

Submitting Your Objection to the Village at Wolf Creek Pass Road Access Project

Published by **Chris Talbot-Heindl** on July 27, 2018



Photo credit: Alex Pullen

The Forest Service intends to give the Village of Wolf Creek road access. The Rio Grande National Forest announced its intention on July 19 to circumvent a federal court ruling that invalidated prior approvals for the controversial Village at Wolf Creek real estate development.

As you know, a Colorado federal district court set aside the Forest Service's approval of a land exchange to facilitate the development in May of last year. "The Forest Service cannot abdicate its responsibility to protect the forest by making an attempt at an artful dodge," the court declared. Now, the Forest Service hopes to use the same artfully dodged analysis, previously deemed in violation of multiple federal laws, to approve a different means of providing the developers access.

The Forest Service is also trying to severely limit who can comment on this action by limiting objections to those who "previously submitted specific written comments regarding the proposed project during scoping or comments on the draft EIS" in 2012.

We believe that everyone should have the opportunity to comment on changes to their public lands.

We encourage everyone to submit their objections.

Please [email Friends of Wolf Creek](#) with a copy of your comments, so that we have a record of what the Forest Service is receiving.

Objection Requirements

1. **Name and address of objector**
2. **Name of proposed project:** Village Wolf Creek Access Project
3. **Name and title of responsible official:** Dan Dallas, Forest Supervisor, Rio Grande National Forest
4. **Name of National Forest:** Rio Grande National Forest
5. **Aspects of proposed project addressed by objections, how it violates the law, regulation, or policy:** see talking points below.
6. **Suggestions for remedies:** Do not approve access for the development of the Village at Wolf Creek.
7. **Supporting reasons:**
 1. A federal court has already deemed the analysis for any decision to allow access for the development of the Village at Wolf Creek to be flawed.
 2. An 8,000 person Village atop Wolf Creek Pass would irreparably harm a critical and irreplaceable wildlife corridor important to the Canada lynx and many other species.

3. Wolf Creek Pass plays a crucial role in protecting regional water resources as the headwaters to the Rio Grande and home to rare fen wetlands.
 4. The public is overwhelmingly opposed to this development.
8. **Connection between prior written comment and objections (unless new information)**

Objection Submissions

Due by Wednesday, September 5

By Mail:

Reviewing Officer, Tammy Whittington, Deputy Regional Forester
USDA Forest Service, Region 2
1617 Cole Blvd, Building 17
Lakewood, CO 80401

By Email:

r02admin_review@fs.fed.us

By Online Form:

<https://cara.ecosystem-management.org/Public//CommentInput?Project=35945>

Talking Points:

1. **It's illegal.** A federal court ruled the Forest Service's original decision to provide access via a lands swap for the development of the Village at Wolf Creek based "on an analysis that is contrary to law." This new decision to provide access via a road is based on the exact same analysis already deemed unlawful.
2. **An 8,000-person city is not a 'reasonable' use.** The Forest Service argues that under ANILCA, they must provide access for reasonable use of the property. By any measure unlimited access and use to develop an 8,000-person city atop Wolf Creek Pass is far from reasonable.
3. **It fails to protect the Canada lynx.** A federal court has already deemed the Forest Service's approval of the land swap failed "to comply with the statutory requirements for the protection of that species." Regardless of how the Forest Service provides accesses, the agency is still failing to protect the species.
4. **It is a backroom deal.** The Forest Service appears compelled to approve access to this horrific development, which for years the public has overwhelmingly opposed and the courts have deemed unlawful. It is highly suspicious that the agency maintains a commitment to enabling a private developer to profit handsomely at such a steep cost to the public. Why was this decision made after a federal court has already deemed a prior decision to green light this development, and the analysis on which it was based, to be unlawful? The public deserves accountability and to understand how and why this decisions was made.

Writing Comments that Stick:

- **Send it to the right address in the correct format.**
- **Don't miss the deadline.**
- **Write in your own words.** Use the talking points above only as a guideline. Copy and paste comments don't get counted as individual comments. Neither do simple sign-on online letters. While it is great to show that we have thousands of people supporting an issue, it doesn't add to the information the agency uses to make a decision. Take time to write your own comments.
- **Show relevance.** How does this issue effect you personally? Is it the headwaters of your drinking water? Is there a species you enjoy watching or care about? How will you be harmed if the action happens?
- **Be on topic.** If you are opposing the development, talk about the development. Overarching platitudes fall on deaf ears.
- **Show your expertise.** Back up your requests with facts and science. Tell the agency something they may not already know and need to add to the record. Site examples if you have them. (Don't let this step intimidate you – even one fact can make a difference. Pro tip: Google)
- **Be concise.** Help the agency get your point, don't hide it from them. And, grammar is important.
- **Be respectful.**

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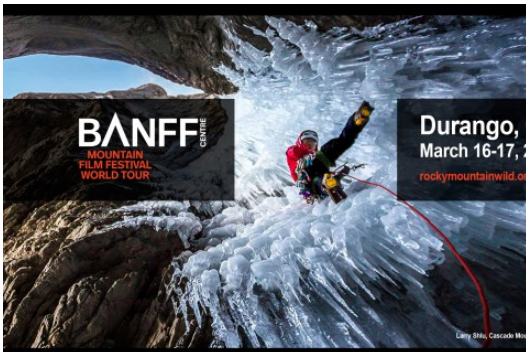
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