White River National Forest
c/o Brian Glaspell, Attn: Sweetwater Lake Recreation Management and Development Project
900 Grand Avenue
Glenwood Springs, Colorado 81601

Comments on Sweetwater Lake Recreation Management and Development Project and Plan Amendment Draft EIS

This comment on the Draft Environmental Impact Statement (EIS) for the Sweetwater Lake Recreation Management and Development Project has been reviewed and formally adopted by the Eagle Valley Land Trust (EVLT) Board of Directors, and is submitted on behalf of the organization.

EVLT is not a cooperating agency on this EIS. We submit these comments as one of the 501(c)(3) nonprofit organizations that ran the Save the Lake campaign beginning in October 2019 and that has listened to, and worked alongside, this community on the future of Sweetwater Lake for eight years.

Background

EVLT and the Conservation Fund launched the Save the Lake campaign in October 2019 to raise funds to purchase the 488-acre Sweetwater Lake property before it could be sold for private development. The Campaign's goals were clearly stated and shared widely with the community and project partners:

- Creating new public recreational access for fishing, horseback riding, boating, and camping
- Opening access to surrounding public lands including the Flat Tops Wilderness, the White River National Forest, and the Ute trail
- Conserving critical habitat for elk, deer, osprey, bald eagles, and other wildlife
- Protecting the Upper Colorado Watershed
- Opening new public access to the historic Ute Cave while protecting its cultural resources

These five goals are the standard we hold ourselves to, and they are the standard we apply to this Draft EIS. Our comments below are organized around whether, and how well, each alternative delivers on those original stated campaign goals.

We also want to provide some context on the community input referenced below. Between 2022 and 2023, CDR Associates, a neutral third-party facilitator retained by CPW on behalf of the Sweetwater Lake Partnership (USFS, CPW, and EVLT), led a multi-part community and stakeholder engagement effort. This included 24 stakeholder interviews conducted in spring 2022 with representatives of the partner agencies, Sweetwater-area community members, local governments including the Town of Gypsum, and user groups with historic ties to the property; a community conversation held in May 2022; a public survey administered via SurveyMonkey in English and Spanish; and analysis of 228 comments and questions submitted through EVLT's own website comment form between October 2021 and May 2023. None of these efforts were designed as a statistically representative survey of Eagle County or the broader public, and all were self-selected. We offer them here as consistent signals from the people who engaged with this project over several years, not as a scientific measure of countywide opinion.

Across both the EVLT comment form and the CDR-administered public survey, the same concerns consistently rose to the top: development and the pace/scale of change at the site, law enforcement and wildfire risk, a restaurant and AJ Brink Outfitters' continued presence on the site, unsafe or inadequate road conditions on Sweetwater Road/County Road 150, high visitation and crowding, the presence of RVs and off-highway vehicles, and negative environmental impact.

Alternative 1 (No Action)

Alternative 1 technically satisfies the five Save the Lake campaign's goals, because the property is already in public ownership and therefore improves on the previous private ownership. But it does not provide the improvement in access, usability, or amenities desired by the public. As it stands, camping is limited, lake access is poor, and under No Action, existing structures would remain closed to occupancy, continue to deteriorate, and eventually be removed for safety purposes, further reducing the public's ability to use and enjoy the property rather than improving it. The Draft EIS is explicit that while some limited operational maintenance would continue, no substantial capital improvements to existing recreational amenities would be implemented under this alternative.

Existing habitat and cultural resource protections and closures, such as the Raptor Protection Area and the Sweetwater Cave Protection Area, would remain in place on paper, but enforcement of these closures is already difficult and would continue to be limited by lack of funding and staff capacity. Restrictions without enforcement do not meaningfully protect the resource. On law enforcement specifically, the Draft EIS confirms the Eagle-Holy Cross Ranger District does not have a dedicated law enforcement officer to patrol the district, including Sweetwater Lake, under this alternative.

It’s important to note that the No Action Alternative does not preserve the status quo for the existing outfitter. Existing priority use outfitter and guide permits, including AJ Brink's, may continue to operate under the terms of their permits, but any use of existing habitable buildings, boat rentals, or other uses would shift to a one-year temporary basis until the Forest Service could initiate a competitive prospectus process for a long-term Special Use Permit (SUP) holder. It is our understanding that a competitive prospectus process is generally structured to favor applicants with greater operating capital and capacity to invest in the site, which does not necessarily favor a smaller, historically local operator. We think the public should understand that No Action creates risk that AJ Brink Outfitters, specifically, would not retain a long-term role at the site, even though its guide and outfitter permit could continue temporarily. We call this out specifically because keeping AJ Brink Outfitters operating at Sweetwater Lake has been a major recurring theme we’ve received in feedback over the past eight years.

