



Clear Creek County

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9 September 2015

Joshua Milligan
Arapaho and Roosevelt National Forests
2150 Centre Ave., Bldg. E
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RE: Request for Comments on Forest Plan direction for managing recreational sport shooting on the Arapaho and Roosevelt National Forests

To whom it may Concern,

The Clear Creek Board of County Commissioners is in receipt of the United States Forest Service's (USFS) request for comments on this Recreational Sport Shooting (RSS) proposal. We would like to first thank the Forest Service for making the move to better manage recreational sport shooting (RSS) on Forest Service land. It is an activity that can benefit from more guidance.

Regarding the Scope of the Proposal

The scope of the proposal – a landscape level approach encompassing the entire Arapaho-Roosevelt National Forest (ARNF) and spanning five counties - is appropriate and necessary in order to effectively manage RSS. The County agrees with the USFS's goal to accommodate RSS opportunities within the ARNF region in order for the plan to be successful. Accommodation, however, is also necessary to assure that the RSS is not "pushed" to other national forests, or counties within the same national forest. Therefore, a forest plan amendment should strive to accommodate RSS activity within relative proximity to where it currently exists; spread throughout the region uniformly and without unintentionally risking the displacement of RSS activity to other "suitable" areas that may be further burdened. As introduced, the County believes the RSS Proposal is flawed because it fails to balance RSS activity throughout the region, and it does not provide assurance that RSS enthusiasts displaced by closures will not relocate to areas left open under the plan. Simply put, recreational sport shooting should not be pushed to another area with the least amount of density. This would not be a regional approach. Based on a 2008 survey by Responsible Management, "Sport Shooters' and Archers' Attitudes on Shooting and Appropriate Behavior on Public Lands and the Messages to which They Will Respond", the average one-way travel time to shooting areas on federal land is 40-45 minutes. The County feels that travel time should serve as a reasonable guide for continuing to preserve opportunities for RSS in a dispersed manner, and a benchmark for creating a successful plan.

Details regarding our objections to the USFS Proposal, including general concerns, comments and recommended improvements to the Proposal and its process are as follows.

Regarding Goals and Objectives of the Proposal

The County generally agrees with the goals of the proposal. Goal #1 states “Provide for recreational sport shooting opportunities across the planning area in a manner that protects public health and safety.” The County believes this goal should be synonymous with the forest plan striving to accommodate existing RSS activity within relative proximity to areas where it currently exists today. Given the majority of USFS lands throughout the region are currently and generally open to dispersed RSS, it seems that the use of certain areas for RSS is driven by their proximity to population centers and accessibility. The Proposal is silent on baseline information regarding RSS and its users, i.e.; where they originate from, how they are utilizing USFS lands to meet their RSS interests – and most importantly - how they will respond to the proposal when it is implemented. Without in-depth data regarding RSS enthusiasts and how they use USFS land, the USFS proposal should strive to accommodate current RSS use in the same areas with as little displacement as possible. If this does not happen, areas within the proposal that remain open to dispersed RSS are at risk of becoming over-burdened as RSS enthusiasts search for other places to shoot. This displacement of users would thereby compromise the public health and safety of the residents and USFS users of the areas where RSS relocates to. This could create more conflict. The proposal does not demonstrate that broadly relocating RSS activity will be more productive or successful, therefore broad relocation of the activity should be avoided.

