

Fall 2005 / Winter 2006 Newsletter



Rising to the Challenge, Building on our Success

Ryan Demmy Bidwell, Executive Director

As this newsletter finds you in the heart of the holiday season, let me be both thankful for where we have been, and confident about where we are going. Having joined the Colorado Wild team in October, I am proud to be reporting on what has been an incredibly productive year for the organization. Growing in both size and influence, Colorado Wild finds itself well poised to both promote and successfully defend the places, resources, and values that are important to us all.

This year found Colorado Wild facing a slew of new ski area-related development proposals, and an onslaught of enormous and ungrounded logging proposals. Meanwhile we have orchestrated constantly growing opposition to the proposed "Village" at Wolf Creek. These efforts have kept us in the news and on the go, but more importantly have continued our legacy of conservation leadership and vision across the state. As one testament to these efforts, our membership has grown to its highest level ever, 647 as of this writing. It is you – Colorado Wild's members – that have made, and continue to make, our efforts possible, and for this the staff and board of Colorado Wild are very grateful.

From Local Organizing to Federal Court: Wolf Creek Battle Gains Momentum

Jeff Berman, FOWC Campaign Coordinator

Spearheading the Friends of Wolf Creek (FOWC) effort, Colorado Wild is continuing its battle over the proposed "Village" at Wolf Creek. The US Fish and Wildlife Service recently concluded that the development, as proposed, would likely lead to the death of nearly 25% of Colorado's current lynx population due to increased traffic over time. Coupled with likely effects on water quality, downstream

water rights, and surrounding local communities, this "Pillage" as many call it, is likely one of the most harmful single developments ever proposed in Colorado's history.

This summer Colorado Wild helped invigorate public pressure, organizing, and outreach efforts, in part through an all-day strategy session in Monte Vista, with 30+ citizen activists in attendance. At that meeting, Friends of Wolf Creek decided to

form numerous chapters and open an office in Mineral County with a steering committee of local residents to help direct the campaign there. Other strategic efforts have already demonstrated measurable results politically, legally, and in the media. Nonetheless, our efforts must continue if we are to stop the development permanently.



Another Wolf Creek Near Vail? Vail's Back Bowls viewed from Battle Mountain. See page 4 for details. Photo Wendi Losasso

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Colorado Wild's Forest Watch Campaign

Working to Halt Logging That Threatens Water Quality, Invades Roadless Areas, or Harms Sensitive Wildlife Habitat

by Rocky Smith, Forest Watch Campaign Director

Forest Insects Again Become Excuse for Unsustainable Logging

With much of Colorado's forested acreage under attack by tree-killing insects (bark beetles), the issue of Forest Health has re-emerged onto the public agenda. While insect outbreaks have been a natural element of our forests for thousands of years, they can temporarily pose concern for communities, because insect-killed trees can sometimes increase wildfire risk.

Rather than help communities react to and mitigate this localized problem, the Forest Service is proposing large, ecologically damaging timber sales that will neither reduce fire hazard for communities nor address the spread of forest insects. Colorado Wild is working to steer Forest Service projects towards smaller, site-specific actions that will protect communities without sacrificing water quality and wildlife. Despite some progress (see next page), several enormous timber-industry giveaways are being aggressively pushed by the Bush Administration.

Unjustified Logging Would Harm Water, Soil, and Local Communities Without Protecting Homes from Fire

With the *Piney Project north of Vail* on the White River National Forest, the Forest Service has approved almost 2000 acres of clearcutting while failing to address ANY genuine need for nearby communities. With beetles likely to attack and move on before completion of the project, the agency has stated that entire forest stands may be cut. Even after infestation, standing dead trees have value to wildlife, scenery, soils and forest regeneration. Colorado Wild appealed approval of this project and awaits judgment.

