

DECISION MEMO

Aspen Highlands 2018 Projects

USDA Forest Service Aspen-Sopris District, White River National Forest Pitkin County, Colorado

Portions of Sections 22, 27, and 34 of Township 10S, Range 85W

September 2018

BACKGROUND

Aspen Skiing Company (ASC) proposes to install the Goldenhorn Platter lift, remove trees and perform grading on the skier's right side of Oly Face, and glade trees on the slopes of Eden. These projects are proposed within the Aspen Highlands Special Use Permit (SUP) boundary and are all referenced in the 2013 Aspen Highlands Master Development Plan (MDP).

The purpose of the proposed Goldenhorn Platter Lift installation is to offer Aspen Highlands users a more efficient turnaround time for race training on the Goldenhorn trail. This would benefit athletes who want to maximize their training time on race courses to improve their racing skills. There is a need for this lift because there is currently no short access lift for quick repeat access to race training courses. Instead, racers are currently required to ski or ride the entirety of the Goldenhorn and Thunderbowl terrain, and return via the relatively long ride on the Thunderbowl lift, which does not provide the desired amount of concentrated race training.

The purpose of the proposed Oly Face Tree Removal and Grading is to increase skier circulation in the area at the bottom of Oly Face and the unload area of the Cloud Nine chairlift. There is a need for this tree removal to alleviate the crowded condition that sometimes exists in this location, and to provide more direct access to the Meadows side of the mountain from Oly Face.

The purpose of the proposed Eden glading project is to provide improved gladed skiing and snowboarding opportunities in the Loge Bowl area of the mountain. Currently, there exists an excellent entrance to the Eden area, which is then abruptly restricted by a tight area of trees. There is a need for this tree glading as it would allow skiers and snowboarders the potential to take full advantage of this terrain.

DECISION

Based on project scoping and analysis conducted, it is my decision to authorize ASC to install the Goldenhorn Platter lift, remove trees and perform grading on the skier's right side of Oly Face, and glade trees on the slopes of Eden. In conjunction with these projects, my decision also includes the requisite project design criteria (PDC) to minimize resource impacts (refer to Table 1: Project Design Criteria).

The project area has been reviewed by United States Department of Agriculture (USDA) Forest Service (Forest Service) specialists for impacts to relevant resources, including heritage/cultural resources, soils, recreation, scenery, water resources, wetlands, wildlife, and botany. No significant issues were identified that could not be avoided or mitigated, and all practical means have been employed to avoid and/or minimize environmental impact. The analysis for this project is document in a project file and maintained by the Aspen-Sopris Ranger District. Potential disturbance on National Forest System (NFS) lands will be less than 2.5 acres.

This project is consistent with management direction in the 2002 White River National Forest (WRNF) Forest Plan and standards and guidelines for Management Area 8.25. The approved projects are detailed below and depicted on the Selected Alternative figure.

Goldenhorn Platter Lift Installation

The proposed Goldenhorn Platter Lift would be approximately 1,660 feet long with a 495-foot vertical rise. Only the upper two-thirds of this lift alignment would be located on USFS land. Construction activities include concrete foundations for lift terminals and towers, installing powerlines at the top of the Thunderbowl lift to the surface lift top terminal, and minor grading at the proposed top terminal area.

No tree removal would be required for this project and all disturbed areas would be revegetated according to the ASC Revegetation Plan. Total disturbance for this project would be less than 1.5 acres.

Oly Face Tree Removal and Grading

Approximately 0.2 acres of trees would be removed on the skier's right side of the lower portion of Oly Face to facilitate improved skier circulation in this area. Tree removal would be completed using conventional cutting and skidding techniques. The timber would be decked near the Cloud Nine lift top terminal and transported off the mountain via logging truck. All slash would be stacked and burned when conditions are appropriate.

Approximately 0.07 acres of grading would be required to round off the transition on the skier's right side of the existing Oly Face trail into the tree removal area. The total grading would be an approximately 100-foot-long by 30-foot-wide area, generating approximately 150 cubic yards of material.

All disturbed areas would be revegetated according to the ASC Revegetation Plan. Total disturbance for this project would be less than 0.5 acres.

Eden Glading Project

Approximately 0.2 acres of trees would be gladed on the slopes of Eden to facilitate improved continuous skiing and snowboarding through this area. Cut timber would be lopped, scattered, and laid flat in the area in such a way that promotes decomposition. All slash would be stacked and burned when conditions are appropriate. Any disturbed areas would be revegetated according to the ASC Revegetation Plan as necessary. Total disturbance for this project would be less than 0.5 acres.

