

Clear Creek Ranger District  
Attention: Loveland Dry Gulch  
PO Box 3307  
Idaho Springs, CO 80452

Via e-mail: [comments-rocky-mountain-arapaho-roosevelt-clear-creek@fs.fed.us](mailto:comments-rocky-mountain-arapaho-roosevelt-clear-creek@fs.fed.us)

August 9, 2018

Dear Forest Service,

The following are comments from the undersigned on the proposed Loveland Dry Gulch Guided Snowcat Tours, as described in the scoping brochure available at:

<https://www.fs.usda.gov/project/?project=54196>.

In general, the proposed action would generate conflicts with wildlife and existing backcountry winter use. We believe it is important to conserve the project area and adjacent area for these uses rather than turn it area into a developed area for the benefit of Loveland Ski Area. The management plan for the Arapaho-Roosevelt National Forest (ARNF) should be amended to designate a special area for wildlife movement in at least the portion of the proposed project area outside of Loveland Ski Area's existing special use permit boundary.

#### WILDLIFE IMPACTS MUST BE ANALYZED AND DISCLOSED

The proposed activity could affect various species of wildlife. Notably, the proposed area for snow cat skiing is just north of the land bridge over I-70. This is one of very few safe crossings of I-70 for wildlife. The proposed snow cat tour area is in the middle of a sizable roadless area complex that likely provides a refuge for some wildlife species. These roadless areas are: Bard Creek, 22,800 acres; Mt. Sniktau, 7,800 acres; and Williams Fork, 36,3000 acres, all on the Arapaho-Roosevelt National Forest; and Tenderfoot Mountain, 8,400 acres; and Porcupine Peak, 7,600 acres on the White River National Forest.

On the White River National Forest just to the south of the project area, there is a special area designation for the Continental Divide Land Bridge. The southwest portion of the project area is adjacent to this special area.

This special area was designated for its zoological values. White River National Forest Plan, 2002 Revision, Final Environment Impact Statement at H-7. The Description of Values for this area states:

The land bridge is an important wildlife travel corridor over Interstate 70 (where the highway passes through the Eisenhower Tunnel), and is the only crossing of I-70 that is highly favorable to wildlife movement. Because it is on the Continental Divide, it links land areas to the north and south of I-70 directly and is not blocked by a river. The land bridge provides travelways to species such as bighorn sheep, mountain goats, mule deer, elk, pine marten, and potentially lynx and wolverine, connecting two large roadless areas to the north and south of the interstate.

Ibid.

Lynx and wolverine could potentially use the area in winter. Boreal toad could be present. A species likely to be present in winter is ptarmigan. These are discussed in detail below. The management Plan for the ARNF should be amended to designate a special area for wildlife that would complement the area on the adjacent White River National Forest. This would help ensure the safe movement of wildlife across I-70 and would conserve the lynx linkage, as is further discussed below. The new special area should include the portion of the project area that is outside the existing special use permit boundary for Loveland Ski Area and some area north of that..

#### LYNX (*Lynx canadensis*)

Lynx is listed as a threatened species under the Endangered Species Act. One of the factors adversely affecting lynx recovery is habitat fragmentation, which is the reduction of habitat into more isolated patches, impairing the ability of species to move between patches of habitat. The most recent edition of the Lynx Conservation Assessment and Strategy (IBLT, 2013) notes the effect of highways on habitat fragmentation and connectivity:

Highways pose a risk of direct mortality to lynx and may inhibit lynx movement between previously connected habitats. If lynx avoid crossing highways, this could lead to a loss of effective habitat within a home range and reduced interaction within a local population.

Id. at 77, citation omitted.

Given the difficulty of crossing a high volume, high-speed highway like I-70 (see id. at 77-78), the land bridge over I-70 may be important to ensure lynx dispersal into northern Colorado. Lynx appear to have crossed I-70 in the vicinity of the land bridge. See Theobald and Shenk, 2011, and Ivan, 2012. Granted, the high alpine, treeless terrain on the land bridge is not preferential habitat for lynx. Generally, they avoid such areas. However, given the difficulty of crossing I-70, it is likely that lynx do cross this area.