Alternative 2 (Proposed Action)

Alternative 2 meets all five Save the Lake commitments and does so with a funded, year-round management structure through the CPW special use permit. Several specific elements of the Proposed Action are worth highlighting because they respond directly to things we have heard from our community since the beginning of the campaign.

We heard repeatedly, over the course of the campaign and since, that the public wants to see a lodge and some form of food service at Sweetwater Lake. That has been a core characteristic of the site, alongside centralized visitor information and services, for decades, and Alternative 2 restores that amenity. The Proposed Action's approach to food service is a reasonable and, in our view, deliberate tradeoff. Guest services at the proposed Sweetwater Lodge would include a small store, restrooms, watercraft rentals, food service, and an outdoor seating deck, but would not include a commercial kitchen; food service would be limited to prepackaged sandwiches, snacks, desserts, and drinks, with dining space in the lodge common area and on the deck. A commercial kitchen carries much higher overhead and requires much higher visitation to sustain, which would create pressure toward exactly the kind of visitation growth the community has consistently said it does not want. The smaller-scale model lowers that pressure while still giving visitors and families the flexibility to bring their own food.

The proposed lodge would also include administrative office space with a conference room for staff use. Given the community's expressed desire for rentable community gathering space at Sweetwater, we recommend the Forest Service consider making this conference room available for public rental when not needed for administrative purposes, rather than restricting it to staff use only.

Several other specific elements of the Proposed Action reflect smart, low-impact repurposing of the existing site rather than new development. Converting the existing, currently lackluster and crowded campsites into day-use picnic sites with parking, a small group picnic pavilion, and up to 15 parking spaces for lake and trail access, better matches actual demand than the existing campground. Retaining and restoring the existing Sweetwater Guard Station for storage and short-term Forest Service and CPW crew occupancy is a sensible use of an existing structure

and previously disturbed footprint rather than new construction. The proposed trailer sites, limited to a maximum trailer size of 16 feet with electricity but no water or sewer hookups, directly address community concerns about large RVs and trailers on Sweetwater Road, while providing power that eliminates the need for noisy generators. Locating overnight camping and cabins on-site, rather than relying entirely on day-use visitation, also reduces vehicle traffic on County Road 150 compared to a heavily day-use-oriented alternative.

On the question of how the site would be branded and managed, the CPW SUP would authorize CPW to establish and manage what the Draft EIS itself describes as a "state-run developed recreation area." This structure suggests, without explicitly requiring, that the site could be marketed and operated in a manner similar to a State Park. We have heard directly and repeatedly from this community that many prefer the site not be branded or marketed as a "state park." We recommend the Forest Service and CPW address this naming and branding question explicitly and in advance, in the Final EIS or associated decision documents, rather than leaving it to be determined after a permit is issued.

One financial structure point is, in our view, one of the more important distinctions in this Draft EIS. Under the CPW SUP, access and accommodation fees would follow CPW's typical State Park fee structure, but revenue generated at Sweetwater would not return directly to the site. Instead, an annual operating budget would be set separately, and capital improvement funding would be requested and provided at the state level, independent of revenue generated on-site. This means CPW's model does not require Sweetwater Lake to turn a profit to remain viable, and is uniquely positioned to operate the site at a below-market-rate level if it chooses to. A private concessionaire model, by contrast, carries an inherent incentive to maximize visitation and add revenue-generating amenities to sustain operations, a pressure that runs counter to what this community has said it wants. We think this distinction, on its own, is a significant point in favor of the CPW partnership structure specifically.

Alternative 2 also provides active visitation capacity management through the required Visitor Use Management Plan, discussed further under Alternative 4 below. Visitation capacity management is a key benefit of this proposed action over the alternatives. Still, a 250 visitors-at-a-time capacity is higher than what many in the community favor, even if that capacity would only be reached during the busiest times of the year. We believe that a lower visitor capacity would more closely align with the community feedback we’ve received in regards to protecting the character of the area and minimizing the negative impacts of traffic on residents and wildlife.

The Draft EIS's Wildlife and Aquatics analysis (Section 3.13) shows a clear tradeoff between the scale of development under the Proposed Action and the strength of active management that comes with it. Per the Draft EIS's disturbance tables, the Proposed Action would disturb approximately 99.4 acres of habitat in the short term and 40.2 acres in the long term (Table 3-8), substantially more than Alternative 3, and would raise visitation by an estimated 250% over existing conditions, compared to Alternative 3's projected 20% increase. Increased human activity of this scale carries risk to species like elk, mule deer, and nesting raptors. However, the Draft EIS is equally clear that CPW's year-round, on-site management under the Proposed

Action would provide substantially greater enforcement of seasonal closures protecting bald eagle and peregrine falcon nests than either No Action or Alternative 3, and would implement watercraft inspections and an Integrated Weed Management Plan to control aquatic invasive species and noxious weeds, which No Action and Alternative 3 would not. The Draft EIS states that this active, funded management would provide greater benefit to wildlife than the No Action Alternative or Alternative 3 through reduced wildfire risk, weed spread, and habitat degradation. In other words, the Proposed Action's larger footprint and higher visitation come with meaningfully greater capacity to actively mitigate the impacts that footprint creates.