To minimize resource impacts, my decision incorporates the following PDC:

**Table 1:
Project Design Criteria**

General
ASC will obtain all required state, county and city permits prior to the start of construction.
Forest Service engineering review will be completed prior to construction.
Design parameters of the projects will adhere to the specifications contained in the final engineering plans, reviewed and approved by the Forest Service Region 2 engineer. These plans could include additional design criteria beyond what is contained in this Decision Memo.
Cultural Resources
If undocumented historic and/or prehistoric properties are located during ground disturbing activities or planning activities associated with approved construction activities, all construction in the immediate vicinity must cease and they will be treated as specified in 36 CFR §800.11 concerning Properties Discovered During Implementation of an Undertaking.
Geology and Soils
Prior to approved construction activities on NFS lands, ASC will prepare the following plans for Forest Service review: <ul style="list-style-type: none"> • Grading • Erosion Control and Drainage Management • Post-construction Revegetation and Rehabilitation • Construction Management <p>The grading, erosion control and drainage management, and post-construction revegetation and rehabilitation plans could be contained in the construction management plan. Plans must be submitted by ASC to the mountain sports ranger one month prior to construction. If of sufficient detail, plans submitted to satisfy the General PDC (noted above) will be incorporated into the contents of the construction management plan to satisfy the requirements of this PDC.</p>
The Grading or Site Plan will contain: <p>Quantitative/descriptive estimates of cut and fill volumes and storage location.</p>
The Erosion Control and Drainage Management Plan will contain: <p>Silt fences, straw bales, straw wattles, and other standard erosion control BMPs to contain sediment onsite. Erosion-control matting on steep fill slopes (i.e., land with a slope angle of 35% or greater) will be utilized to protect soils and enhance conditions for vegetation re-establishment. Biodegradable netting (erosion control blankets and matting) should be used; netting should be free of persistent plastic/polypropylene materials.</p> <p>A condition to return slash and native organic litter to site, apply imported soil organic matter, and use soil fertility to restore site organic matter and nutrients. No-net loss of soil organic matter (mineral A and/or organic O horizons) will be ensured through pre- and post-construction soil monitoring and subsequent reclamation, if necessary.</p> <p>A condition to stockpile topsoil during construction, maintenance, and operations to the extent possible to maintain organic matter. Maintain the organic ground cover of each activity area so that pedestals, rills, and surface runoff from the activity area are not increased. Restore the organic ground cover of degraded activity areas within the next plan period, using certified local native plants as practicable; avoid persistent or invasive exotic plants.</p> <p>Heavy equipment will be kept out of streams.</p> <p>No ground disturbing actions near streams during spring runoff, or during periods of heavy precipitation. Operate heavy equipment within unit boundaries only when soil moisture is below the plastic limit, or protected by at least 1 foot of packed snow or 3 inches of frozen soil. Soil moisture exceeds the plastic limit if the soil can be rolled into 3 millimeter threads without breaking or crumbling.</p> <p>Apply compost or a United States Geological Survey-approved alternative soil organic amendment to mitigation sites to increase water holding capacity and soil productivity.</p>

