



Keep it wild...

COLORADO WILD!

Fall 2002 / Winter 2003

Fox in the Ski Industry Hen House
Jeff Berman, Executive Director

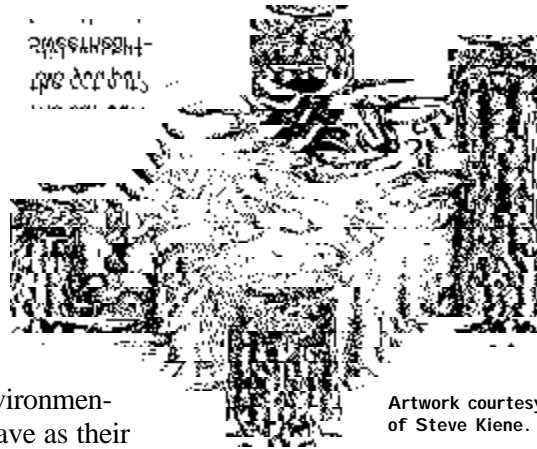
This September, the Forest Service renewed its Memorandum of Understanding (MOU) with the National Ski Areas Association (NSAA), avowing that the parties would “continue their collaborative efforts to provide developed recreation opportunities at ski areas nationwide and increase on-going environmental education.” While the language of the MOU appears benign, the underlying message leaves little doubt who is in charge when it comes to public lands management in and around ski areas. According to Andy Stahl, Director of the Association of Forest Service Employees for Environmental Ethics, “These types of MOUs have as their primary, unstated purpose the shackling of ‘overzealous’ local Forest Service regulators... The message is not lost on [Forest Service] field employees that you cooperate, or else.”

Such pressure is all too apparent to Colorado Wild staff and volunteers as we read Freedom of Information Act (FOIA) request responses (see pg. 4 for instance). The published environmental analysis documents don’t really inform – only the internal memos, staff reports, and correspondence between agencies uncovered through our filing of FOIA requests, coupled with discrete interviews of sympathetic public agency employees and on-the-ground examination, give us any idea of the real story. Increasingly the concerns of agency personnel end up being represented not by the agency, but by public interest groups like Colorado Wild.

...See From the Director, Page 7

To Negotiate, or Agitate?
Susan Ronn & Françoise Poinsatte,
CW Board Members

Environmental groups such as Colorado Wild don’t make the rules. We don’t pass laws, draft new land use codes, or grant permits for ski resort real estate developments. Most often, we are an opposing voice, and many of our members want us to hold fast to a strict line of opposition. But what exactly is our role? How best do we achieve our environmental goals? Do we sometimes sit down at a bargaining table, knowing we will not win every issue, but that we may be able to influence the outcome? Or is it our duty to always hold fast to our exacting environmental standards in an all or nothing battle? These are the questions Colorado Wild struggles with on a daily basis.



Artwork courtesy of Steve Kiene.

This summer, Colorado Wild entered into negotiations with Durango Mountain Resort (DMR). The opportunity to negotiate with DMR was only made possible through our success in gathering enough signatures to place approval of DMR’s development plan on the ballot (see SACC, pg. 5). Colorado Wild sat down at the table with DMR for several reasons: we recognized that overturning the Development Plan may do more harm than good, given the lack of environmental teeth in La Plata County’s land use code; we were concerned that the November elections would bring a new County Commissioner even less receptive to environmental concerns; we recognized that the area in question is not pristine wildlife habitat; and we realized we could lose this vote because it was

...See Ronn/Poinsatte, Page 7

Forest Watch Campaign (FWC)

Working to Halt Logging Operations That Invade Roadless Areas, Sensitive Wildlife Habitat, or Old Growth Forests

Forest Service Resurrects Massive Salvage Logging on Burned Areas

The Forest Service has proposed numerous salvage logging operations in areas burned by this summer's fires, including up to 35 million board feet (MMBF), or about 7,000 logging truck loads, on 15,000 acres on ***Missionary Ridge outside Durango***. With the San Juan Citizens Alliance, Colorado Wild filed scoping comments this fall – the first stage in the public participation and environmental analysis process – while we will lead research, advocacy, and commenting on either a Draft Environmental Assessment (EA), or larger more detailed Environmental Impact Statement (EIS), this winter. Should the analysis suggest ecological damage to roadless forests, wetlands, water quality, rare species, or other sensitive environmental resources, expect to hear from Colorado Wild through electronic or regular mail action alerts.