Clear Creek County agrees with Objectives 1, 2 and 3 (although the County has concerns over how these are carried out in the Proposal as outlined on pages 5 – 7). In regards to Objective #4, we question if one shooting range per County will be successful for accommodating RSS demand. The Proposal also does not address the appropriate size of a shooting range or how it should accommodate a multitude of differing needs and interests of the RSS community. For example, certain activities of RSS include but are not limited to, shooting of rifles, pistols, black powder firearms, and shotguns that require various yardage and spatial requirements. In order for the Proposal to be successful, the RSS proposal should consider standard sizes and a number of ranges located in each County that offer a minimum of opportunities that meet the demands of RSS enthusiasts that may be displaced due to the closure of dispersed recreational shooting areas – within the proximity of those areas. Objective #4 does not take into consideration the various ways RSS enthusiasts are utilizing forest lands, and how it can assure that those needs will be accommodated uniformly throughout the region, without burdening other areas that may accommodate unmet demands due to inadequacies or discrepancies of constructed ranges. Without this understanding, Objective #4 as presented potentially jeopardizes achieving Goal #1- “Provide for recreational sport shooting opportunities across the planning area in a manner that protects public health and safety.” As an example, should one county only have one shooting range that safely accommodates a few users at a time and a majority of its Forest land is closed to dispersed recreational shooting – then it should be expected that RSS use will be displaced to other counties, potentially overburdening them and risking safety.

Therefore, it is unclear how the USFS arrived at Objective #4: that one shooting range per county will appropriately meet the demands of recreational sport shooters in any given part of the ARNF.

Regarding the ½ Mile Buffer from Residential Subdivisions

When applied correctly and consistently, the County generally agrees with the ½ mile buffer from residential subdivisions and concentrated high use recreation areas. However, it is not clear as to how the ½ mile buffer satisfies Goal #1 or Objective #1 in addressing public health and safety given lethal ranges from most calibers of firearms other than shotguns exceed ½ mile. The County remains concerned that general loss of enjoyment of private property will occur even with a ½ mile buffer.

Most blatantly, the proposal fails to apply the ½ mile buffer from residential areas consistently and uniformly throughout the region. Based on County mapping data, portions of land within ½ mile of residential development in Clear Creek County are obviously missing from areas identified as “not suitable” for dispersed recreation in the proposal – notably failing to include residential subdivisions on Floyd Hill, and generally from the Old Squaw Pass Neighborhood north to the Montane Park neighborhood in Idaho Springs. We ask that the USFS review and make corrections on this matter. In other counties in the ARNF, the buffer extends well beyond the ½ mile from residential subdivisions and without the identification of high-use recreation areas or other considerations that may warrant such an extension.

Identifying residential subdivisions does not capture all of the residences that exist in Clear Creek County, however. Clear Creek County has a number of residences located on mining claims and unsubdivided tracts of land. Therefore, the County recommends that the Forest Service identify suitable lands as being ½ mile from all existing residences rather than just residential subdivisions. However, if that is not possible, the County asks that the Forest Service, at a minimum, include larger groups of residences that exist that are not located within subdivisions. Some of these groups of residences in Clear Creek County include, but are not limited to, the following:

- a. West Chicago Creek Road residences
- b. Hefferman Gulch cabins
- c. Herman Gulch cabins,
- d. Soda Creek Road and Little Bear Creek Road areas including the Blue Valley Acres and Echo Hills subdivisions
- e. The entire length of I-70 as it passes through the Forest.

Regarding the term “Concentrated High Use Recreation Areas”

The proposal fails to define or set objective criteria for determining “concentrated high use recreation areas”. Mapping data of residential areas can be used to discern how the ½ mile buffer from these areas is employed, however, what constitutes a concentrated high use recreation area? At any rate, the County would ask that the USFS include the following recreation areas in which to avoid sport shooting activity because the County believes they are “concentrated high use recreation areas”;

- a. The Bakerville area, including Stevens Gulch Road, and Grays and Torreys Peak Trail area
- b. The entire Beaver Brook Watershed area between Floyd Hill and Blue Valley Acres.
- c. U.S. Hwy 40 and Berthoud Pass area
- d. The Barbour Forks Trailhead and area
- e. The West Chicago Creek area (campground and trailhead)
- f. The Herman Gulch and Watrous Gulch trailhead and trail

- g. The I-70 corridor west of Georgetown to the Continental Divide (The Bakerville-to-Loveland Trail, and Continental Divide Trail are located here.)
- h. The Silver Dollar Lake Trail
The Waldorf Basin area that includes the areas around the Santiago Mill and old town site of Waldorf.

