

2012 Findings of No Significance

1. Supervisor Buchanan authorized 13 new residential units to be constructed in multifamily buildings.
 - a. Based upon:
 - (i) Numerous public meetings,
 - (ii) After published notices,
 - (iii) 2009 Environmental Assessment and 2012 Supplement to Environmental Assessment
 - b. Almost entirely on existing site of Forest Service houses with possibility of a small additional area
 - c. To be occupied by Forest Service Employees
 - d. Using funds from sale of Cashe St. Headquarters
2. Project authorized by Supervisor Buchanan is specifically permitted by Federal Regulations

2025 Special Use Permit

1. Supervisor Hudson Authorized 36 new residential units to be constructed in 14 multifamily buildings
 - a. Based upon:
 - (i) Zero public meetings,
 - (ii) Zero published notices,
 - (iii) Zero additional Environmental Assessment
 - b. Almost entirely on additional land adjacent to existing site of Forest Service houses utilizing the entire 3.3 acre field at the Nelson Drive Trailhead
 - c. To be occupied by non-Forest Service employees except for 13 unites which are “available for the Forest Service to rent”
 - d. Using funds provided by the Jackson Hold Community Housing Trust
2. Project authorized by Supervisor Hudson is not permitted by Federal Regulation: It is not: “...other structures and facilities for recreation, public convenience, or safety.” (36 CFR Part 251 Subpart B: §251.53d(1))

My Complaint filed in Federal Court relies on two (2) bases:

I. Substantive

Federal Regulations do not permit a third party to construct, control, operate and maintain housing for non-Forest Service employees on National Forest land.

II. Procedural

The Special Use Permit project authorized by Supervisor Hudson failed to follow required procedure:

- a. Is entirely different and much larger in scope and land area than the project authorized and evaluated by Supervisor Buchanan in the Environmental Assessment and the Finding of No Significant Impact.
- b. Supervisor Hudson failed to: publish; notify the public; obtain any environmental analysis, or take any public comment in connection with the substantially different project he authorized.

III. “Standing” Required

In Order to prevail, even though I am likely correct on my two (2) basic legal principles, I must show that I have “standing” to bring my claim to Court. This means I must show I have suffered a “concrete injury”. Therefore, I have claimed these injuries in my Complaint filed with the Court.

- a. I live on Nelson Drive about 400 yards from the trailhead.
- b. I often walk (with Linda and our dog) up Nelson Drive to the Trailhead and enjoy its beauty by hiking there.
- c. The Housing Trust project will take away and prevent me from occupying or using a substantial area of National Forest land which I regularly enjoy.
- d. The Housing Trust project will detract from my aesthetic enjoyment of National Forest land by building an apartment complex on the field at the Trailhead.
- e. The Housing Trust Project will cause congestion, traffic, loss of parking and a dangerous condition on Nelson Drive which is narrow, winding and without sidewalks.
- f. Supervisor Hudson authorized a project triple the scope which uses up much more National Forest land than the project authorized in 2012. His non-disclosure deprived me of the right to comment upon it, or discuss it with my neighbors, or appeal it.

I believe many of my neighbors are even more “concretely injured” because of their proximity to the project. The Court may give more credence to numerous neighbors.