Notably, the Loveland Pass area is a lynx linkage:

This linkage area provides for north-south movements near I-70 at the Continental Divide, Peru Creek, Loveland Pass, Laskey Gulch and Jones Gulch. It includes portions of the White River National Forest and the Arapaho-Roosevelt National Forest. Some portions of the linkage are highly developed, with I-70, ski areas and towns.

Southern Rockies Lynx Management Direction (SRLMD) FEIS at D-3.

Linkages are described as follows:

Linkage areas provide landscape connectivity between blocks of lynx habitat. Linkage areas occur both within and between geographic areas where blocks of lynx habitat are separated by intervening areas of non-lynx habitat such as basins, valleys, agricultural lands, or where lynx habitat naturally narrows between blocks.

Id. at Glossary 8.

Note that direction in all Colorado national forest management plans requires the maintenance of habitat connectivity for lynx:

Objective ALL O1

Maintain or restore lynx habitat connectivity in and between LAUs, and in linkage areas.

Standard ALL S1

New or expanded permanent developments and vegetation management projects must maintain habitat connectivity in an LAU and/or linkage area.

SRLMD Record of Decision at Attachment 1-1.

The regular presence of skiers and snow cats in the linkage area during the winter may not comply with this direction, as the activity could deter lynx from using the linkage. Given the importance of the lynx linkage, and of safe wildlife movement across I-70 generally, the management emphasis of the area should be on protecting wildlife.

Approval and implementation of the snow cat tours would also lead to a considerable increase in snow compaction due to the use of snow cats and associated skier use. Compacted snow facilitates travel by coyotes, a lynx competitor that ordinarily would not inhabit or travel through

areas with deep snow in winter because of its difficulty with travel in loose snow. Lynx, with its large feet, has an advantage in unconsolidated snow (as does its main prey, snowshoe hare), an advantage that is diminished or erased by widespread snow compaction. See IBLT, 2003, at 80-82. This could allow coyotes to compete with lynx for prey in adjacent areas where inhabited by hare and other prey.

It is very important that any snowcat tours or any other activity in the proposed area be implemented to have the least disturbance to lynx. Snowcat and other motor vehicle use, including that for any grooming or avalanche control, must be limited to daylight hours, roughly 9 AM to 3 PM, when lynx are least likely to be active in the area.

#### WOLVERINE (*Gulo gulo luscus*)

This species is either absent from Colorado or exists at very low and unsustainable levels. However, it has existed in Colorado historically, including one tracked in northern Colorado in 2009<sup>1</sup>. It may need the high-altitude, snow-laden terrain our state provides for recovery, as young-rearing often takes place in alpine areas with 1-3 meters depth of snow. Banci, 1994. Warming associated with climate change may reduce existing denning habitat by allowing some areas of potential habitat to stay free of snow more frequently and for longer periods in most years.

Like lynx, wolverines have difficulty with roads. For example, a study in Canada by Scrafford et al, 2018, found that “roads, regardless of traffic volume, reduce the quality of wolverine habitats and that higher-traffic roads might be most deleterious.” Thus wolverine will tend to avoid high-volume highways like I-70, and if present, would likely use the land bridge to cross it. And unlike lynx, wolverines regularly travel through alpine areas.

While wolverines use a variety of habitats, “a general trait of areas occupied by wolverines is their remoteness from humans and human developments.”. Banci, 1994. Thus the less human activity in any area that is potential wolverine habitat, the better. Limiting human use of the proposed snow cat area is needed to maintain the wildlife movement corridor provided by the land bridge over I-70.

#### WHITE-TAILED PTARMIGAN (*Lagopus leucura*)

From late fall through early summer, “willow is the primary source of food for ptarmigan”. Hoffman, 2006. Willows exist along Dry Gulch below timberline, and may extend into the project area. The map on p. 14 of Hoffman, 2006, appears to show the project area as occupied habitat. Increasing recreational use of alpine areas increases the chances for disturbance to

---

<sup>1</sup> Colorado once had a viable population of wolverine. See: <http://cpw.state.co.us/learn/Pages/Wolverine.aspx>

habitat and to the birds themselves. Disturbance to ptarmigan in winter might cause displacement and expenditure of extra energy that the species is trying to conserve in order to survive in a harsh environment. See id. at 40-44.