Alternatively, the County has identified areas within the Proposal that did not satisfy the ½ mile buffer from residential areas or concentrated high use recreation areas. As a matter of setting and honoring a ½ mile buffer standard we ask the Forest Service to consider the following areas as suitable for sport shooting but were identified as not suitable in the draft map:

- a. The Rainbow Road area north to the James Peak Wilderness and northeast towards the St. Mary's Glacier area
- b. Areas along the County line with Gilpin County east of St. Mary's Glacier.

Our analysis does not indicate any residences in these areas and, in the case of Rainbow Road, currently supports known sport shooting activity. We feel similar objective analysis should be uniformly carried out throughout the ARNF for this effort to be successful. As a reference to the above locations, the attached map identifies, as a background, the USFS Proposal with a yellow overlay of the areas that the County believes should be considered not suitable (see exhibit titled "*Clear Creek County Recommendations*").

Notwithstanding the above concerns, the County has observed that, while a significant amount of land within Clear Creek, Grand, and Larimer Counties are identified for sport shooting, we do not observe any land in Gilpin and Boulder Counties (other than Wilderness area) identified for sport shooting. This is very concerning to Clear Creek County. Because of Clear Creek County's location on I-70 and because of our proximity to the Front Range urban corridor, The County Commissioners believe this could effectively "funnel" recreational shooters into Clear Creek County. Generally, therefore, the County would prefer to see either more disbursement of shooting areas – or designated shooting ranges - across the entire ARNF rather than what appears to be a focusing on areas located in only three counties.

To highlight this point, we have included a map of Gilpin County (see exhibit titled, "*Gilpin County ½ Mile Buffer from Existing Addresses*"). The maps of the two counties demonstrate that while some residential subdivisions and areas in Clear Creek are left out of the ½ mile buffer, the closure areas go well beyond the ½ mile buffer in Gilpin County. This blatant discrepancy of closures between the two counties deserves not only an explanation, but the County questions if such discrepancies are carried out throughout the region under this Proposal. It is not clear whether the closures in Gilpin County that extend beyond ½ mile from residences are due to concentrated high use recreation areas, or some other reason, so the County is concerned whether these criteria have been uniformly employed throughout the ARNF in an objective manner.

Objective #1 Considerations

Objective #1 considers the following in determining the suitability of an area for dispersed RSS:

- a. Public health and safety
- b. Proximity to residential development or high recreation use areas
- c. Topography, terrain, and presence of safe and environmentally sensitive backstops

To this end we have the following questions, comments and concerns as they specifically pertain to the Beaver Brook Watershed located on the east end of the County; a portion of which is owned by the USFS and is proposed to be “suitable” to RSS by the Proposal:

1. The Beaver Brook Watershed is very well defined by its natural topography and two man-made reservoir storage vessels. How was its topography, terrain, and presence of environmentally sensitive backstops taken into account for this area?
2. Areas of the backcountry in Clear Creek County, including areas near and adjacent to the Beaver Brook Watershed and Montane Park have high pressure gas lines both buried and exposed within their proximities. How were these sensitive infrastructures, including similar improvements considered within the proposal?
3. The Beaver Brook Watershed, Montane Park, Floyd Hill, Chase Subdivision, and Blue Valley areas contain both residential development and concentrated high recreation use but do not have a ½ mile buffer employed around them. Why is this?
4. The Beaver Brook Watershed is made up of various land-holding agencies, including, the County through management by the Clear Creek County Open Space Commission (OSC), the Lookout Mountain Water District, the Colorado State Land Board, and USFS. Each of these have different management rules and regulations that otherwise prohibit RSS, except for lands directly purchased by the USFS from the City of Golden. Likewise, people go to recreate in the “Beaver Brook Watershed”, without deference or knowledge of the differing land ownership. Given that each of these landowners does not discern their boundaries, how can one discern whether their location within the Watershed is located in an area that is open to dispersed RSS or not open to dispersed RSS? Public health and safety should include a solid and basic understanding of areas both open and closed to dispersed recreational shooting.
5. The Proposal also fails to consider the history of the Beaver Brook Watershed or the intent of its preservation. The Watershed was owned by the City of Golden, and its purchase was advocated by nearby residents due to their ongoing desire for passive and quiet-use recreation of the land in an effort that included the Open Space Commission, the USFS, and Great Outdoors Colorado (GOCO). Lands purchased originally by OSC contained a management plan that prohibited RSS. Part of these lands were later sold to the USFS with acknowledgement of this management plan along with a verbal agreement that they would be managed accordingly until a more specific plan was put in place by the USFS.

