

## Beaver Creek, Breckenridge, & Vail Ski Area 7a,b



areas estimated to contain roads is merely an estimate, and upon additional public scrutiny and review, a greater portion of inventoried roadless areas may be determined to be roaded and exempt from the Proposed Rule.

### b. Application of § 294.12 to Ski Areas

The prohibition in § 294.12 on the construction and reconstruction of roads in unroaded portions of inventoried roadless areas is of special concern to the Vail Resorts. Opening NFS lands to downhill skiing and snowboarding requires, in many instances, ski runs, ski trails, ski ways. (Ski ways are also known as catwalks.) The ski ways are primarily intended, designed, and used for recreation but also incidentally accommodate motor vehicles for maintenance and construction of ancillary facilities. The Forest Service should exclude present or future special use permit areas at existing ski areas on NFS lands from the operation of § 294.12 (and § 294.13) because ski runs, ski trails, and ski ways in those areas are not roads within the meaning of the Proposed Rule, but are used to provide important public benefits and significant amounts of recreation on small amounts of NFS lands. Millions of Americans enjoy recreation by skiing and snowboarding at four-season resorts like the Vail Resorts. The purpose and use of ski areas are consistent with and provided for by numerous legal authorities and policies including the Multiple-Use Sustained-Yield Act of 1960, the National Forest Ski Area Permit Act of 1986, and the Forest Service's Natural Resources Agenda. Ski runs, ski trails, and ski ways are used by individual skiers and snowboarders and over-the-snow machines such as snowcats and snowmobiles to provide access and to prepare snow surfaces. The Forest Service has stated that use of over-the-snow machines would not be prohibited by the Proposed Rule. DEIS at S-38. In the summer, motorized vehicles may access a ski trail or a ski way to maintain lifts and other facilities and for the construction of authorized ancillary facilities and other incidental uses.

Ski runs, ski trails, and ski ways are not open to or managed for unrestricted motor vehicle travel by the general public. Rather, they are carefully managed for downhill skiing, snowboarding, associated activities, access by snow cats and other vehicles, use by motor vehicles for maintenance and construction of ancillary facilities, and other incidental uses. Ski trails, ski runs, and ski ways are thus not roads in any customary sense and are not "motor vehicle travelways" within the definition of "road" in § 294.11 of the Proposed Rule. Consequently, we believe that the Forest Service clarify the Proposed Rule to avoid any ambiguity as to whether a ski run, ski trail, or ski way could be construed or interpreted to be a road for purposes of the Proposed Rule. They are akin to and managed as special recreation trails (which are excluded from the definition of "Road" under § 294.11 of Proposed Rule) that provide significant amounts of managed recreation without the uncontrolled, unmanaged motor vehicle access associated with roads. These areas are not managed as motor vehicle travelways; any motor vehicle use by snowcats and other vehicles for maintenance and construction of ancillary facilities is incidental to the primary use for managed winter and summer recreation and subject to prior review, approval, and mitigation.



May 9, 2000

Planning Team  
White River National Forest  
P.O. Box 948  
Glenwood Springs, Colorado 81602-0948

Re: Comments on the White River National Forest Draft Land and Resources Management Plan and Draft Environmental Impact Statement

Dear Planning Team:

On behalf of Breckenridge Resort, we submit these comments on the Draft Environmental Impact Statement ("DEIS") and Draft Land and Resources Management Plan ("LRMP") for the White River National Forest ("WRNF"). Due to the scope of the DEIS and the LRMP and the length of our comments, we have provided a table of contents. Please add these comments and the attachments to the administrative record.

We appreciate the significant effort devoted by the Forest Service to this forest planning process. We trust that these comments are helpful to the Forest Service in preparing the final environmental impact statement, finalizing the LRMP, and selecting an alternative. Thank you for this opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Rick Sramek".

Rick Sramek  
Vice President, Mountain Operations  
Breckenridge Ski Resort

appropriately. Specifically, the Forest Service has determined that White River ski areas need to increase practical annual capacity from 9.22 million skiers to about 10.3 million skiers by 2010. DEIS at 3-306. Capacity increases must occur through terrain expansions and appropriate additions of lifts, trails, infrastructure, lodges, parking, and base area facilities. And because the Forest Service expects visitation to increase most rapidly at ski areas in Summit and Eagle Counties, the need for additional capacity will be greatest in those counties.

#### D. Local Economic Ties to the White River Ski Areas

Four of the nine counties in which the WRNF is located have significant social and economic ties to skiing on the WRNF – Eagle, Pitkin, Summit, and Garfield. The economies of communities such as Breckenridge, Silverthorne, Glenwood Springs, Eagle, Avon, Vail, Minturn, and Frisco are driven by tourism and recreation on the WRNF. Skiing is the dominant economic activity on the WRNF. DEIS at 3-484. According to the Forest Service, spending associated with skiing provides for 94% or 31,996 of 33,943 WRNF-related jobs and 78% or \$579,181,417 of \$737,547,525 WRNF-derived income. Id. Jobs associated with national forest activities provide nearly a third of jobs in the area and 27% of the labor income. The WRNF contributes more to the local economy than any other national forest in the Rocky Mountain Region of the Forest Service. Id.

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#### II. A Revised Alternative C Best Accommodates Environmental Protection and Recreation

Given the tremendous environmental and recreational resources on the WRNF, a revised Alternative C appears to be the best choice among the alternatives identified in the DEIS because, in the Forest Service's words, "[i]t represents a balance of recreational uses with ecological conditions." DEIS at 2-8. As explained below, Alternative C should be revised to incorporate the specific recommendations of Breckenridge and the White River ski areas.

Alternative C's commitment to ecosystem protection is significant. Alternative C seeks to maintain populations of all wildlife species well above minimum population viability levels, and would include habitat improvement projects for threatened, endangered, and sensitive species. Alternative C would also improve watershed conditions and provide wildlife habitat. DEIS at 2-8.

Alternative C also "acknowledges the need to provide a range of recreational opportunities to serve forest customers and local communities while maintaining forest ecosystems." DEIS at 2-8. A revised Alternative C would not meet all current and projected demands for recreation but would meet a reasonable amount. For example, Alternative C allocates some terrain outside existing permit boundaries at White River ski areas to Management Area 8.25 Four Season Resorts. This does not approve a terrain expansion in such areas. It permits White River ski areas to make proposals to accommodate additional visitation and relieve crowding as well as improve and enhance recreation in response to guest demands and market trends. Prior to authorizing a