The same goes for the ***Hayman Timber Salvage Project***, where the Forest Service has proposed to remove dead and damaged trees on 10,000 to 50,000 acres that burned this summer near Glenwood Springs. Other salvage logging proposals include the Burn Canyon and Bucktail projects near Norwood, and the Big Fish project near Trapper's Lake near the Flat Tops Wilderness on the White River National Forest (NF).

This March, Colorado Wild won its appeal of the ***Red Creek timber sale*** near Gunnison on an astounding eleven claims (pg. 3 Spring 2002, and pg. 3 Fall 2001 Newsletters). Despite indications that the Forest Service might shelve the sale, they published a halfhearted 20 page supplemental EA in July "fixing" errors and oversights, ignored our August comment letter, and again approved

the same irresponsible logging decision. In October, Colorado Wild authored a second appeal co-signed by the High Country Citizens Alliance (HCCA). With the Gunnison NF refusing upfront to reduce old growth logging, damage to wetlands, and other impacts, we decided against negotiating in an appeal disposition meeting. Anticipating an unsuccessful second appeal, Colorado Wild and HCCA are now seeking legal counsel.

Another Summer of Fire – and Deception

With the summer of 2002's fire season underway, western Republicans resolved to scapegoat environmental groups – as well as the legal and regulatory tools we use to protect wilderness quality lands – for hampering efforts to reduce a build-up of forest fire fuels. Yet an August 2001 General Accounting Office (GAO) report concluded that of 1,671 fuels reduction projects in 2001, only one percent had been appealed. With the environmental community citing this study, and the media widely reporting it, the Bush Administration's Forest Service in a single afternoon produced a sham four-page report concluding that environmentalists had blocked 48 percent of 326 projects through appeals and litigation. Despite requests from Democratic Congressmen (sidebar), the Forest Service refused to produce a list of project names or other details to justify its findings. Nonetheless, Congressman Scott McInnis (Chairman of the House Forest Health Subcommittee, R-CO) and other western Republicans continue to in part scapegoat environmentalists for the summer's fires, even though they really result from a century of logging, grazing, and fire suppression, possibly global warming, and certainly the worst drought in 100 years (Director's Column, Spring 2002 Newsletter, pg. 1).

"...we have been trying to get a list of the 'approximately 326 projects' on which [the report] was ostensibly based... However, the promised list has not yet been provided... Further, contrary to those assurances, we now have been informed that the promised list of the specific projects that supposedly were the basis for the report does not exist – and never existed..."

July 25, 2002 letter from Congressmen Jay Inslee (D-WA) and Mark Udall (D-CO) to Forest Service Chief Dale Bosworth requesting a list of the projects upon which the Forest Service authored a report scapegoating environmental groups for the summer's fires.

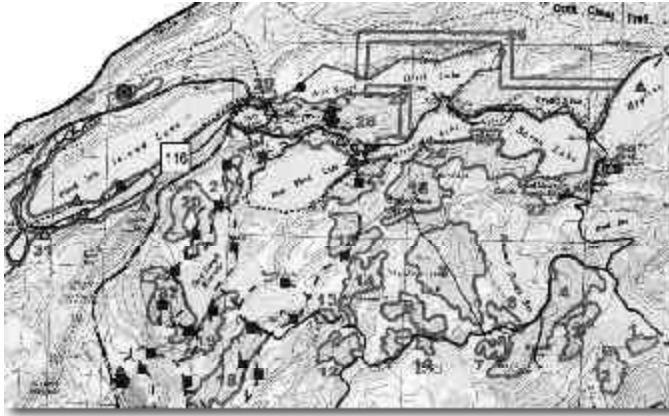
Colorado Wild and our forest protection allies spent much time this summer working to defend legitimate thinning projects, and simultaneously uphold our opposition to irresponsible logging proposals. Simply put, the Forest Service approves cutting of many large trees while the small ones, which exist only because of a century of fire