**Table 1:
Project Design Criteria**

Wood straw, coconut husk products, excelsior products (shredded aspen), bonded fiber matrix (hydromulch), and other materials not containing seeds should be used for erosion control.
<p>The Post-construction Revegetation and Rehabilitation Plan will contain:</p> <ul style="list-style-type: none"> A list of materials to be used for site stabilization and revegetation (i.e., soil amendments, seed mixes, erosion control blankets). Seed mixtures and mulches will be free of noxious weeds. To prevent soil erosion, non-persistent, non-native perennials or sterile perennials may be used while native perennials become established. The Forest Service must approve the seed mixtures prior to implementation, unless previously approved seed mixes are employed. A monitoring protocol for vegetative cover standards from the WRNF Forest Plan to be implemented for a minimum of three years following seeding. Areas determined to have been compacted by construction activities may require mechanical subsoiling or scarification to the compacted depth to reduce bulk density and restore porosity.
Details of timelines, contractors to perform work tasks, seed mixes, soil amendments, and necessary surveys will be provided to the mountain sports ranger one month prior to construction.
Design, implementation, and monitoring roles and responsibilities will be clearly defined and included in the construction management plan, submitted one month prior to construction.
Watershed and Wetlands
No construction or maintenance activities shall be performed during periods when the soil is too wet to adequately support equipment/vehicles. If such equipment/vehicles create ruts in excess of 3 inches deep, the soil shall be deemed too wet to adequately support construction equipment/vehicles.
For the slopes to be graded, filled, or re-contoured adjacent to or within the project area, define grading limits on the ground before construction by placing wattles, sediment fence, construction fence, or other physical barrier along the perimeter of the area to be graded. Ensure that all grading is confined within the specified grading limits.
Wildlife
Avoid tree felling and construction at the top 2 project sites from May 1 to June 30 to minimize disturbance to bighorn sheep during the post winter period when females and lambs are vulnerable to disturbance-related stress.
If construction activities are proposed prior to July 15, surveys for dens and nests of Threatened, Endangered, and Sensitive Species shall be conducted by a qualified biologist prior to construction. Construction of approved projects should occur outside the active denning and nesting period or as otherwise approved by the Forest Service Responsible Official.
If tree cutting activities are proposed prior to July 15, surveys for active migratory bird nests shall be conducted by a qualified biologist prior to tree cutting. Trees with active nests and snags providing cavity nesting habitat should be retained when practicable.
If construction activities are proposed prior to July 31, surveys for active raptor nests and cavities shall be conducted by a qualified biologist. If additional territories of raptors or sensitive species are discovered within the project analysis area, establish and manage these territories with adequate buffer zones and seasonal activity use restrictions around breeding sites if possible to prevent the loss of those individuals. Specifically, if a newly discovered goshawk nest is found, maintain a 30 acre area of uncut timber around the nest site (whether active or inactive). For Cooper's hawks, a 20-acre buffer is needed. For sharp-shinned hawks, a 10-acre buffer is needed. For red-tailed and Swainson's hawks, a minimal buffer is needed to prevent blowdown of the nest tree. For other raptors (including boreal owl and flammulated owl): Snags and trees used for nesting will be retained, unless they pose a hazard; then they will be retained until the end of the nesting period if potentially occupied. Leave other snags and woody material on-site to benefit species dependent upon these habitat structural elements. Do not locate temporary roads, skid trails, landings, trails, construction staging areas, or new developments within raptor buffers.
If flammulated or boreal owl nests are located within project areas, tree removal in nesting areas should be avoided during the May 21 to July 15 nesting period. If northern goshawk nests are located, tree removal in nesting areas should be avoided during the June 1 to August 1 nesting period.

**Table 1:
Project Design Criteria**

If olive-sided flycatcher nests are located within project areas, tree removal in nesting areas should be avoided during the June 1 to July 15 nesting period.
During construction, contractors are required by Pitkin County code to provide bear proof containers on site for all edible and food related trash. No food products or containers should be disposed of in larger roll-off type dumpsters. All windows shall be kept closed and doors locked on all vehicles to prevent bear entry.
Employees and contractors shall not bring dogs to NFS lands during construction.
All construction activities shall be confined to daylight hours, excluding emergencies.
Botany
If any previously undocumented or unknown occurrences of Forest Service Region 2 sensitive species, SOLC or SVC plants are encountered within the project area prior to or during project implementation, the WRNF shall be notified. WRNF shall develop suitable mitigation measures to avoid or minimize impacts as appropriate.
Wood straw, coconut husk products, excelsior products (shredded aspen), bonded fiber matrix (hydromulch), and other materials not containing seeds should be used for erosion control.
All off-road equipment shall be cleaned prior to entering NFS lands to ensure machinery is free of soils, seeds, vegetative matter, or other debris that could contain or hold noxious weed seeds. "Off-road equipment" includes all construction machinery or off-highway vehicles, except for trucks, service vehicles, water trucks, pickup trucks, cars, and similar vehicles.
All disturbed ground from construction shall be re-vegetated with native tree/plant species and WRNF-approved seed mix free of weed species, and meet Forest Plan Management Area 8.25 ground cover standards within three years after completion of project construction.
Noxious weed and other non-native plant infestations should be monitored and treated for three years after project completion or until weed populations are eliminated.
Any Engelmann spruce that is felled shall be either removed from the area or treated within one year after felling to reduce attack by spruce bark beetle. Treatments include burning, burying or peeling bark.
Scenery Resources
The proposed structures should meet the Built Environment Image Guide (BEIG) Guidelines. The BEIG is found at http://www.fs.fed.us/recreation/programs/beig
All structures, facilities, and features should meet color guidelines. Bright colors are inappropriate for the forest setting. The colors should be muted, subdued colors that will blend well with the natural forested environment. See page 37 of Forest Service Handbook No. 617, "National Forest Landscape Management for Ski Areas, Volume 2, Chapter 7" for recommended colors for ski areas.
All structures should meet reflectivity guidelines. This includes any reflective surfaces (metal including galvanized, glass, plastics, or other materials with smooth surfaces), that do not blend with the natural environment. Reflective surfaces should be covered, painted, stained, chemically treated, etched, sandblasted, corrugated, or otherwise treated to meet the solar reflectivity guidelines. See WRNF Forest Plan, Scenery Management Guideline number five for reflectivity guidance.
When removing vegetation, the shape of new openings in the forest canopy should be natural appearing and blend into the surrounding vegetated mosaic, edges of new openings should be non-linear, and changes in tree heights along edges should be gradual rather than abrupt. Soften hard edges by selective removal of trees of different ages and heights to produce irregular corridor edges where possible.
When removing trees or other vegetation, stumps should be cut as low as possible to the ground to lessen scenery impact and avoid safety hazard.
Any site grading should blend disturbance into the existing topography to achieve a natural appearance. Minimize cut and fill at the transition of proposed grading and existing terrain.
All disturbed areas should be re-vegetated. Revegetation should include seeding with native grasses and forbs. Reseed with a native seed mixture recommended by the Forest Botanist. Seeding should be repeated until satisfactory re-vegetation is accomplished.
All facilities including trails and signs must meet accessibility guidelines. These can be found at the following website; http://www.fs.fed.us/recreation/programs/accessibility/