A similarly absurd project is the *County Line Timber Sale, southwest of Alamosa* near the Continental Divide. The Rio Grande National Forest proposes to harvest almost all trees attacked, and many of those at risk of attack by beetles (the rest), leaving an impoverished landscape on over 1700 acres. Deceitfully touted as a fire mitigation project, this project could severely damage soils and water quality while protecting only a few seasonal cabins from fire. Worse, the Forest Service acknowledges that water quality impacts are likely to result from logging on unstable soils and in areas damaged by past logging. The appeal of this project by Colorado Wild and other groups was rejected, and we are considering legal action to halt this outrageous project.

As the Bush Administration continues to undermine protections for water quality and wildlife, and participation by local citizens, it becomes increasingly difficult to positively influence the design of projects such as these. Subsequently, Colorado Wild is also actively working to reinstate these protections and environmental analysis requirements.

In December 2004 for instance, Colorado Wild sued the Forest Service, not only to protect wildlife habitat, water quality, and other resources at the site of the *Shaw Lake Timber Sale near Wolf Creek Pass*, but to overturn the whole of the Bush Administration's Categorical Exclusion (CE) Rule No. 13. CE's permit approval of logging on up to 250 acres with virtually no environmental analysis or public participation. Should we succeed, no logging project could be approved nationwide under CE Rule No. 13, eliminating one component of the Bush Administration's falsely labeled "Healthy Forest Initiative." We are still awaiting judgment on this case.

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Several other proposed logging projects are in various stages of analysis. The Rock Creek timber sale on the Routt National Forest west of Kremmling is likely to be approved soon. It would be one of the largest logging projects we have ever seen at 40 million board feet, requiring approximately 8000 logging truck trips to remove. The Baylor Park timber sale on the White River National Forest near Carbondale is another large project designed to respond to blowdown from a 1999 windstorm. Approval is likely in the near future. Colorado Wild will examine these projects when and if they are approved.

Colorado Wild Halts Unnecessary and Hazardous Project in San Miguel County

In response to an imprudent decision by local Forest Service officials to go forward with a timber sale despite outright public opposition, Colorado Wild and local interests appealed the ***Goat Creek Timber Sale near Norwood***. This sale was proposed in the town of Norwood's source watershed for drinking water. Logging would have likely caused an increase in pollutants, putting Norwood out of compliance with the Safe Drinking Water Act. Violation of standards would have forced local governments to spend large sums of taxpayer dollars to repair the damage. In a December 6, 2005 decision, Colorado Wild won its appeal on several issues, putting a halt to this project, and protecting water quality for San Miguel County's citizens.

Public Process Leads to Improved Projects

While Colorado Wild opposes damaging projects, we are increasingly taking an interest in helping to create forest management projects we can support. Recently, we negotiated an agreement on the ***Little Snake project, north of Steamboat Springs*** on the Routt National Forest. The Forest Service agreed to drop the worst cutting units in the project, including ones on steep and unstable slopes, thereby greatly reducing the impacts to water quality and soils.



Clearcut on private land near Continental Divide in County Line Timber Sale area. Much of the 1,700 acre area could be similarly clearcut.

Photo Rocky Smith

Following a successful lawsuit in 2004 that stopped a huge and very damaging project at ***Missionary Ridge area northeast of Durango***, Colorado Wild is now negotiating a small, relatively benign project in the same area. Roughly 5% of the size of the original proposal, the new proposal excludes steep slopes and unstable soils, and utilizes existing roads. Seeking tangible environmental benefits, not just the avoidance of harms, Colorado Wild is encouraging the Forest Service to plant trees and close existing roads as part of the project. Projects like this can supply a small, sustainable amount of lumber to local businesses without degrading public lands.

Elsewhere on the San Juan National Forest, Colorado Wild and other local conservation groups are actively working to develop fuels reduction projects that actually address community needs. The Forest Service has been quite responsive to community concern, and is currently designing several commendable projects near Durango. Hopefully Colorado Wild can extend this process to other areas in the state currently experiencing insect outbreaks.