Breeding areas require willows and some area that is snow-free by mid-May. Id. at 24. Most known wintering areas in Forest Service Region 2 are at or above timberline, except where willows are normally covered with snow. Id. at 27. In fact ptarmigan generally complete their entire life cycle above timberline. Id. at 40.

In winter during the day, ptarmigan are sedentary. Id. at 17. Skiers could disturb wintering ptarmigan by skiing over or near willows. Also, we note that the proposed snow cat route through the middle of the area appears to follow the upper part of Dry Creek, where there may be willows. Motor vehicles and/or skiers travelling over willows could harm the plants by breaking them, and by compacting snow around and over them, resulting in a later snow melt in the spring/summer, and a shorter growing season.

White-tailed ptarmigan is a sensitive species in Forest Service Region 2.<sup>2</sup> It is also on the Preliminary List of Species of Conservation Concern (SCC) for the Rio Grande National Forest, which is furthest along in in Forest Service Region 2 in revising its management plan under the 2012 Planning Rule. See Regional Forester's letter of August 17, 2016 to Rio Grande NF Supervisor. SCC are species for which there is "substantial concern about the species' ability to persist over the long term in the planning area". 36 CFR 219.9; FSH 1909.12, section 12.52. Given this species' wide distribution in Colorado, per Hoffman, id., it stands to reason it will be an SCC for the Arapaho-Roosevelt and White River National Forests also, when those units revise their respective plans.

Prior to approving the proposed snowcat tour operation, the Forest Service should survey for ptarmigan for at least two years, including winter. If ptarmigan roosting, nesting, or brood-rearing areas are discovered, they must be marked and avoided by snow cats and skiers.

Hoffman recommended the following actions to protect ptarmigan from effects of recreation:

Identify and map areas of high recreational use in the alpine and work with recreational groups to develop mutually acceptable guidelines and regulations to minimize disturbance of ptarmigan and damage to ptarmigan habitats.

---

<sup>2</sup> The list of R-2 sensitive species can be found at:  
<https://www.fs.usda.gov/detail/r2/landmanagement/?cid=stelprdb5390116>  
Accessed August 9, 2018

Exclude winter recreational activities, such as snowmobiling and skiing, in willow-dominated sites above treeline and along stream courses immediately below treeline.

...

Identify and protect winter use areas.

Allow no net loss of willow.

Id at 56-57.

#### BOREAL TOAD (*Anaxyrus boreas boreas*)

Most of the area covered by this proposal overlaps with the larger Colorado Natural Heritage Program identified Upper Clear Creek Potential Conservation Area. See Figure 1 below. This area is considered to have high biodiversity significance due to the presence of boreal toads (*Anaxyrus boreas boreas*). CNHP, 2018. This species is a Region 2 Sensitive Species, and warrants full consideration in this analysis.

Boreal toad breeding locations were previously documented in Herman Gulch and Mt. Bethel. Keinath, 2005, at 23. These locations are within 2-4 miles of the proposed site of the proposed snowcat operations, and thus within the distance toads have been known to disperse from breeding locations. Id. at 26.

Toads may occupy part of the proposed project area. Proposed snowcat operations in the upper Dry Gulch watershed are directly upstream from quality toad habitat. Potential oil, gas or other fluid leakage or deposits resulting from snowcat operations may impact water quality, and any pollutants will flow downstream with snowmelt. Snow compaction from skiers and snowcat use may alter the quality, quantity and timing of snowmelt and associated runoff, further impacting habitat beneath the snow, especially hibernacula. Compacted snow over the latter may prevent or delay the emergence of toads from hibernation in late spring/early summer.