**Table 1:
Project Design Criteria**

Any powerlines installed must be buried as per Forest Plan Standard.

Note:

The measures outlined in this table represent an updated, final version of PDC. This list supersedes all other versions located in other project-related documentation.

CATEGORICAL EXCLUSION

Decisions may be categorically excluded from documentation in an environmental impact statement (EIS) or environmental assessment (EA) when they are within one of the categories identified by the USDA in 7 CFR 1b.3 or the proposed action is within a category listed in 36 CFR 220.6(d) and (e), and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect. I have determined that the project, as proposed by ASC and described in detail above, is consistent with the category “approval, modification, or continuation of minor special uses of National Forest System lands that require less than five contiguous acres of land” at 36 CFR 220.6(e)(3).

The project is a permissible use of the land and total disturbance related to implementation of the project is less than 2.5 acres. As discussed below, I find no extraordinary circumstances related to this decision that may result in a significant individual or cumulative environmental effect.

Therefore, I have decided to authorize the project, as described above, without further analysis under the National Environmental Policy Act (NEPA). The following resource conditions were considered in determining whether extraordinary circumstances related to the project I am authorizing warranted further analysis and documentation in an EIS or an EA (36 CFR 220.6(b)(i-vii)).

It is my determination that the aforementioned project within the Aspen Highlands SUP area will result in minimal impacts to National Forest resources as discussed below. Prior to implementation, Forest Service resource specialists will further review the proposed projects for field fitting, as necessary.

Federally Listed Threatened or Endangered Species or Designated Critical Habitat

The Endangered Species Act (ESA, 16 U.S.C. §§ 1531–1544) requires that federal actions not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered, or result in adverse modification to such species’ designated critical habitat. Western Bionomics Inc. prepared a *Migratory Bird Assessment and Wildlife, Fisheries, and Botany Biological Evaluation* (BE) for the proposed Aspen Highlands 2018 Projects, the results of which are discussed below.

Federally listed species with potential to be present or affected by the approved projects included Canada Lynx, North American Wolverine, Mexican Spotted Owl, Yellow-billed Cuckoo, Bonytail Chub, Colorado Pikeminnow, Greenback Cutthroat Trout, Humpback Chub, Razorback Sucker, and Ute Ladies’-tresses.

The proposed project would result in the clearing of less than 1 acre of trees, which would be insignificant to Canada Lynx at the scale of the Maroon Bells Lynx Analysis Unit (LAU); therefore, the proposed project may affect, but is not likely to adversely affect the Canada Lynx. There are no known North American Wolverines in existence in the State of Colorado. There is no habitat for Mexican Spotted Owl or Yellow-billed Cuckoo within the project area. Therefore, the proposed project would have no effect on any threatened or endangered terrestrial wildlife species.¹

