



LEAVELL-MCCOMBS JOINT VENTURE  
1067 FM 306, SUITE 106  
NEW BRAUNFELS, TEXAS 78130  
(512) 466-6695

PRESS RELEASE RESPONDING TO ISSUANCE OF NEW ROD

We are aware that the U.S. Forest Service has issued a new draft Record of Decision granting road access to LMJV's private property in compliance with Federal law. Despite our opponents' continued misrepresentations that our January, 2018 request for such road access was an attempt to circumvent the recent U.S. District Court's decision, nothing could be further from the truth. The lower Court set aside the prior Record of Decision granting LMJV's request for a *land exchange*. We have appealed that decision and that appeal is ongoing.

The lower Court's decision, however, merely set aside what the Forest Service originally selected as its preferred alternative (the land exchange) during the last process. During that same process, the Forest Service also analyzed two other alternatives: a no action alternative, and an alternative to grant LMJV road access across Forest Service land to LMJV's private land. Our January, 2018 letter to the Forest Service was merely a request that it proceed with granting us the alternative access to our private property regardless of what happens in the appeal on the land exchange.

Federal law guarantees private landowners adequate access to their property for its reasonable use. The project that LMJV has proposed on its private land and that was subject to prior analysis has been found to be a reasonable use and previous court decisions, to which our opponents were parties, have held that year-round snowplowed access is required for that use.

While LMJV and the majority of citizens favored the land exchange because of its undisputed benefits including jobs, enhanced recreational opportunities, and compatibility with the ski area, the appeals court will decide if the land exchange will happen. Whether the land exchange is upheld or not, LMJV is still entitled to obtain year-round access to its private property which we will continue to pursue. We expect the Forest Service will faithfully discharge its legal obligation and grant such access as set forth in its new draft Record of Decision. We also expect that the new decision will be upheld if challenged because it is required as mandated by Congress in the statute.