The Arapaho Roosevelt Forest Plan states:

Establish an upward trend for threatened, endangered or sensitive plant and animal species (TES), and maintain sensitive species through management activities that recognize TES habitat needs across all levels or scales.

Plan at 4.

Additional Forest Plan goals that are applicable to the proposed action:

Goal 44: Restore, protect and enhance habitats for endangered, threatened and proposed flora and fauna species listed in accordance with the Endangered Species Act and sensitive species appearing on the regional sensitive species list to contribute to their stabilization and full recovery.

Goal 45: Habitats for federally-listed threatened, endangered, and proposed species and regionally-listed sensitive species are protected, restored, and enhanced. Habitat on National Forest System lands is managed to help assure that those species, whose viability is a concern, survive throughout their range, that populations increase or stabilize, or that threats to populations are eliminated.

Goal 46: Prepare biological evaluations for each project authorized, funded, or conducted on National Forest System lands to determine possible effects of the proposed activity on endangered, threatened, or sensitive species.

Plan at 17-18.

A Plan standard states:

In watersheds containing aquatic TES species, allow activities and uses within 300 feet or the top of the inner gorge (whichever is greatest), of perennial and intermittent streams, wetlands, and lakes (over 1 acre) only if onsite analysis shows that long-term hydrologic function, channel stability, and stream health will be maintained or improved.

Id. at 14.

Surveys should be conducted for boreal toads in the project area. Even if none are found, riparian areas must be protected to maintain high water quality in the toad habitat downstream.

#### BIGHORN SHEEP (*Ovis canadensis*)

There is a slight chance bighorn sheep could be affected by the proposal. They would likely not traverse or inhabit areas of deep snow in winter, but they are “known to move to high-elevation, wind-swept ridges in response to heavy snow accumulations at lower elevations”. Beecham et al, 2007, at 20. This could put them on the Continental Divide Ridge, where they could be affected by avalanche control work, or on Mt. Trelease, which is near the proposed snow cat area. Mountain goats could also be affected in the same manner.

The best way to address potential impacts to these and any other species possibly affected by the proposed action is to avoid the impacts by not approving the proposed action. Short of that, approval of any snow cat tours in the proposed area must be conditioned by measures to minimize impacts as discussed above. The integrity of the Loveland Pass area lynx linkage and the wildlife movement corridor provided by the land bridge over I-70 must be maintained. Approval of the current proposed action would not accomplish this.

#### DELAY CONSIDERATION OF THE PROJECT UNTIL WINTER TRAVEL MANAGEMENT PLANNING IS COMPLETED

As other comments will detail, the proposed action would adversely affect skiers and snowboarders who use the area now for winter recreation. If the proposed action is implemented, an area that now sees little use would have many skiers, 160-224 per day (Brochure at 1), and powder snow would quickly be tracked out. This and the omni-presence of snowcat-assisted users would fundamentally change the character of the area in winter from a primitive backcountry area to a developed one.

The Forest Service's travel planning regulations require the following: "Over-snow vehicle use of...roads,... trails, and in areas...shall be designated by the Responsible Official...". 36 CFR 212.81(a).

The Arapaho-Roosevelt National Forest (ARNF) has not begun, and as far as we know has no plans to begin, the effort to designate what roads, trails, and areas can be used by over-snow vehicles. If this were undertaken, it would show the big picture with regard to various types of winter recreation uses. It would likely show that there are relatively few areas like the project area (high elevation, low use, challenging terrain) on the ARNF for winter recreation.

One alternative should be confining the snow cat use to Loveland Ski Area's existing permit area. This would reduce the conflict with wildlife and existing recreation use, but it would still generate some conflict.

#### CONCLUSION

The proposed action should not be approved. It could have adverse effects on various species of wildlife, and would negatively impact current backcountry users. At a minimum, winter travel planning for the ARNF should be done before any snow cat skiing in the project area is approved. Surveys must be conducted for wildlife species that could be present. A special area

should be designated near the project area to ensure connectivity of wildlife habitat across I-70, and to complement the special area on the adjacent White River National Forest.