The proposed project would not result in water depletions that could impact the Bonytail Chub, Colorado Pikeminnow, Greenback Cutthroat Trout, Humpback Chub, or Razorback Sucker. There are lineage Greenback Cutthroat Trout that the Forest Service and the US Fish and Wildlife Service are treating as threatened under the provisions of the ESA, and three of these are known from Pitkin County; however, none of these locations would be affected by the proposed project. Therefore, the proposed project would have no effect on any Colorado River threatened or endangered fish.²

The proposed project would not occur on any habitat for the Ute Ladies'-tresses. While there are approximately 19 acres of known occupied habitat of this species located more than 20 miles downstream of the project area along the Roaring Fork River, the proposed project would not result in water depletions to the Roaring Fork River, and therefore would have no effect on this species.³

Floodplains, Wetlands, or Municipal Watersheds

Executive Order 11990 requires the Agency to determine whether the improvement authorized in this decision will occur in floodplains, and if so, to include appropriate restrictions. A Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map was referenced for the areas of the proposed project and it was determined all areas are within a Zone X flood zone, meaning these areas are determined to be outside a 500-year floodplain.⁴ Based on this review, it has been determined none of the projects are located within a floodplain.

Section 404 of the Clean Water Act (CWA) establishes a program to regulate the discharge of dredge and fill material into waters of the United States, including wetlands, thereby minimizing impacts. Regulations implementing the CWA define wetlands as:⁵

... areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

For an area to be a federally jurisdictional wetland, the 1987 Army Corps of Engineers (COE) Wetland Delineation Manual and Supplement require the area to be dominated by hydrophytic vegetation, exhibit hydric soils, and possess wetland hydrology. If any one of these three indicators is absent, the site is not

¹ Western Bionomics, 2018.

² Ibid.

³ Ibid.

⁴ FEMA, 2017.

⁵ Western Bionomics, 2017.

subject to federal jurisdiction under the CWA. None of the three project areas are dominated by hydrophytic vegetation as presented in the 2016 National Wetland Plant List. As hydrophytic vegetation dominance is absent from the project areas, it was not necessary to examine soils or hydrology. Based on the defining characteristics of wetlands presented above, the project areas fail to meet the COE definition of wetland, and are not subject to federal jurisdiction under Section 404 of the CWA.⁶

Congressionally Designated Areas

The nearest congressionally designated area is the Maroon Bells-Snowmass Wilderness, which abuts the Aspen Highlands SUP area to the south and west. No congressionally designated areas will be affected by this decision.

Inventoried Roadless Areas

The 2012 Colorado Roadless Rule eliminated the roadless designation for 8,300 acres inside ski area SUP boundaries or lands allocated for ski area development across the state. As a result, there is no roadless designation for land inside the existing Aspen Highlands SUP area, which is adjacent to the Burnt Mountain Colorado Roadless Area. The decision will not affect Inventoried Roadless Areas.

Research Natural Areas

There are no candidates or designated Research Natural Areas (RNA) near the project area; the nearest RNA is the Gothic RNA located on the Gunnison National Forest approximately 12 miles southwest of the Aspen Highlands SUP area. This decision will not affect candidate or designated RNAs.

American Indians Religious or Cultural Sites, Archaeological Sites or Historic Properties

Section 106 of the National Historic Preservation Act (U.S.C. 470 *et seq.*) requires federal agencies take into account the effect of a project on any precontract or historic district, site, building, structure, or object that is included in or eligible for, inclusion in the National Register. Metcalf Archaeological Consultants, Inc. conducted a Class I cultural resources overview for the proposed Aspen Highlands 2018 Projects, which revealed 19 previous cultural resource inventories and 37 previously documented cultural resources.[1] One of the 19 previous inventories completely covers the proposed project area.

All of the previous cultural resources revealed by the files search are historic. These resources are dominated by historic buildings within the town of Aspen, but also include trash dumps, mining complexes and isolated mining features, cabins, and linear resources such as trails, roads, ski lifts, and irrigation ditches. None of the resources are located within the proposed project area for Aspen Highlands 2018 Projects.

Based on the results of this Class I files search and the fact that a recent previous survey has completed covered the new project area, the project area does not require new Class III cultural inventory. There are no known cultural resources in the project area and the possibility of discovering new resources is very low. Historic General Land Office maps and Forest Service topographic maps did not show any potential

⁶ Ibid.

[1] Metcalf Archaeological Consultants, 2017.

resources immediately within the project area. In addition, the disturbed nature of the area and its steep topography is not particularly conducive to historic or prehistoric habitation. Those sites that have been previously identified are generally located on more level terrain and in close proximity to water sources. On 2/13/2018 the Colorado State Historic Preservation Office concurred with a finding of “no historic properties affected” for the proposed Aspen Highlands 2018 Projects.