suppression, most need removal. The agency cannot seem to move away from its abusive commercial timber sales program, even though significant National Fire Plan (NFP) money is now available to pay contractors to cut small diameter trees that are difficult to convert into a commercial product. It all adds up to an attempt, as with the salvage rider of 1995, to abolish the appeals and litigation process that environmental groups use to stop the worst of the Forest Service's logging and road-building program.

As a matter of course, the Forest Service now paints every timber sale with a fuels reduction purpose and need, such as the Red Creek timber sale surrounded on three sides by the West Elk Wilderness, or the Ward Lake Project that ties specious fuel reduction to commercial logging. Legislation exempting "fuels reduction projects" from environmental analysis and protection laws holds ramifications for projects well beyond legitimate ones that may actually protect homes or bring ecosystem restoration.

For instance, the Grand Mesa NF this spring proposed the *Ward Lake Vegetation Management Project* that both included a commercial timber sale component and a

fuels reduction component ostensibly to protect structures from forest fire. Colorado Wild researched and filed comments critical



Map of a portion of the Ward Lake Fuels Reduction Project and timber sale. Note Unit 31 at upper left speciously protecting Island Lake from forest fire.

of both parts of the project, as some of it would literally protect a lake from forest fire despite a lack of water quality / erosion concerns, and it is proposed for the generally non-fire dependent spruce-fir forest type.

Rep. Jay Inslee (D-WA), the main champion challenging Congressman McInnis on these forest fire issues, and our environmental group allies in Washington DC, cited the Ward Lake project in Congressional testimony based on information provided by Colorado Wild.

Northern Colorado Forests Under Attack by Bugs... or by the Forest Service?

This September the Routt NF proposed the Green Ridge project near Willow Creek Pass in Jackson County to address a growing mountain pine beetle outbreak. The proposal includes a staggering 18 miles of new road and 6.4 miles of temporary road, as well as 8,178 acres of treatment including 415 acres of clearcuts. More than 2 miles of roads would be built in the Troublesome North roadless area and proposed wilderness. Colorado Wild filed comprehensive scoping comments, jointly led a field trip in August, and co-authored an action alert sent to our Forest Watch alert list via electronic or regular mail. The Forest Service received upwards of 100 letters, almost all of them opposing at least the roadless area portion of the proposed project.

“...the seasonal severity of fire hazard is projected to increase during the 21st century over much of the country... increases in drought stresses are most likely to occur in the forests of the... southern Rocky Mountains.”

EPA's Climate Action Report, 2001, pg. 97.

Previous newsletters are available online at www.coloradowild.org/newsletter.html, or contact us for back issues at 970-385-9833.

Ski Area Citizens' Coalition (SACC)

Working to Halt Environmentally Damaging Ski Area Expansions and Associated Real Estate Development

Ski Area Environmental Scorecard

This fall, Colorado Wild revised the Ski Area Environmental Scorecard scoring system, incorporating the input of our coalition partners Sierra Nevada Alliance and Friends of the Inyo in California, Save Our Canyons in Utah, and Crystal Conservation Coalition in Washington state. Based on extensive Freedom of Information Act (FOIA) requests filed in July, as well as ski area surveys, the SACC then compiled

the third annual scorecard results.

The 2002/2003 Ski Area Environmental Scorecard for the first time compared ski regions. California/ Nevada ski areas averaged higher scores than other regions in the West.

Colorado/New Mexico and Oregon/Washington came in a 2nd and 3rd respectively, with Utah placing 4th. The Idaho/Montana/Wyoming region averaged the worst. Aspen Mountain and Buttermilk Resorts of Colorado tied for the highest grade in the west with Vail Ski Resort receiving the lowest grade.