If any snow cat skiing is approved for the project area, it should be much less than what is currently proposed. Operations must be limited to minimize impacts to wildlife and to conserve the lynx linkage and the safe crossing of I-70 for wildlife.

Sincerely,

Rocky Smith, Forest Management Analyst  
1030 Pearl St. #9  
Denver, CO 80203  
303 839-5900  
[2rockwsmith@gmail.com](mailto:2rockwsmith@gmail.com)

Tehri Parker, Executive Director  
Rocky Mountain Wild  
1536 Wynkoop Street, Suite 900  
Denver, CO 80202  
720 446-8582  
[tehri@rockymountainwild.org](mailto:tehri@rockymountainwild.org)

Hailey Hawkins, Southern Rockies Field Representative  
Endangered Species Coalition  
2635 Mapleton Ave, #159  
Boulder, CO 80304  
662-251-5804.  
[hhawkins@endangered.org](mailto:hhawkins@endangered.org)

Tom Sobal, Director  
Quiet Use Coalition  
POB 1452  
Salida, CO 81201  
719 539-4112  
[quietuse@gmail.com](mailto:quietuse@gmail.com)

Peter Hart  
Staff Attorney/Conservation Analyst  
Wilderness Workshop

PO Box 1442  
Carbondale, CO 81623  
970.963.3977  
[peter@wildernessworkshop.org](mailto:peter@wildernessworkshop.org)

Robyn Cascade, Co-Leader  
Northern San Juan Chapter/Ridgway, CO  
Great Old Broads for Wilderness  
c/o PO Box 2924  
Durango, CO 81302  
(970) 385-9577  
[northernsanjuanbroadband@gmail.com](mailto:northernsanjuanbroadband@gmail.com)