Opposition Building to Battle Mountain Development South of Vail

by Andy Wiessner, Colorado Wild member and public lands consultant residing in Vail.

Battle Mountain Development Would Mar Views from the Holy Cross Wilderness and Impact a Critical Wildlife Corridor

As if one out-of-state developer threatening to destroy Colorado's remaining wildlife habitat weren't enough, now Florida developer Bobby Ginn seeks to build a massive new development on 5,300 acres of high altitude, remote land in Eagle County. The core of Ginn's proposal is a mountaintop city of 700 homes, hotels, restaurants, shops, private skiing, parking lots, sewer systems, gondolas, and roads all the way to the summit of Battle Mountain.

The average elevation – 10,500 feet – is higher than the top of the Eagle's Nest gondola at Vail, and almost 500 feet higher than mid-Vail. Think of the infrastructure involved to house, feed, and entertain a sprawling development of 2,000 – 3,500 people at that elevation. Perhaps Ginn seeks dubious bragging rights as one of the highest altitude developments in U.S. history – competing with the infamous "Village" at Wolf Creek. To top it off, the development would spoil views from the Holy Cross Wilderness and impact a critical wildlife corridor.

High elevation forested land like Mr. Ginn's is fragile, hard to access, difficult to service, rich in wildlife habitat, and lacking in easily developed water. Developing it will likely lower the water table and flows of the Eagle River, wreak havoc with wildlife and wildlife migration, increase air pollution, dramatically increase traffic on Highway 24, pollute the night skyline with thousands of lights, and visually impact the Holy Cross Wilderness. These are all issues of county and state-wide concern and require broad-based local, county, and state public participation.

Development Cuts Eagle County Residents Out of the Process

Seeking annexation of his land by the Town of Minturn, Ginn would bypass State and County regulation designed to protect air and water quality, all the while ignoring the concerns of 46,000 County residents who don't live in Minturn. Colorado Wild believes that the annexation proposal emerged because of opposition in Eagle County to a development of this scale and impact. If granted, annexation would put Minturn in control of Ginn's entire 8.5 sq. mile, private ski and golf "club" even though the issues involved impact the entire County and State.

Ginn's development proposal is huge – 12 times more housing and other development than existing zoning law allows. Ginn bought the property fully recognizing that Colorado and Eagle County zoning laws give him the right to build 151 houses, and maybe a golf course. Yet Mr. Ginn appears to be a gambler. He knows he can't maximize profits under State and County law, so he's asking Minturn to by-pass the County and grant him an upzoning to allow more homes and degradation than the law provides.

A Damaging and Dangerous Proposal

While the ecological impacts alone of such a development are daunting, Ginn's proposal is alarming on other fronts as well. Getting up there is not easy. You'll either take a 2+ mile-long gondola, or drive 5 miles above Minturn on State Highway 24, turn left shortly before Red Cliff, and then weave up several more miles of road – the first part switch-backing over extremely steep slopes. Mr. Ginn says his gondola will greatly reduce traffic on the access road, yet moving thousands of people,

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? *National Forest Policies that affect Colorado's forests, generally prepared by DC groups.*

? *Forest Watch Campaign (timber sales and fuels reduction projects in Colorado).*

? *Ski Area Citizens' Coalition (ski area expansions, adjacent real estate development, and nationwide updates on the Ski Area Environmental Scorecard).*

servicing 700 homes, hotels, and more with a gondola is a doubtful proposition. At times the weather may shut off *all* access – gondola or otherwise – to his mountaintop city. Like Wolf Creek, such a plan appears not only unrealistic, but also dangerous.

Ginn is also proposing a second – and even bigger – “village” with 1000 more units, golf courses and other facilities. It will be located at a more sensible altitude – 2,300 feet lower down, on the outskirts of Minturn. The total development would house 5,000 – 8,500 people, but Mr. Ginn contends that it would not change the “small town character” of Minturn. The proposed development would produce tremendous cumulative impacts on the water, wildlife, and other natural resources that make Eagle County what it is, not to mention impacts to local communities.