With a mere \$50 renewal, Colorado Wild utilized Green Media Toolshed's online database of reporters nationwide (searchable to reach our target audience – skiers nationwide) to publish the 2002/2003 Scorecard on November 25. Simultaneously, our Coalition partners released regional press releases throughout the western U.S. On Dec. 5 we also published action alerts

encouraging skiers to send emails to ski resorts through our website, as well as to patronize environmentally friendly resorts.

While the first annual Scorecard generated an astounding level of free media exposure, coupled with the distribution of tens of thousands of printed Scorecards nationwide (Spring 2001 Newsletter, pg. 6), the second annual Scorecard was not met with the same level of excitement. This year though, even

with minimal funding, we generated a heightened level of exposure through more carefully considered media efforts. This November for instance, our website, www.skiareacitizens.com, received 60,000 hits – mostly

in the first days after Nov. 25, while requests for interviews keep coming.

Critically, we are also building a rapport with many ski areas. Despite an intense campaign by the National Ski Areas Association and other trade groups to dissuade ski areas from filling out our annual ski area survey, almost 50% of ski resorts in the western U.S. now participate. We are now better able to work with ski area managers to improve environmental practices, and more importantly, dissuade them from engaging in ecologically damaging expansions and real estate development. Meanwhile, several ski areas, as well as the California Ski Industry

Send your ski area an email from our website today! It's quick and simple. Just go to <http://www.skiareacitizens.com>, and link to your resort by clicking on Colorado/ New Mexico or another region. (Note: you cannot use the pull down menu on the home page for this.) Select "send an email" for your resort, and any others you may ski at.

Each spring, the SACC writes each resort asking them to make very specific improvements in their environmental policies, such as eliminating plans to log old growth forests or fill wetlands for real estate development. Your voice counts! Ski resort managers are much more likely to engage our knowledgeable staff and volunteers in genuine discussion about ways they can better protect the environment if they hear from YOU.

Association, are beginning to acknowledge global warming as a threat that could destroy the ski industry altogether. The SACC is therefore exploring future plans to steer the ski industry's political muscle toward addressing global warming.

Concessions by Durango Mountain Resort

Following our petition drive this spring garnering over 2,500 signatures, Colorado Wild engaged Durango Mountain Resort (DMR) in negotiations to eliminate loopholes and reduce impacts approved with its large real estate development proposal (Ronn/Poinsatte pg. 1; Spring 2002 Newsletter, pg. 4). As a result, Colorado Wild exacted several meaningful concessions from DMR. On air and water impacts, the resort agreed to close a loophole permitting them to prematurely stop monitoring air quality, institute a \$1,000 fee for wood-burning fireplaces to reduce air pollution, implement a comprehensive Alternative Transportation Plan to reduce traffic growth, mandate water conservation measures, obtain adequate water source documentation up-front, and safeguard Hermosa Creek surface water flows to protect the resident Colorado Cutthroat Trout population. DMR also agreed to support the establishment of a Regional Housing Authority with a dedicated funding mechanism, provide for a nominal increase in the number of workforce housing units, and ensure that their employees can actually afford to live in employee housing.

Colorado Wild then signed a contract (available online at www.coloradowild.org/sacc/dmr.html) in which we agreed to recommend a yes vote in favor of the Development Plan in exchange for these concessions. Notably, the contract grants Colorado Wild some enforcement authority over the development plan. The development plan, including the changes resulting from Colorado Wild's efforts, was then upheld by a 57 to 43% vote.

We were criticized by some for accepting this compromise mostly since the agreement did not reduce the number of residential and commercial units conceptually approved. However, the settlement merely defers on this issue to subsequent permitting processes. DMR is now seeking approval for Master Infrastructure Plans, Village Conceptual Plans, and plat approvals. By reaching an agreement that closes glaring loopholes in the development plan and strengthens requirements on water supply, traffic, affordable housing, and air quality, we now have better tools to guarantee that impacts of the development are mitigated. Hearings are expected this winter; our initial assessment calls for elimination of many proposed lots on site specific bases. We plan to directly engage DMR in discussion of our concerns prior to those hearings. If the development plan fails to meet the improved requirements, Colorado Wild will advocate reducing the size and scope of the development altogether.