We urge the Forest Service to carry forward the Draft EIS's Resource Protection Measures for wildlife (Appendix A, RPM-WLD-1 to RPM-WLD-17) as minimum resource protection terms of a SUP. We also recommend the Forest Service evaluate whether the proposed winter closures adequately protect elk and mule deer calving and fawning habitat in this area for long term population sustainability, especially given increased human presence in the winter. In addition, the development of a cave management plan and planned public access to the historic Ute Cave was a primary goal of the original Save the Lake campaign, and Alternative 2 also addresses it.

The Proposed Action would also require CPW to develop an Emergency Response and Evacuation Plan as a condition of the SUP. Given community concern about wildfire and evacuation risk in this area, and given past regional wildfire and flooding events that underscore the value of dedicated on-site management and an established evacuation plan, we consider this a meaningful safety benefit of Alternative 2 that the other alternatives do not match.

Finally, we note that Alternative 2, along with Alternative 4, are the only alternatives that provide a realistic path for AJ Brink Outfitters to continue operating at Sweetwater Lake as a concessionaire, including through the proposed Equestrian Zone with horse trailer parking, overnight equestrian camping, and an equestrian outfitter/concessionaire facility. Continued operation by AJ Brink Outfitters was widely and consistently cited as a community priority throughout this project.

Alternative 3

Alternative 3 also meets the five Save the Lake campaign goals and offers a smaller footprint and more primitive recreation experience. However, it carries a major structural limitation that we believe should weigh heavily in the Forest Service's decision: all actions under Alternative 3 would only be implemented should Forest Service funding be made available in the future. That is a significant and open-ended "if." This was a central concern raised by key stakeholders during the Save the Lake campaign, including the Town of Gypsum, often summarized as: if the Forest Service can barely maintain its existing land, how would it adequately maintain Sweetwater Lake? Alternative 3 lacks the dedicated management, upkeep, law enforcement, and budget structure that this community has expressed concern about since the campaign began.

The Draft EIS's own analysis supports this concern. Under Alternative 3, wildfire and campfire restriction patrols would occur on less than a weekly basis, and the Eagle-Holy Cross Ranger District would still lack a dedicated law enforcement officer to patrol the district, including Sweetwater Lake. A concessionaire operating under a separate SUP for the Campground and Day Use Zones only, which the Draft EIS notes may or may not be AJ Brink Outfitters, could theoretically contribute to some of these functions, but that is speculative and not guaranteed under this alternative. Similarly, existing enforcement of the Raptor Protection Area and Sweetwater Cave Protection Area has already proven difficult, and unauthorized entry has damaged sensitive resources; conservation of this site requires active, resourced management of visitors, not simply leaving the land alone, and Alternative 3 does not guarantee protective management would materialize.

Alternative 3 proposes far less development than the Proposed Action. However, Alternative 3's smaller footprint does not necessarily translate to better wildlife outcomes once enforcement capacity is factored in. Per the Draft EIS's disturbance tables, Alternative 3 would disturb approximately 32.5 acres of habitat in the short term and 5.7 acres in the long term (Table 3-13), a fraction of the Proposed Action's footprint. It would increase visitation by only an estimated 20%, well below the Proposed Action's projected 250% increase. But Alternative 3 would not include CPW's active, on-site management: there would be no ANS watercraft inspections, no Integrated Weed Management Plan, and no development of a Sweetwater Cave management plan, leaving bat roosting habitat and aquatic resources more exposed to invasive species and unmanaged visitor impacts than under the Proposed Action. The Draft EIS states that Alternative 3 would in fact carry the highest risk of weed spread of any alternative, with wildfire patrol and weed control remaining less frequent and effective than under Alternatives 2 and 4. The Draft EIS also states that the Proposed Action would provide substantially greater enforcement of the closures protecting nesting bald eagles and peregrine falcons than either No Action or Alternative 3, a benefit tied specifically to CPW's year-round on-site presence, which Alternative 3 does not include. In short, Alternative 3's lighter physical footprint is an ecological benefit, but the Draft EIS's shows that benefit is partly offset by the absence of the active management and enforcement capacity needed to protect the resource from the visitation and threats that already exist at the site today.

