

August 19, 2002

NEPA Task Force  
Post Office Box 221150  
Salt Lake City, Utah 84122

**Re: Comments on NEPA Task Force's Improvement and Modernization of NEPA Analysis and Documentation**

Dear NEPA Task Force:

Anthony Lakes Mountain Resort (ALMR) submits these comments in response to the Council on Environmental Quality's Notice and Request for Comments published in the *Federal Register* on July 9, 2002. ALMR is a family oriented ski area situated in the Elkhorn Mountains of northeastern Oregon. ALMR principally serves the northeastern Oregon communities of Baker City, La Grande, and Pendleton. In addition, ALMR receives incremental, "regional" visitation from southeastern Washington and southern Idaho. ALMR's existing special use permit consists of approximately 2,000 acres of National Forest System land. Of these 2,000 acres, lift-served skiing impacts approximately 350 acres. Another 735 acres are used – to a much lesser degree – by ALMR's cat skiing operation. ALMR's dry powder snow, and high base elevation, attract approximately 30,000 forest visits annually, over the course of a five-month operation.

In June 1998, ALMR was purchased by a small group of private investors. Principally out of respect for the nearby communities, and a desire to provide this part of the county with healthy, outdoor, wintertime activities, the new corporation has committed itself to undertaking improvements to both the lift equipment and ancillary amenities related to guest services. The ALMR Master Development Plan (MDP) represents a short-term rehabilitation strategy, which will help rehabilitate and enhance the ski facility – with an implementation strategy of seven to ten years (once approvals are in place and the USDA Forest Service re-issues our special use permit.

On the grand scheme of things (considering other plans for much larger ski properties), the ALMR MDP is a modest endeavor. ALMR management hopes the projects in the MDP will provide ALMR with the necessary base area and on-mountain amenities to meet the demand for alpine recreation in our local and regional markets. Most of the projects are aimed at rectifying existing deficiencies in our operations, principally to help improve the overall balance of the ski area's various capacities (i.e., mountain, base area, parking, sewage treatment, etc.).

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The ALMR MDP was submitted late in 1998. The ALMR MDP Draft Environmental Impact Statement was published in July of 2000. The ALMR MDP Final Environmental Impact Statement, and associated Record of Decision, was published in November 2001. Currently, our organization has invested more than four years in planning efforts and NEPA analysis. This endeavor has cost us an estimated \$350,000.00. At this point, given the financial means of our ski area, it is doubtful that we will be able to undertake any of the projects that have been approved in the Record of Decision in the next one to two years. At no time would I have imagined ALMR was embarking on a \$350,000.00, four-year exercise to achieve necessary approvals. Having seen yet another summer construction season slip away, I am sadly realizing that the public, who is allegedly being served by this NEPA process, is really who suffers the greatest from what the NEPA process has become. Luckily, I have patient, empathetic patrons.

The USDA Forest Service is requiring environmental impact statements in situations where only a couple of years ago an environmental assessment would have been more than adequate. Our project is a textbook example. The handful of projects outlined in the ALMR MDP should have been addressed with an environmental assessment. By requiring an environmental impact statement, our NEPA exercise has encountered increased costs, delays to implementation of critically important projects, and increased costs for the USDA Forest Service. I understand that in some instances an environmental impact statement helps reduce the likelihood that opposition groups will challenge the document. Although this approach may bring the desired result in limited circumstances, it is an inefficient and costly precedent in the long term and it was absolutely absurd in the instance of our MDP. At ALMR, we worked diligently to craft a very tight purpose and need statement. We tried to help place the USDA Forest Service in a position whereby they could issue a defensible decision, based on our purpose and need statement, and our conservative approach to addressing the existing deficiencies of our ski area. The decision to require an environmental impact statement was a disservice to ALMR, and has significantly compromised our organization's ability to implement programs and improvements that will improve the overall quality of our ski area. This is disheartening.

I thank you for your consideration of these comments. ALMR is hopeful that the Task Force can help improve implementation of the NEPA process. I hope so, not for the benefit of our operation, but for the good of all other small and medium-sized ski areas that are just beginning a NEPA process.

Best regards,



Rick Pignone  
General Manager

**A** Anthony Lakes  
mountain resort

improving the world's best kept secrets

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