...Forest Watch

In a futile attempt to reduce the impacts of spruce bark beetle and mountain pine beetle over a large area of north of Steamboat Springs, the Routt NF also issued three records of decision for the ***Routt Beetle project***. While we did not appeal a preventative spraying decision, we did appeal the two other decisions – preventative thinning and suppression (logging stands with beetles already in them) as both approved impacts in roadless areas. In the appeal disposition meeting, the Forest Service agreed to minimize the amount of suppression actions affecting roadless areas. However, we did not reach agreement on, and subsequently lost, our appeal on the thinning proposal. We continue to follow this closely to document ecological damage and ensure adherence to mitigation measures. The Forest Service is redesigning part of the project proposed for preventative thinning that burned this summer in the Hinman Fire. Colorado Wild will closely observe this process as well and work to improve the project.

“...In winter, downhill skiing opportunities are very likely to shift geographically because of fewer cold days and reduced snowpack in many existing ski areas. Therefore, costs to maintain skiing opportunities are likely to rise, especially for the more southern areas.”

EPA Climate Action Report, 2001, Pgs. 98-99

White River National Forest Plan Revision

Working with partner groups as the White River Conservation Coalition

“...several conclusions are based largely on anecdotal observations... [Vail Resorts' Lynx Report] highlights management issues and questions that have not been empirically addressed with field research. Very little can be inferred from anecdotal observation - including lynx response to human activity.”

Clayton Apps, respected lynx ecologist working in Canada since 1991, providing critique to Colorado Wild staff regarding Vail Resorts' Lynx Report - the main "scientific" evidence utilized by the ski industry in their appeals of the White River NF plan revision.

In 1999 and 2000, Colorado Wild participated in a major campaign to press the Forest Service to adopt an ecologically sound management plan for the White River National Forest (NF). Our spirited defense of the Forest Service's proposed modest improvements engendered immense political pressure fronted by Congressman McInnis (3rd-CO), who hired former White River NF Supervisor Dick Woodrow to draft his own plan. Unfortunately, politics trumped both Forest Service stewardship and the public's wildlife preservation desires (demonstrated by an overwhelming majority of both detailed, lengthy comments, as well as shorter post card type comments).

The Final Plan adopted many of Congressman McInnis' demands at the behest of the water development, ski area, logging, and off-road vehicle industry groups. Consequently, Colorado Wild spent much staff time this summer and fall reading the final plan and associated Final Environmental Impact Statement, filing and reviewing the response to our extensive Freedom of Information Act request, and reviewing the administrative record at the Forest Service office in Glenwood Springs.

Colorado Wild then wrote or edited significant portions of a 150 page appeal submitted by

many forest protection groups, specifically on ski areas, logging, wildlife, and economics. Executive Director Jeff Berman authored the ski areas appeal section challenging the Forest Service's baseless conclusions used to justify additional skiing acreage, while Forest Watch Campaign Director Rocky Smith authored the logging section. We also assisted the Land and Water Fund of the Rockies in preparing intervention responses to White River NF Plan appeals filed by Vail Resorts,

the Colorado Department of Natural Resources (Directors Column, pg. 1), Copper Mountain Resort, Colorado Ski Country USA, and the Colorado Off-Highway Vehicle Coalition.

Rocky also authored extensive scoping comments on winter travel

routes for the White River NF's travel management planning process. This involved considerable consultation with individuals familiar with various parts of the White River NF, as well as many hours checking travel routes against Forest Plan requirements and roadless area boundaries. We made route recommendations on which areas should be open or closed to motorized use, and affirmed that the Forest Service must consider the effect of winter recreation on lynx. Rocky also is about to complete a comprehensive set of recommendations for summer travel routes in coordination with the Colorado Mountain Club.

