



August 11, 2021

The Honorable Meryl Harrell  
Deputy Under Secretary for Natural Resources & Environment  
U.S. Department of Agriculture  
1400 Independence Avenue S.W.  
Washington, D.C. 20250

Dear Deputy Undersecretary Harrell,

We write to share our continued concerns and objections from local and state leaders, related to the U.S. Forest Service's proposal to allow improved access to the 680-acre Berlaimont Estates, a private inholding near Eagle County, Colorado. We are concerned about the final EIS for the following reasons:

Wildlife Habitat: The Berlaimont Estates proposal would compromise sensitive winter habitat necessary to sustain wildlife populations that are currently in decline. It would also require the Forest Service to amend its Forest Plan to abandon wildlife habitat protections. The community has raised this issue multiple times, but we do not believe these concerns have been fully acknowledged or considered.

Legal Precedent: The Forest Service has no obligation to grant dramatically improved road access to facilitate more attractive real estate development. Such a decision would have far-reaching implications. Additionally, we believe the Forest Service has failed to acknowledge key differences between the Berlaimont Estates inholding, which was purchased with seasonal dirt road access, and other similar inholdings in the region.

Sustained Local Opposition: The Berlaimont Estates project has been the subject of broad local opposition from community members, the Governor, and local elected officials. Concerns have been expressed through letters, public comments, petitions, opinion pieces in local newspapers, and rallies opposing the project. During his nomination process in the Senate Agriculture Committee, Secretary Vilsack was asked to address the outstanding concerns from the community, to which he responded, "*If confirmed, I will ensure state and local concerns are addressed as part of this process.*"

Unfortunately, those local concerns remain unresolved. The extensive records of local opposition including thousands of submissions from the public raise serious questions about the final EIS for the Berlaimont Estates proposal. To summarize many of these concerns we have attached a letter from the Colorado Department of Natural Resources expressing their concerns about this issue. In light of these unresolved concerns, we ask that you delay a final Record of Decision, reengage with the local community to address their concerns, and reassess the final EIS for this project. Thank you for your consideration.

Sincerely,



Michael Bennet  
United States Senator  
United States Senate



Jared Polis  
Governor  
State of Colorado



John Hickenlooper  
United States Senator  
United States Senate



Joe Neguse  
United States Representative  
United States House of Representatives