulder Creek occur on the south side of the creek (i.e., because the habitat is broader and more effective [especially for forest-interior and more reclusive species])."

- “Considering the aforementioned effects, Alternative 2 would not be consistent with Forest Plan Standard 99.”

The justification presented for disregarding Standard 99 is to “minimize impacts”. Minimizing impacts is a relative term and is a poor justification for action. With this justification, any standard could be ignored on the same basis and apply in any situation. There are clear alternatives to meet the “Purpose and Need” and development of the riparian area near Middle Boulder Creek is unacceptable.

- We appreciate that water quality monitoring has been added to the FEIS, including baseline data collection, short-term monitoring during construction and long-term monitoring, but the Town greatly prefers an approach that avoids the potential for degradation of water quality over one that monitors for changes and attempts to remediate after damage has been done. We share the water quality concerns expressed by CPW, the City of Boulder and Boulder County; the Town is alarmed by the heightened potential for Carbaryl contamination posed by the planned expansion. Middle Boulder Creek is the Town’s sole source for drinking water, and our intake is not far below the resort (at the eastern edge of Nederland Middle Senior High School). We are not reassured by a “we’ll monitor and fix it if it’s broken” approach (we all know the speed of government). The assurance that “neither action alternative includes an increase or expansion of Carbaryl application at EMR” given in Appendix D of the *Response to Comments on the Draft EIS* (Section 9.2.6) is only true as far as it goes; neither do the action alternatives *preclude* the application of Carbaryl to perceived high-value stands in expansion areas, in accordance with the 2007 authorization. If EMR is allowed to expand to MBC, Nederland will be forced to begin testing for carbaryl in its water supply; if detected at harmful levels, additional, and potentially expensive, treatment processes may be required.
- In our 2014 comments, we urged the addition of quantifiable sustainability goals to rectify the weak treatment of sustainability in the Draft EIS. Some great creative suggestions, but no requirements, were added to the FEIS (Table 2-3, pg.66) for reducing vehicle usage; there were no reduction targets. Remarkably, sustainability in the PDC is left entirely to the initiative and goodwill of EMR. The five sustainability points in the PDC (Shuttle services to the ski area/other recreational areas in order to reduce air emissions; Recycle replaced or removed chairlifts when possible; Develop a renewable energy program; If possible, LEED certify new buildings; Develop a transportation program with Boulder County to reduce vehicle emissions) are vague, lack quantifiable goals and severely limited in vision and scope. We encourage you to add achievable sustainability *requirements* to the FEIS, e.g.:
 - “Reduce the ratio of vehicles to skiers by 10% each year”
 - “Recycle 90% or more of removed chairlift components”
 - “Power all new chairlifts with renewable energy”
 - “Document that all new buildings are constructed to LEED standards”
 - “Recycle 90% of all office and restaurant waste by 2020”
- As we stated in our DEIS comments, regardless of CDOT traffic criteria, the current motorist and pedestrian experience in Nederland during peak EMS traffic is one of extreme congestion, bordering on gridlock. In the absence of mandated targets in shuttle services and transportation

programs, it is hard to envision relief from current conditions that will only grow worse with expansion. A safety officer directing traffic at peak times, as called for in the FEIS (pg.66) is not a solution. Directing traffic is hazardous work and a leading cause of line of duty fatalities. EMR must be compelled to partner with impacted entities – the Town of Nederland, Boulder County, CDOT – to implement meaningful relief from Resort-generated congestion, e.g. construction of a roundabout at the intersection of CR 130 and Hwy 119.

With all respect, the Nederland Parks, Recreation and Open Space Advisory Board, reflecting a consensus that includes the Nederland Board of Trustees, the Nederland Sustainability Advisory Board and Town administrative staff, urges you to reconsider the elements of the DRD that so many have found objectionable and threatening. We find the following statement from the DRD pertinent:

As the Forest Supervisor managing approximately 2 million acres, I consider how projects affect the ARP as a whole, while understanding there are localized impacts resulting from site-specific decisions. This project decision is an example of this situation. Impacts disclosed in the FEIS are localized. However, I firmly believe these impacts are nominal in the context of the entire ARP and even at the spatially smaller county level. Furthermore, EMR maintains a vital role on the ARP as a highly valued recreation resource for the Front Range communities. With the application of the PDCs (identified in Appendix A of this document), I think the Placer Express chairlift and its associated trails impacts can be managed and minimized, and visitors of the ARP will benefit both now and in the future from my decision. (Pg. 12, EMR DRD)

However appropriate and necessary the above “big picture” approach may be in rendering many decisions that impact the ARP, it runs distinctly counter to the spirit of cooperation that has characterized the Town of Nederland’s relationship with the USFS in recent years. The USFS decision in 2013 to prohibit recreational sport shooting in the immediate vicinity of Nederland is a good example. Here the USFS recognized that localized impacts can, and should, trump more general recognized rights of sport shooters to practice their sport anywhere within National Forest boundaries. In this case, the USFS found that the best “big picture” approach to a solution actually could best be realized by partnering with other agencies and county governments to identify and develop safe sport shooting venues.

In stark contrast, the EMR DRD appears to be a USFS partnership with private enterprise that accepts local impacts as acceptable collateral damage and shuts out the dissenting voices of those agencies and local governments that are more naturally partners than adversaries of the Forest Service. Rather than pursuing a collaborative and cooperative approach to finding avenues to meet the needs of EMR and the recreational needs of an expanding metro area population while minimizing impacts upon the ecosystem and adjacent communities, the FEIS dismisses all registered concerns – many of them thoughtfully and compellingly stated – and grants the Resort most of what it asked for.

EMR will still meet most if its objectives, if expansion towards Middle Boulder Creek is denied, while much of the concern about wildlife movement, aquatic habitat, water quality and viewsheds will be

quieted. We again urge you to make sustainability a meaningful part of the expansion; business as usual is no longer acceptable in the face of rapidly accelerating human-generated climate change. Finally, we request that quantifiable goals for traffic reduction be added, along with a mandate for meaningful traffic impact relief.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Randy Lee', with a stylized flourish at the end.

Randy Lee, Town of Nederland Trustee and Nederland PROSAB Chair

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