Battle Mountain Needs Your Help

Threatening 5,300 acres of relatively pristine high-elevation wildlife habitat for lynx, elk, deer and bear, Ginn’s development poses a unique threat to Colorado’s public resources. Responding to increasing public outrage over the proposal, Colorado Wild and concerned local citizens are spearheading the formation of the Friends of Battle Mountain. FOBM is in the process of establishing a steering committee, recruiting volunteers, and opening a local office in Minturn to keep the public abreast of the development and to ensure that public concerns are not ignored. Contact Colorado Wild at 970-385-9833 or log on to www.friendsofbattlemountain.org to sign up for our e-mail update and alert list.



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

Ryan Demmy Bidwell...from page 1

After seven years of dedication to the organization, and more importantly to the resources we seek to protect, Jeff Berman has stepped down as Colorado Wild’s Executive Director to pursue other passions. Released of other responsibilities within Colorado Wild, Jeff will build on what has been a year of successes (see cover article) and continue to coordinate our Friends of Wolf Creek Campaign until we permanently defeat the proposed “Village.”

With the addition of Leah Bathen, our multi-talented Office Manager in Durango, and Jo Lee leading our local Wolf Creek efforts in Mineral County, Colorado Wild now finds itself with six full and part-time employees spread around the state. Rocky Smith in Denver continues to lead our Forest Watch Campaign (see page 2), while Ben Doon in San Luis coordinates the *only* comprehensive evaluation of western ski area’s environmental practices. As we grow we continue to strive for the efficiency and leanness in our operations that our supporters have come to expect.

As Colorado Wild’s new Executive Director, I am both privileged and energized to carry forward our efforts. A recent arrival to Colorado from Washington State, I find myself embroiled in some of the most divisive natural resource issues that face our nation today. Not only are we forging our own futures and the future of Colorado, but our efforts here are in many cases setting precedent for the nation at large. Thinking strategically about when to work collaboratively and when to fight diligently with the application of science, reason, and compassion, I’m confident Colorado Wild will continue to achieve great ends within our limited means. None of this would be possible without your support though. As such, I welcome your ongoing thoughts and feedback as we move forward. Please don’t hesitate to contact me at 970-385-9833 or ryan@coloradowild.org to share your vision of Colorado and its Wilds.



Colorado Wild's Ski Area Citizens' Coalition

Wolf Creek... Continued from page 1

Congressman John Salazar Voices Opposition to the Proposed Village

In a press release Nov. 23 2005, Congressman John Salazar declared, "At the end of the day, I just don't see how a project of this scope and size can continue. I've taken the time to meet with the involved parties, ask questions, and gather information about the proposed development... the development brings the threat of dangerous roads, contaminated water, and harm to the very wildlife and landscape that makes this area so unique. I will not support a project that hurts the community I represent."

Earlier this fall, Rep. Salazar met with the Forest Service and asked for a written response to numerous questions. Apparently, their response wasn't good enough. Driven by major political pressure, the Forest Service continues to rationalize that it must grant access to the developer, despite clear legal responsibility to enforce the conditions of the 1986 land exchange that simply disallow the development as proposed.

Denver Post Tells Forest Service to Deny Road Access

In a Nov. 21 2005 editorial, the Denver Post advised the Forest Service to "not allow such an extensive development below Wolf Creek Pass." Plainly put, the Post stated "The resort project, as proposed, is impractical." Despite

continued Forest Service refusal, the Denver Post acknowledged the obvious: the proposed development cannot be built without Forest Service approval of a major new access road and violations of the scenic easement. According to Colorado Wild's research, the Forest Service continues to rationalize – as it did in the Draft EIS – that the development

could be built whether or not it grants full year round access. Only in this way can the Forest Service shirk legal (and moral) responsibility for the numerous impacts the Village itself would bring to water quality, local businesses, recreation, wildlife, the ski area itself, and a host of other resources. Oh yeah, lets not forget overwhelming public opposition.