The Bush Administration in December issued outrageous draft planning regulations that would govern (i.e. ungovern) the preparation and implementation of future forest plans for each National Forest. These regulations would greatly reduce protection for rare species of wildlife and diminish opportunity for public input into management of each National Forest. Colorado Wild plans to review the regulations early in the new year. Expect to receive an alert - you can sign up for our action alert lists via the enclosed envelope or online at <https://www.coloradowild.org/membership.html>.

...From the Director

Meanwhile, “environmental education” plainly implies the NSAA’s Sustainable Slopes program, criticized by most of the conservation community as a sham designed to pull the wool over skiers’ eyes (Fall 2001 Newsletter, pg. 4). Thus the Forest Service is further condoning the ski industry’s mendacious million dollar public relations campaign.

With the exception of the more sustainable minded Aspen Ski Co., ski resort executives were not pleased with the White River National Forest plan revision even though it in large part caved in to their demands (see pg. 6). Optimally from their point of view, the Forest Service would have rendered a decision that they wouldn’t have felt compelled to appeal at all. Thus Forest Supervisor Martha Ketelle’s inexplicable transfer following the plan’s release to a previously non-existent position only further casts doubt on Forest Service allegiances – whether to the public interest, or just a few ski resort executives’ bottom lines.

If that’s not enough for you to question who both our federal and state government now represent, one needs only compare the appeals filed by Copper Mountain Resort with that of the Colorado Department of Natural Resources. Simply replace “Copper Mountain Resort” with “permittee”, and voila, verbatim page after page! The Owens administration is solely representing the ski industry, as opposed to the public that elected it.

Through the NSAA’s MOU – never made available for public input – and a host of other under-the-table initiatives and industry collusions by the Bush and Owens administrations, the public has over the last two years been getting cut out of public decision-making in favor of big industry. Only a sea-change in administration both at the federal and state level can put the people back into its own policies.

...Ronn/Poinsatte

scheduled for the Republican primary while the more progressive local college student body was in large part away for summer recess. When we decided to negotiate, we knew we would not win every issue, but failing to make any gains would have been worse. Colorado Wild Director Jeff Berman convened a local advisory committee to determine bottom line positions beyond which no agreement would be made, and then we negotiated our present contract with DMR.

Anytime we sleep with the enemy so to speak, we come under fire from some who support our environmental philosophy. Negotiating with an organization that is harming the environment in any way is difficult. However, when we do so, we must consider our long-term goals. If we settle for incremental change, if we win some compromise but we don’t get everything, do we actually compromise ourselves? Or, do we help create a relationship with politicians and developers that can then be used in the future to help address our environmental concerns?

Environmental advocacy is so often a losing proposition. When we choose to negotiate versus when we hold fast to our ideals is a question we must answer on a case by case basis. There will always be a piece of us that groans when negotiating and small victories look like the only victories. There will also always be issues we would never agree to negotiate. But if we are the lone voice calling from the wilderness, if we are holding fast all the time, then maybe we’re not winning any long term respect or any long term gains.

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Buttressing the legal and public arguments made by Colorado Wild for years, Sierra Club Books just released Hal Clifford’s Downhill Slide: Why the Corporate Ski Industry Is Bad for Skiing, Ski Towns, and the Environment, available online at www.skiareacitizens.com with 40% donated to Colorado Wild. Therein Clifford – a lifelong skier and ski industry reporter – clearly outlines how publicly traded corporations are gutting ski towns, the natural environment, and skiing itself in a largely futile search for short-term profits.



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Colorado Wild works to protect, preserve, and restore the native plants & animals of the Southern Rocky Mountains, focusing its efforts on habitat protection of the forested high country.

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Colorado Wild extends a special thanks to:

Robert Alsobrook

Mike Bond

Tammy Fiebelkorn

Bernard Fouke & Susan Ronn

Maki Foundation

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Southern Plains Land Trust

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