We also have specific, practical concerns with elements of Alternative 3 as designed. The proposed campground would allow travel trailers and motorhomes up to 45 feet in combined length, even though the number of campsites would be reduced from a maximum of 20 under the Proposed Action to a maximum of 10 under this alternative, and even though large trailers and RVs on Sweetwater Road were among the most frequently cited community concerns in our engagement data. We recommend this maximum be reduced to match the smaller trailer standard proposed under Alternative 2. We also note that Alternative 3 does not include shade structures at its campground, which would make the site considerably less comfortable during summer months compared to the Proposed Action, and recommend shade structures be added regardless of which alternative is selected.

Finally, Alternative 3 does not include equestrian campsites, despite equestrian access being a consistently cited community priority throughout the Save the Lake campaign. As with No

Action, existing structures under Alternative 3 would remain closed, continue to deteriorate, and eventually be removed. To our knowledge, this alternative does not include a realistic path for AJ Brink Outfitters to continue operating at Sweetwater Lake.

Alternative 4

Alternative 4 also technically meets the five Save the Lake goals, but based on our experience with our community over the past eight years, this alternative represents a level of development the community would nearly unanimously consider over capacity. We are not aware of a single advocate for this alternative, across eight years of campaign work and community engagement, who has pushed for development to full market capacity.

The Draft EIS identifies the Visitor Use Management Plan as a key component of the Proposed Action and a key differentiator between Alternative 2 and Alternative 4. Alternative 4 does not include this plan, meaning there is no mechanism to control or limit visitation under this alternative. Given how consistently this community has expressed concern about crowding, road capacity, and pace of development, the absence of a Visitor Use Management Plan is, on its own, sufficient reason we do not believe Alternative 4 serves the public interest at this site.

EVLT's Recommendation

All four alternatives meet the Save the Lake campaign's stated goals in some form, because those goals were substantially achieved the moment this property became public land. Having weighed the Draft EIS, EVLT believes the Proposed Action and Alternative 3 are both reasonable outcomes consistent with why we stepped up to help protect this land in the first place. Neither is a perfect match nor solution to the feedback we've collected, which has itself not been fully consistent across engagement channels, but each represents a legitimate, defensible path forward.

The Proposed Action is the alternative most clearly built to respond to what the community has told us, directly and repeatedly, over the past several years. It restores the lodge and food service, delivers the cave management plan, retains a realistic path for AJ Brink Outfitters to remain at the site, and pairs all of this with a funded, year-round management structure sized to accommodate a realistic and actively managed number of visitors rather than either abandoning the site or overbuilding it. Of the four alternatives, it is the one most actively designed around the tradeoffs the community has asked for. It does, however, inevitably come with higher levels of environmental impact, traffic, and new development than Alternative 3.

Alternative 3 represents a more significant departure from the amenities this property has offered for decades. The lodge, cabins, and food service that have anchored the visitor experience at Sweetwater Lake would not be restored, and AJ Brink Outfitters would likely lose its physical base of operations. Even so, we do not think Alternative 3 should be dismissed. At its core, it still delivers what the Save the Lake campaign set out to secure: that this land be open, public, in a form closer to its historic, undeveloped character. That alone would represent a meaningful win for this area.

This same tradeoff extends to wildlife: the Proposed Action's larger footprint carries greater direct habitat disturbance, but its active management substantially improves the odds that the site's sensitive species, including nesting bald eagles and peregrine falcons, are actually protected over the life of the permit, an assurance Alternative 3 cannot offer. In either scenario, we urge the USFS to make habitat protection a priority, as it was one of the core goals of the Save the Lake Campaign.

Where Alternative 3 falls short, in our assessment, is not in its vision for the site but in its uncertainty about who will care for it. Because its improvements depend on future Forest Service funding that is not currently committed, and because it lacks a dedicated management partner, a funded law enforcement presence, or a firm budget structure, Alternative 3 leaves the long-term stewardship of this property considerably less certain than the Proposed Action does. That uncertainty was a specific concern raised by stakeholders, including the Town of Gypsum, as far back as the original campaign, and we do not think it has been resolved in this Draft EIS.

Given that both alternatives are legitimate expressions of the goals we set out to achieve, EVLT does not believe it is necessary, or appropriate, for us to “choose” one over the other in this comment. Each carries advantages and tradeoffs. The Proposed Action offers a funded, actively managed future with restored amenities, but asks the community to accept a state-run recreation model more developed than some may have originally pictured. Alternative 3 keeps the site closer to its historic, undeveloped character and avoids that tradeoff, but does so by accepting uncertainty about who will fund, staff, and care for the property over time, a question we do not expect the Forest Service can answer with certainty at this stage. We ask the Forest Service to weigh this same tradeoff carefully in reaching a final decision: durable, funded management on one hand, and closer fidelity to the property's historic character on the other. Both paths, in our view, honor the intent of the Save the Lake campaign.