"My research has led me to believe that the new Village at Wolf Creek will result in growth, but it's not the kind of responsible growth that will be good for the larger community."

"Responsible development is done in a way that enhances, not dries up resources - like water - which keep our economy running."

**Congressman John T. Salazar
December 9, 2005 Editorial**

Court Throws Out Mineral County Village Approval

In October, State District Court Judge John Kuenhold threw out Mineral County's approval of the controversial Village proposal. Kuenhold ruled that Mineral County's "decision to abandon a requirement for meaningful year-round access was arbitrary and capricious," and that they "misconstrued the state statute and the Mineral County Subdivision Regulations." The ruling requires that the developer not only gain Forest Service approval for full year-round access, but obtain an access permit from the Colorado Department of Transportation – an agency that has thus far objected to the project's major impacts to highway traffic

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and safety, not to mention the developer's refusal to pay the cost of road upgrades.

It will be a long, arduous, and uncertain process for the developer to gain access approvals sufficient for this massive development. Despite the developer's claims in the media, rejection of Mineral County's approval is no mere "speed bump." Unfortunately, at the direction of County attorney John Wilder, Mineral County continues to do the developers' bidding. The County and the developer have now filed motions for reconsideration of Judge Kuenhold's decision. The county even voted to appeal the judge's decision should their motion for reconsideration fail, presumably at the expense of their own taxpayers.

Colorado Wild Suit Presses Open the Backdoors of Government

Forced to sue to acquire documents that should have been available to the public from the get-go, Colorado Wild uncovered collusion between the developer and the Forest Service. Once we publicized those political favors though, the doors shut once again. Colorado Wild agreed to extend the Forest Service's deadline to Nov. 11 2005 for release of all the documents showing what our own government is up to, but with the condition that the publication of the Environmental Impact Statement (EIS) and Forest Service access decision be delayed. Despite

Ski Area Environmental Scorecard Scrutinizes Resorts' Activities

With only a trivial budget, Colorado Wild and the Ski Area Citizens' Coalition (SACC) again researched and published the Ski Area Environmental Scorecard this fall. The Scorecard is the only independent review that gives skiers and snowboarders a way to assess the environmental performance of their favorite resorts. In addition to actions to reduce greenhouse gases,



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E-mail info@coloradowild.org

the agreement, the Forest Service has, as of this writing, still failed to adhere to the court's order, forcing us to ask the court to rule the agency in contempt. The Forest Service seems to think protecting the interests of a billionaire private developer is more important than fulfilling its lawful responsibilities to citizens who cherish and enjoy our public lands.

Colorado Wild continues to believe that our ongoing advocacy will force the development to fall under its own weight. The efforts described above are not short-term delay tactics. They are successful components of our carefully devised strategy to permanently defeat this outrageous development AND expose those in government who would vacate their stewardship role by approving such an ill-considered project. Contact us for more information about how to get involved in your local Friends of Wolf Creek chapter, and what you can do to help stop the "Pillage."



the resorts are scored for protection of old growth forests, alpine wildlife and use of limited water resources for snowmaking.

In a single minute, you can send e-mails to every ski area graded, encouraging environmentally friendly results and asking others to improve their environmental policies and management. Go to www.skiarecitizens.com today to learn more and make your voice heard in seconds.



"We love the area around Wolf Creek Pass so much, and understand what a critical link it is for wildlife migration and habitat. It is such a special place that to see it developed, and especially in such a ruthless manner, makes us sick beyond words. Thank you Colorado Wild for keeping up the fight!"

*Marc Marcoux,
Friend of Wolf Creek*



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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.

Colorado Wild is a non-profit, 501(c)(3) registered organization. Tax-deductible donations make our work possible, and can be sent to the above address. Or for more information, call us at 970-385-9833.

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