Results of the Class I file search were provided to the Southern Ute Indian Tribe of Colorado, Ute Tribe of the Uintah & Ouray Reservation, and Ute Mountain Ute Tribe of Colorado on December 12, 2017. Additional information was requested from the Southern Ute Tribe, and was provided by the USFS on January 11, 2018. Members of the Southern Ute Tribe from the Ignacio, CO area visited the project sites in person on 8/21/18 with USFS staff. The Southern Ute Tribe did not identify any findings or requirements specific to the proposed project; however, the Southern Ute Tribe recommended that Aspen Skiing Company further develop heritage interpretive programs and media in consultation with the Ute Tribes and USFS.

PUBLIC INVOLVEMENT

A scoping notice dated October 26, 2017, was sent to 80 members of the public, agencies, tribal governments and other organizations, and was also published on the WRNF website (<https://www.fs.usda.gov/project/?project=52703>) with the intent of providing information on the proposal. The notice presented the project as appropriate for categorical exclusion from detailed analysis in an environmental assessment or environmental impact statement. The categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects, which may significantly affect the environment.

In reaching my decision, I considered input from Forest Service resource specialists who analyzed the proposal, and five comments received during the scoping period from the general public. Four of the five commenters displayed strong support for the proposal, stating that the project would improve challenging terrain at Aspen Highlands, would be consistent with the ongoing use, and would cause minimal environmental impacts.

One commenter from the general public stated that negative impacts of ski area development range from collapsed ecosystems to soil erosion; therefore, there is no reason for expansion. Resource specialist reports completed for the cultural, watershed and wetlands, and wildlife resources concluded that no impact would occur to any of these resources. In addition, any potential impacts would be mitigated through the application of relevant PDC, listed above in **Table 1**.

No other comments were received regarding the project.

FINDINGS REQUIRED BY OTHER LAWS

This decision is consistent with the 2002 WRNF Forest Plan (Forest Plan) as required by the National Forest Management Act. The project was designed in conformance with Forest Plan standards and incorporates appropriate Forest Plan standards and guidelines for Management Area 8.25.

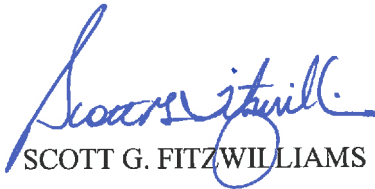
IMPLEMENTATION AND ADMINISTRATIVE APPEAL

On January 17, 2014, the President signed into law the Consolidated Appropriations Act of 2014 (Pub. L. No. 113-76). Section 431 of that Act directs that the 1992 and 2012 legislation establishing the 36 CFR 215 (post-decisional appeals) and 36 CFR 218 (pre-decisional objections) processes “shall not apply to any project or activity implementing a land and resource management plan ... that is categorically excluded under the National Environmental Policy Act [NEPA].” On February 7, 2014, the President signed into law the Agricultural Act of 2014 (Farm Bill) (Pub. L. No. 113-79). Section 8006 of the 2014 Farm Bill repealed the Appeals Reform Act (ARA) (Pub. L. No. 102-381). The ARA’s implementing regulation was 36 CFR 215. The 2014 Farm Bill also directs that the pre-decisional objection process established in the Consolidated Appropriation Act of 2012 shall not be applicable to categorically excluded projects or activities.

Therefore, this decision is not subject to appeal or objection. Implementation may occur in accordance with PDC.

CONTACT PERSON

For additional information concerning this decision or the Forest Service, contact Monte Lutterman, Mountain Sports Ranger, White River National Forest, 620 Main Street, Carbondale, CO 81623 or (970) 404-3164.



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Forest Supervisor

REFERENCES

Federal Emergency Management Agency (FEMA). 1987. Flood Rate Insurance Map Number 08097C0225C. Dated June 4, 1987. Available online at <https://msc.fema.gov/portal>. Retrieved December 11, 2017.

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Western Bionomics Inc. 2018. Aspen Highlands Ski Area 2017 Proposed Projects – Migratory Bird Assessment and Wildlife, Fisheries, and Botany Biological Evaluation, Pitkin County, Colorado. Prepared for USDA Forest Service and SE Group, Inc. February 26.

Western Bionomics Inc. 2017. Aspen Highlands Ski Area 2017 Proposed Projects – Wetlands Letter. Prepared for SE Group, Inc. November 17.

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