In fact, preserving the Watershed was the catalyst for hundreds of County residents to form a grass roots organization that supported a county tax to establish the Open Space Commission. This historic use of the Beaver Brook Watershed with its proximity to surrounding residential areas dictated that RSS not be allowed. This was the expectation when OSC and the Mountain Area Land Trust (MALT) partnered with the USFS to acquire the Watershed. The health/safety of residents, their pets, and visitors, was paramount in making that decision. The Beaver Brook Watershed is surrounded by homes and is wide open with high meadows, which amplifies noise. This also allows stray rounds to travel great distances with potentially tragic results, as demonstrated by the recent and unnecessary death of Glenn Martin in the Pike National Forest.

Due to a lack of law enforcement, inholdings by other public entities within the Watershed, and the proximity to nearby residential communities, target practice has been a problem in the area since it was allowed on USFS land. The County believes adjacent OSC parcels will be rendered virtually useless by quiet users, because it will feel like they will have been absorbed into the larger USFS land and its RSS allowances. That wasn't the intent of the County's voters/taxpayers when they approved a tax to establish the OSC that preserves and protects beautiful, natural, and historic places in which to recreate. In addition to clean air, water, and vistas, natural quiet is a resource valued by many residents and citizens.

Objective #2 Considerations

Objective #2 considers the following in determining the suitability of lands as designated shooting areas:

- a. Public health and safety
- b. Proximity to residential development
- c. Accessibility to the public
- d. Topography
- e. Environmental and social impacts

Again, for the reasons above, the County strongly believes that the Proposal fails to address public health and safety and proximity to residential development for the areas consisting of *residential subdivisions on Floyd Hill, and generally from the Old Squaw Pass Neighborhood north to the Montane Park neighborhood in Idaho Springs. We ask that the USFS review and make corrections on this matter. These areas, because of their proximity to residential areas and high-use recreation areas should be identified as "Not Suitable for Dispersed RSS"*. In other counties within the ARNF, the buffer extends well beyond the ½ mile from residential subdivisions and without the identification of high-use recreation areas or other considerations that may warrant such an extension.

Likewise, based on Objective #2 and County mapping data, the County has identified areas within the Proposal that did not satisfy the ½ mile buffer from residential areas or concentrated high use recreation areas. As a matter of setting and honoring a ½ mile buffer standard we ask the Forest Service to consider the following areas as suitable for sport shooting but were identified as not suitable in the draft map:

- a. The Rainbow Road area north to the James Peak Wilderness and northeast towards the St. Mary's Glacier area
- b. Areas along the County line with Gilpin County east of St. Mary's Glacier.

Again, in regards to these two comments, please refer to the exhibit titled, "*Clear Creek County Recommendations*". This furthers the point that the Montane Park and Beaver Brook Watershed areas be designated "Not Suitable for Dispersed RSS",

Objective #3 Considerations

Objective #3 considers the enforceability of closure orders in areas that are not suitable for RSS.

