

HIGH COUNTRY REPORT

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Not Your Usual President's Message

I am going to use our national preoccupation since the events of September 11 as a reason *not* to give you particulars about all the great things High Country Citizens' Alliance is doing. That is not to say your organization isn't accomplishing great things, because we are. But I figure you can read about that stuff in the rest of this newsletter.

Instead I want to discuss how environmental work and a conservation ethic are even more important during the difficult times we face in the short run, and in confronting challenges we will face throughout our lives.

Because there is a war doesn't mean species aren't still winking out of existence. Because insane warmongers attacked our country doesn't mean our air is suddenly clean or our water miraculously clear. It doesn't mean wildlife habitat isn't still disappearing under bulldozer blades. And it doesn't mean we should be any less vigilant and courageous in the face of an emboldened power structure intent on developing the last of our wild places.

I encourage High Country Citizens' Alliance members and friends to stay the course. I ask that you remain steadfast in defense of the things important to our community and way of life. We live in the upper East River Valley because it is beautiful, because it affords us a point of departure from a world of concrete and glass. We live here because it is a good home for our loved ones; it is safe harbor for our children.

High Country Citizens' Alliance works to protect our homes, our environment and our community. I ask you to find it in your hearts to help us with your spirit and your money. Our collective task is difficult, especially in these troubled times, but if we work together our rewards will be great. Most of all, thank you for your past support, and the help we hope you will provide to us in the future.

I guess that wasn't such a different President's Message.

Denis B. Hall, President

Executive Director Letter

Dear Friends,

Six months ago, I closed my newsletter intro with the following paragraph: "Remember why we moved here. If we think those qualities are at risk, we owe it to ourselves to do something about it. Of course things change, but they don't have to change for the worse. Help us change things for the better."

If that was my sentiment then, I feel even more that way now. It would be a disservice to the loss of life on September

11 if we fail to realize that things have indeed changed and that we all need to take a more active role to make sure, as best we can, that future changes are for the better. Looking back as a hack historian, it seems like our country is made up of complacent or preoccupied people who can really come alive when the fire under their seat gets hot enough. Although we have numbers of activists and concerned citizens, for most of us the recliner lever has to break before we get up out of our political Lay-Z-Boys. But get up we must.

At High Country Citizens' Alliance, the past six months have zoomed by with many efforts at making things better. We completed our Third Annual Sustainable Communities Symposium, our ninth season of Senior Hikes, our first senior Wilderness First Aid course, and our sixth season of inventorying roads and roadless areas. We made a trip to the Colorado Supreme Court to defend our water court victory against Cyprus-Amax and we updated our patent protest. We assisted in a nation-wide campaign in support of the Roadless Rule, which generated more than 800,000 comments in just 60 days. We alerted Gunnison citizens to the Tomichi Creek Development proposal, which quickly retreated, but has recently come back. We have joined with four other national and regional environmental groups to ensure a favorable resolution for all interests in the Black Canyon water rights case. We survived a challenging first year of our Gunnison National Forest travel planning group, and we kicked off an ambitious program with six other Western Slope groups to develop an ecosystem-based forest plan for the entire GMUG Forest. All of this required us to attend approximately eighty gazillion meetings, write hundreds of letters and email alerts, and keep in contact with dozens of government officials at every level. Finally, we

transitioned smoothly from the era of Vicki and Bonnie to the equally competent Gesa and Wendy.

The next six months will also fly by as we continue many of the above projects and add a few others, notably: an assessment of current and future water needs for the Gunnison River Basin, a firm stance to protect roadless areas against increased coal, oil, and gas extraction in the Paonia area, and planning our 25th Red Lady Salvation Ball. That's right folks, what started out as a small crew of locals opposing a big mine has become one of the longest-running mine fights in the country. We hope you will join us in our celebrations throughout the coming year.

Even more important than celebrating, though, is doing the work that justifies the party. Our schedule for 2002 is jam-packed and our need for financial and volunteer support is greater than ever. The coming year will be critical to the future of our public lands and water and we will need your help to carry our balanced message of environmental protection and community viability wherever it is needed. Please get in touch if you can lend a hand.

Mark Heller

SAVE RED LADY UPDATES

by Mark Heller

Last fall was an active time in the fight to save Red Lady. We defended our 1998 Water Court victory in front of the Colorado Supreme Court on September 19. A few weeks later, we filed a comprehensive supplemental objection to

the Phelps Dodge Patent Application now awaiting a decision by the Interior Department.

Water Appeal

In 1998, HCCA, The Town of Crested Butte, Gunnison County and others won our trial against Cyprus-Amax' application for additional water rights. Amax had argued that these were needed for the proposed mine in Red Lady. In very basic terms, we won the case on the narrow finding by Judge Patrick that Cyprus-Amax had failed to obtain a contract for their water by the time they applied for their water right. Soon after the trial, Phelps Dodge bought Cyprus-Amax and filed an appeal with the Colorado Supreme Court. On September 19, 2001, we had our hearing before the "Supremes."