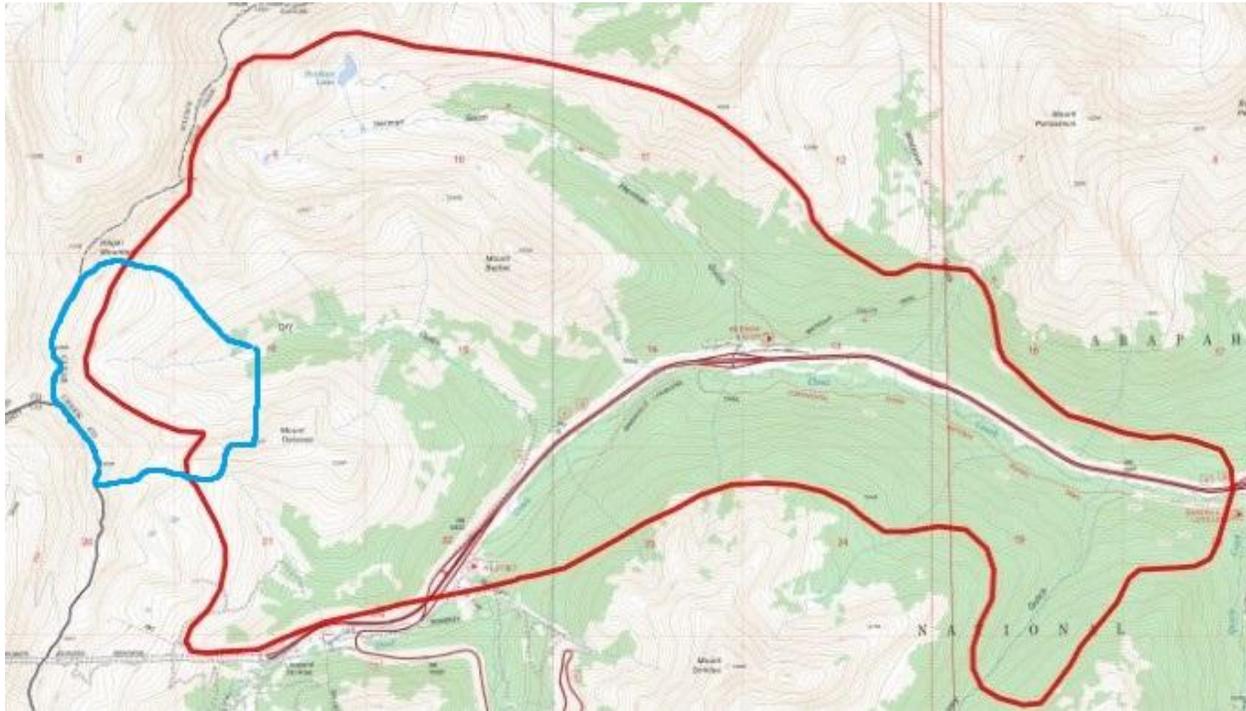


Figure 1. 7354-acre CNHP Upper Clear Creek Potential Conservation Area (outlined in red), with proposed project area (outlined in blue).

## REFERENCES

Banci, Vivian, 1994. Wolverine. IN: Ruggiero, Leonard F.; Aubry, Keith B.; Buskirk, Steven W.; Lyon, L. Jack; Zielinski, William J., tech. eds., 1994. The Scientific Basis for Conserving Forest Carnivores: American Marten, Fisher, Lynx and Wolverine in the Western United States. Gen. Tech. Rep. RM-254. Ft. Collins, CO: U.S. Department of Agriculture, Forest Service, Rocky Mountain Forest and Range Experiment Station. 184 p.

Beecham, John J., Cameron P. Collins, and Timothy D. Reynolds, 2007. Rocky Mountain Bighorn Sheep (*Ovis canadensis*): A Technical Conservation Assessment. Prepared for the USDA Forest Service, Rocky Mountain Region, Species Conservation Project, February 12, 2007TREC, Inc. 4276 E. 300 North Rigby, Idaho 83442.

CNHP, 2018. Colorado Natural Heritage Program Upper Clear Creek Potential Conservation Area Report. Area Report available online August 2018 at: [https://cnhp.colostate.edu/wp-content/uploads/download/documents/pca/L4\\_PCA-Upper%20Clear%20Creek\\_3-3-2018.pdf](https://cnhp.colostate.edu/wp-content/uploads/download/documents/pca/L4_PCA-Upper%20Clear%20Creek_3-3-2018.pdf)  
Map available at: <https://cnhp.colostate.edu/maps/cnhp-spatial-layers/>

Hoffman, R.W., 2006. White-tailed Ptarmigan (*Lagopus leucura*): A Technical Conservation Assessment. USDA Forest Service, Rocky Mountain Region. Available at: <http://www.fs.fed.us/r2/projects/scp/assessments/whitetailedptarmigan.pdf>.

IBLT, 2013. Interagency Lynx Biology Team. 2013. Canada Lynx Conservation Assessment and Strategy. 3rd edition. USDA Forest Service, USDI Fish and Wildlife Service, USDI Bureau of Land Management, and USDI National Park Service. Forest Service Publication R1-13-19, Missoula, MT. 128 pp.

Ivan, Jake, 2012. Putative Canada Lynx (*Lynx canadensis*) Movements across I-70 in Colorado. Colorado Division of Parks and Wildlife, March 8, 2002.

Keinath, D. and M. McGee, 2005. Boreal Toad (*Bufo boreas boreas*): A Technical Conservation Assessment. USDA Forest Service, Rocky Mountain Region. Available online August 2018 [https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb5182081.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5182081.pdf)

Scrafford, Matthew A., Tal Avgar, Rick Heeres, and Mark S. Boycea, 2018. Roads Elicit Negative Movement And Habitat-Selection Responses By Wolverines (*Gulo gulo luscus*). Behavioral Ecology, 29:3, May, 2018. Available at: <https://academic.oup.com/beheco/article-abstract/29/3/534/4844878>.

Theobald, D. M., and T. M. Shenk, 2011. Areas of high habitat use from 1999-2010 for radio-collared Canada lynx reintroduced to Colorado, Colorado Division of Parks and Wildlife, Mammals Research. Available online July, 2018 at:  
<http://cpw.state.co.us/Documents/Research/Mammals/Publications/LynxHabitatUseMapReport.pdf>