



USDA Forest Service
Rio Grande National Forest
<http://www.fs.fed.us/r2/riogrande>

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USDI Bureau of Land Management
San Luis Valley Center

File Code: 1950
Date: April 13, 2011

RE: Village at Wolf Creek Land Exchange Proposal

Dear Interested Public:

The Rio Grande National Forest (RGNF) has received a proposal from the Leavell-McCombs Joint Venture (LMJV) to exchange Federal lands for non-Federal lands – referred to as The Village at Wolf Creek Land Exchange Proposal – and is initiating an environmental review as mandated by the National Environmental Policy Act (NEPA). In compliance with NEPA, a notice of intent (NOI) to prepare an environmental impact statement (EIS) will be published in the Federal Register on or about April 20, 2011.

Feedback from the public is critical in this early stage of the NEPA process, and the RGNF is soliciting your input so that a thorough environmental analysis can be prepared to document potential impacts to the physical, human and biological environment. Public comments on this proposal will help the Forest Supervisor make an informed decision.

This scoping notice includes information on the Proposed Action, an alternative to the Proposed Action, the Purpose and Need for Action, and how to comment in a meaningful way. Maps of the project are included, as well as dates and locations for three public open houses, where interested public are encouraged to attend to learn more about the project.

BACKGROUND

In 1986, a Decision Notice for the Environmental Assessment of the Proposed Wolf Creek Land Exchange allowed the conveyance of 300 acres of National Forest System (NFS) land adjacent to the Wolf Creek Ski Area (WCSA) in exchange for non-Federal lands located within the Saguache Ranger District, Rio Grande National Forest. In 2004, the Forest Service initiated an EIS in response to a request for access to the property, under the Alaska National Interests Lands Conservation Act (ANILCA), which would allow the private landowners the ability to develop the Village at Wolf Creek. In March 2006, a Record of Decision (ROD) was signed, approving transportation and utility corridors across National Forest System (NFS) lands. In February 2008, as part of a Settlement Agreement, the ROD was withdrawn. In September 2008, the Forest Service initiated a new EIS after receiving a new application for permanent road access from the proponent. Early in the project analysis, the project was placed on indefinite hold pending new information and potentially a new application.



LMJV has submitted this current land exchange proposal as an alternative to an ANILCA easement, as the Federal parcel abuts Highway 160.

SCOPE OF THE PROJECT AND DECISION TO BE MADE

Although the RGNF received a proposal for the land exchange from a private entity, this is now a Forest Service Proposed Action, which will be analyzed in detail in an EIS. The EIS will analyze potential impacts to the physical, human and biological environment that may result from implementation of the Proposed Action. Issues raised during this public scoping period may generate additional alternatives that may be considered along with the Proposed Action.

A Record of Decision (ROD) will be issued following completion of the analysis in the EIS. Based on the analysis in the EIS, the Responsible Official (the Forest Supervisor for the RGNF) will decide whether to authorize the Proposed Action, the No Action Alternative (required in an EIS), or any action alternatives given detailed analysis in the document.

PURPOSE OF AND NEED FOR ACTION

As the owner of a private inholding, the non-Federal party, LMJV, holds title to land within the boundaries of the NFS, and as such "...the Secretary shall provide such access to non-federally owned land within the boundaries of the National Forest System as the Secretary deems adequate to secure to the owner the reasonable use and enjoyment thereof..."

Therefore, the RGNF's Purpose and Need for Action is to allow the non-Federal party to access its property as legally entitled, while minimizing environmental effects to natural resources within the project area. Any method of accommodating access to private land in the project area needs to be cognizant of, and sensitive to, the operations and recreational experiences at Wolf Creek Ski Area, which is adjacent to the non-Federal parcel and operates under a Special Use Permit from the RGNF.

PROPOSED ACTION – LAND EXCHANGE

Given the non-Federal party's right to access its property under ANILCA, the RGNF believes that a land exchange may be in the public interest and thus merits additional evaluation. Potential public benefits of a land exchange include:

- development of private lands would be moved further east from Wolf Creek Ski Area, helping minimize impacts to skiers and ski area operations.
- the land exchange would focus residential development and associated infrastructure in an area that is more suitable due to topography, natural resources, and proximity to US Highway 160.
- the proposed land exchange would lead to a net gain of wetlands and perennial streams in public ownership.
- the proposed exchange would accommodate a lower density development.
- the land exchange would obviate the need for ANILCA access.

The Proposed Action involves the conveyance of approximately 178 acres of non-Federal lands to the United States in exchange for NFS lands totaling approximately 204 acres. Upon conveyance of the non-Federal parcel to the United States, the newly acquired NFS lands would

be managed by the RGNF per its 1996 Land and Resource Management Plan. The lands proposed for inclusion in the land exchange are summarized below and shown on the attached maps.