Again, the Beaver Brook Watershed consists of various land management agencies and ownership with varying degrees of regulations. The ownership of the Beaver Brook Watershed consists of USFS, the County through OSC management, Lookout Mountain Water District, and the Colorado State Land Board (as indicated above, if the ½ mile buffer were applied correctly around the Floyd Hill and Chase Subdivision residences, much of the Watershed would be designated, "Not Suitable for Dispersed RSS". The County further believes the Watershed is a high-use recreation area, and further warrants a designation that identifies the entire area "Not Suitable for Dispersed RSS"). Even without recreational considerations, the OSC, Lookout Mountain Water District, and the State Land Board all have regulations that prohibit dispersed RSS. With the USFS designating its lands on the Watershed "Suitable for Dispersed RSS", it allows an activity that is difficult to enforce for those land agencies that prohibit RSS. None of the landowners – including the USFS – have clearly identified their boundaries with each other, and this makes it difficult for an individual to know whose land it is on which they are recreating. Individual users will generally have no knowledge of the various land agencies one is passing through.

Cooperating Agency Request

Finally, the County Commissioners request that Clear Creek County be granted "cooperating agency" status for the RSS planning process.

The County supports the Forest Service's endeavor to better manage recreational sport shooting and the County supports the two proposed standards by which to identify land as suitable and not suitable in order to avoid residences and high use recreational areas. To that end, our proposed revisions above relate to how these standards are applied and we ask that our proposed "suitable" and "not suitable" areas be used to revise the draft map in order to achieve the goals set out by the Forest Service. We further request that the Forest Service reevaluate how it has dispersed shooting areas across the Forest.

Sincerely,



Frederick Rollenhagen,
Community Development Director

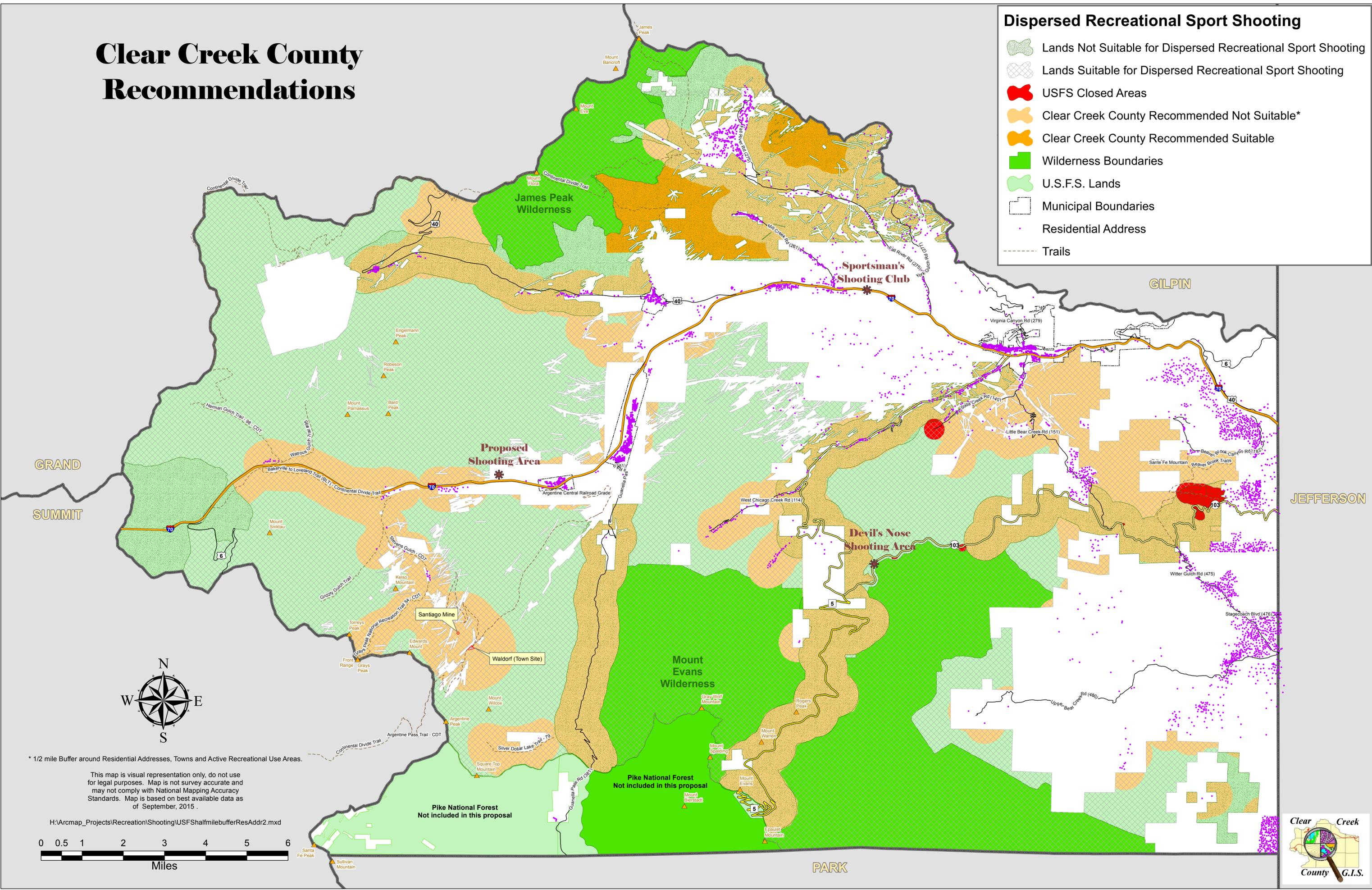
cc: Clear Creek Board of County Commissioners
Keith Montag, County Manager
Lisa Leben, Special Projects Director