When arguing an appeal at the Supreme Court, each side submits written briefs and exhibits before the hearing and then has 30 minutes to emphasize certain points in person. Jay Cope, the Town's attorney, prepared our brief with support from HCCA's lawyers Bruce Driver and Bart Miller. Jay was to make the oral argument at the 9am hearing, but a call to the court clerk at about 8:30 stopped our hearts. Jay was stuck on the highway behind a flaming collision between a gas tanker and a septic truck! Bruce quickly prepared himself to substitute and was ready to go by the time Jay walked in the door – minutes before starting time. Fortunately, the Court had already rescheduled our hearing for an hour later, so Jay had time to compose himself before taking the podium.

The questions from the Justices focused on whether Cyprus-Amax really needed a contract at the time they applied for the water right (our argument, which won at trial) or whether

they had to merely prove that it would be likely that they would get such a contract (Phelps Dodge's argument). On 1/28/01, the Court ruled that Phelps Dodge did not need such a contract. While this decision is somewhat of a set back, the knowledge gained has been invaluable to assembling our arguments against the many other permit battles of the future, especially the patent application.

The Patent Application

Another aspect of the battle to Save Red Lady came in early in October, when we supplemented our 1993 objections to Cyprus-Amax' Patent Application. Our attorneys, Roger Flynn and Jeff Parsons of the Western Mining Action Project, filed a 42-page magnum opus that offered many compelling reasons why the Patent Application should be denied. Much of what they included in the supplement was discovered from our water trial, which was an expected benefit of entering that case and a major reason for doing so. Roger and Jeff have scored many successes for the environment against damaging mines nationwide. We are grateful for their dedicated assistance. Our success in this matter will give an indication of how the new administration will treat efforts to protect the environment in light of the many recent rollbacks and reversals of so many federal environmental protection measures.

But what is a "patent" and how does one apply for a patent? A "patent" is the official transfer of title from the federal government to a private entity. The US Department of the Interior, through the Bureau of Land Management, administers the 1872 Mining Act and other later acts in deciding who should be granted a patent. Most patent applications are approved, even when good legal arguments are presented against them. So how can we argue against

this juggernaut? The key factor in any patent application is having to prove that the proposed mine contains a "valuable mineral deposit." We laid out many reasons why we think that the ore is not a valuable mineral deposit. Among them: (1) as of the date of the patent application and through the date of this newsletter, Cyprus-Amax did not have sufficient water to mine, and without water, the mine could not operate; (2) the technical requirements of setting out the claims and applying for a patent were not correct; (3) for the last 15 years the price of molybdenum has been too low to justify a new mine and prices are expected to stay that way for the foreseeable future; and (4) the costs of environmental protection after the mine would close (reclamation and monitoring) should be factored into the calculations of the value of the ore body and these costs would make the mine even more unprofitable.

WATER PROGRAM

Black Canyon of the Gunnison Water Rights Case

by Mark Heller and Bart Miller

As predicted in our last newsletter, the Black Canyon water rights filing has gained momentum and is now being discussed from Delta to D.C. It is a vitally important issue for the Gunnison Basin and one that's worth understanding in some detail. This article outlines the issues, legal principles and jargon needed to understand the background and consequences of the National Park Service water rights filing for the Black Canyon.

Background

After millions of years of carving by the Gunnison River, the Black Canyon has become a spectacular place for the natural world to flourish and for humans to visit. The River and Canyon provide excellent habitat for fish, terrestrial wildlife and birds, including Gold Medal trout, bighorn sheep, river otter, beaver, eagles, peregrines, and waterfowl. In a nutshell, it's a beautiful place.

When the Black Canyon of the Gunnison National Monument was created in 1933, it became the responsibility of the National Park Service to conserve the Black Canyon's "scenery and the natural and historic objects and the wildlife" and to provide for enjoyment of the same leaving it "unimpaired for the enjoyment of future generations."

To assist this mission, the Park Service was given "federally reserved water rights" to preserve the flows and the flow-dependent natural systems of the Canyon. But the quantity and timing of the water needed to fulfill these rights was not decided. It has still not been decided 68 years later. During this time of uncertainty, many other users of water in the Gunnison Basin have either started using water or expanded on previous water rights. Ranchers, farmers, municipalities, water districts, and water storage and hydropower projects potentially could be affected when the Black Canyon's water rights are quantified due to the workings of the "prior appropriation doctrine."

The Prior Appropriation Doctrine

In Colorado, a person or entity can obtain water in one of two ways; either by buying it from another water rights holder or by making use of water as yet "unappropriated" (i.e. unused) from the stream. In this case, the Park Service has

applied to the local water court to satisfy the purposes of the Black Canyon with water unappropriated as of 1933.

The Colorado State Engineer's office allocates water according to the "Prior Appropriation Doctrine," which means that someone with a water right that was "decreed" earlier in time than another water right has a "senior" right to the later right holder. If dry-year river conditions require it, the senior water right holder can "call" the water from the junior holder, leaving the junior holder with a reduced or eliminated quantity of water during the call. Stockgrowers, farmers, municipalities, storage reservoirs and hydropower plants all obtain use of water under the prior appropriation system.