Non-Federal Lands Proposed to be Conveyed to the United States:

- Township 37 North, Range 2 East, N.M.P.M., Mineral County, Colorado
- Sections 4, 5, 8, and 9: A portion of Tract 37
- Total Area: Approximately 178 acres

In total, the non-Federal parcel is approximately 300 acres in size, of which approximately 178 acres are proposed to be conveyed to the United States. The non-Federal parcel is located approximately 20 miles southwest of South Fork and 25 miles northeast of Pagosa Springs in Mineral County, Colorado.

The non-Federal parcel is located just east of Wolf Creek Pass at approximately 10,300 feet in elevation and is comprised of spruce-fir forest, open meadows and wetlands. The non-Federal parcel adjoins NFS lands on all sides and abuts/overlaps the Wolf Creek Ski Area. Alberta Park Reservoir is located on NFS lands to the east.

Federal Lands Proposed to be Conveyed by the United States to the Non-Federal Party:

- Township 37 North, Range 2 East, N.M.P.M., Mineral County, Colorado
- Sections 3, 4, 5, and 9: A portion thereof
- Total Area: Approximately 204 acres

The 204-acre Federal parcel is just north and east of the non-Federal parcel, with the remaining portion of the Non-Federal party's land separating the two. The Federal parcel is immediately contiguous to US Highway 160 and has similar habitat types as the non-Federal parcel.

ALTERNATIVE TO THE PROPOSED ACTION - PERMANENT EASEMENT TO THE NON-FEDERAL PARCEL (ANILCA ALTERNATIVE)

As an alternative to a land exchange, the RGNF will analyze a potential ANILCA easement across NFS lands that would accommodate access to, and development of, the non-Federal parcel.

COMMON TO BOTH ALTERNATIVES

LMJV's conceptual plan for the Village at Wolf Creek indicates that full build-out would include a four-season resort with a variety of hotels, homes and condominiums; approximately 200,000 square feet of commercial space; and ancillary infrastructure such as roads, water treatment and storage, wastewater treatment and disposal, and power distribution.

A grade separated interchange off Highway 160 capable of handling full build-out traffic estimates will be required to be built from the very beginning of development

COMMENT PERIOD

The NEPA process provides the public with an opportunity to comment on the Proposed Action and provides a basis for sound decision-making by the Responsible Official. The RGNF is providing a 45-day comment period for the public to submit comments on this Proposed Action.

We encourage your involvement in this scoping process and are interested in any information related to the proposal that you would like to provide. Providing tangible and verifiable information is the most helpful way to contribute to a high-quality, informed decision. We welcome comments at any time during the NEPA process; however, comments will be most effective if received by: **June 4, 2011**

To be most effective when submitting comments, please include: (1) name, address, and organization represented, if any; (2) the title of the project for which the comment is being submitted; and (3) specific facts, concerns or issues, and supporting reasons for the Responsible Official to consider.

Written, facsimile, hand-delivered and electronic comments will be accepted. Please send comments to:

Dan Dallas, Forest Supervisor
c/o Tom Malecek, Divide District Ranger
Rio Grande National Forest
13308 West Highway 160
Del Norte, CO 81132

Electronic comments can be submitted, but must be in a format such as an email message, plain text (.txt), rich text format (.rtf), MS-Word (.doc) or Adobe Acrobat (.pdf) to: comments-rocky-mountain-rio-grande@fs.fed.us. Please include "Village at Wolf Creek Land Exchange Proposal" in the subject line of the e-mail.

Only those persons who submit comments during this comment period will be placed on the mailing list for future information regarding this project. Names and contact information submitted with comments will become part of the public record and may be released under the Freedom of Information Act.

HOW TO GET MORE INFORMATION

The Proposed Action, Purpose and Need for Action, and maps may be downloaded from the Rio Grande NF's web site at: <http://www.fs.fed.us/r2/riogrande/>.

If you have questions about the NEPA process or making comments, please contact project manager Cambria Armstrong, at (970) 295-6768.

PUBLIC OPEN HOUSES

Three public open houses will be held during the scoping period to offer the public an opportunity to learn more about this proposal. Representatives from the RGNF will be present to answer questions and provide information throughout the evening. The dates, times and locations of these open houses are:

April 25th Creede Community Center	4:30 – 7:00 pm
April 26th Ross Aragon Communtiy Center in Pagosa Springs	4:30 – 7:00 pm

April 27th Rio Grande County Annex Building, Del Norte

4:30 – 7:00 pm

Each open house is intended to provide the public with information regarding the proposal.

Thank you for your participation in this project.

Sincerely,

/s/ KATHY M. KURIZ (FOR)

DAN S. DALLAS
Forest Supervisor/Center Manager