Encl: Map titled "Clear Creek County Recommendations"
Map titled "Gilpin County ½ Mile Buffer from Existing Addresses"

Clear Creek County Recommendations

Dispersed Recreational Sport Shooting

-  Lands Not Suitable for Dispersed Recreational Sport Shooting
-  Lands Suitable for Dispersed Recreational Sport Shooting
-  USFS Closed Areas
-  Clear Creek County Recommended Not Suitable*
-  Clear Creek County Recommended Suitable
-  Wilderness Boundaries
-  U.S.F.S. Lands
-  Municipal Boundaries
-  Residential Address
-  Trails



* 1/2 mile Buffer around Residential Addresses, Towns and Active Recreational Use Areas.

This map is visual representation only, do not use for legal purposes. Map is not survey accurate and may not comply with National Mapping Accuracy Standards. Map is based on best available data as of September, 2015.

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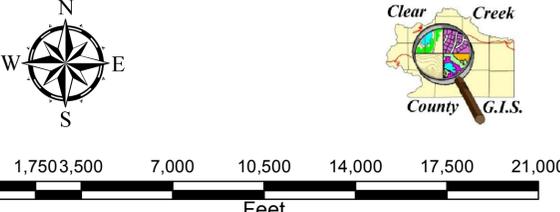


Gilpin County 1/2 Mile Buffer from Existing Addresses

-  Lands Not Suitable for Dispersed Recreational Sport Shooting
-  Lands Suitable for Dispersed Recreational Sport Shooting
-  1/2 Mile buffer around Gilpin Addresses
-  Wilderness Boundaries
-  USFS Lands
-  HIGHWAY
-  MAJOR ARTERIAL
-  COLLECTOR
-  LOCAL; SERVICE
-  4WD; OTHER;
-  County Boundaries
-  Address Points

This map is visual representation only, do not use for legal purposes. Map is not survey accurate and may not comply with National Mapping Accuracy Standards. Map is based on best available data as of September, 2015.

Source: Roads - North Central Region, Addressess - Gilpin County
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Feet



Clear Creek County G.I.S.