After the construction of the series of dams and reservoirs known collectively as the Aspinall Unit (Blue Mesa, Morrow Point, and Crystal) in the 1960's, the need for making a "call" on any junior rights in the upper Gunnison Basin has been greatly reduced due to the ability of the Aspinall Unit to store and release water for downstream and/or senior right holders.

Because the National Park Service's claim to quantify its water right dates to 1933, it would be senior to many other water rights in the basin. The challenge we now face is to provide the timing and volume of water the Black Canyon needs while finding creative ways to protect the flows that more recent water users have come to expect, even though the newer users have known all along that their water is subject to the needs of the Canyon.

Going to Water Court

You might be wondering how the Park Service "quantifies" its water right. The answer: by filing a claim in Water Court, a

special court system set up by the legislature. When a water claim is filed, any citizen, citizen group, or other legal entity with an interest in Colorado water can enter the case by filing a "Statement of Opposition." The phrase is a bit misleading because one can support, as well as oppose, the water rights claim. Nonetheless, anyone who enters a water rights case in this way is called an "Opposer."

Usually, the Water Court judge is able to make a simple decision and reallocate water with little or no input from anyone besides the petitioner. Occasionally, a petition is so controversial or complicated that a trial becomes necessary. The Black Canyon claim filed by the National Park Service generated 383 Statements of Opposition, a new record. This highlights the importance of the Black Canyon right. But it also is a result of the fact that the Upper Gunnison River Water Conservancy District (UGRWCD) undertook a campaign that included large ads in local papers to urge every rancher to get involved.

The Park Service's Claim

After many attempts and decades of work, the United States finally filed its claims for quantification during the last days of the Clinton Administration. The claims had a priority date of 1933 and included the United States' technical experts' best judgment of what is needed to protect Park purposes now and for countless future generations. Ecological studies and academic literature on the needs of the Canyon supported their findings. The claims, including base flows and spring peak flows, were based on a natural hydrograph (i.e. each year's natural inflows to the basin as estimated without the dampening effect of the Aspinall Unit and with differing levels of inflow). Perhaps the most difficult problem presented by the claims is that the proposed peak flows would occur at the

same time as peak irrigation. We need to make sure that both the Park and the irrigators can obtain sufficient water during this critical period.

It is important to recognize that the federal government did not draft its quantification claim in a vacuum. It was sensitive to other water uses in the basin. On the front page of its quantification claims, it noted its intention to seek a negotiated settlement of the matter; saying it "filed this application to facilitate the negotiation process by identifying those parties interested in participating in the negotiations."

The Future

So how will all of this play out? It depends on us. Unfortunately, most ranchers, irrigators, water districts, and the State of Colorado have taken an early and very aggressive position in opposition to the Park Service filing.

High Country Citizens' Alliance has taken a more moderate approach, and supports the Park Service's claims to the extent necessary to fulfill its mission for the Black Canyon. We believe that there is enough water in the Basin for everyone, provided we use a little creativity and cooperation. One of the most important needs at this point is for more and better data, not a demand for the Park Service to alter its claims at the outset. This approach is shared by our coalition partners: Western Colorado Congress, Western Slope Environmental Resource Council, Environmental Defense, and The Wilderness Society. All five groups are represented by water attorneys from the Land and Water Fund of the Rockies (Bruce Driver and Bart Miller), a group that has assisted us many times.

We simply don't yet know how the Park's right will affect current water uses in the Gunnison Basin. Despite what some have argued, impacts on existing human uses of water in the basin may not be severe, especially if an Aspinall storage option is created. Much more information is needed to assess the situation. We will be able to make informed decisions only if, over the coming months, there is a good faith exchange of information and time for parties to explore options. We need to preserve the space to negotiate rather than narrow the options before negotiations have even begun.

There is every reason to believe that we can reach a solution that will meet the Park's needs while also satisfying current human uses in the basin. There has to be a way to support the rich tradition of ranching that has flourished in the basin over the past century while allowing the Black Canyon to receive an entitlement to water to protect and restore this natural wonder that took millennia to create.

Trans-mountain Diversion Still a Threat to the Gunnison River

by Steve Glazer

With the defeat of the Union Park Project, many may think that the threat of a Front Range diversion from the Gunnison River Basin has been eliminated. The Supreme Court decision affirming that there is insufficient water available for a new appropriation has only changed the strategy of the water and real estate developers in Arapahoe, Douglas and El Paso counties. Instead of trying to get a water right, they are now asking the Bureau of Reclamation to contract for water out of Blue Mesa Reservoir.

In the 1950s, Reclamation did an economic justification assessment for Blue Mesa Reservoir. At that time, they estimated that the project was still feasible if there were 300,000 acre feet of future depletions in the Gunnison River Basin. Reclamation has recently negotiated a "subordination" for 60,000 af of in-basin depletions. This leaves 240,000 af of marketable yield.

There are some new obligations in the Gunnison Basin that must be considered before Reclamation can sell any of its stored water. The recovery of endangered fish in the Gunnison River is one of the federal obligations that needs to be considered. Another major factor is the recent filing by the National Park Service to quantify its water rights to protect the Black Canyon of the Gunnison National Park. These two issues are each very complex but could use up the marketable yield if given precedent over the Front Range proposal.

Under the Endangered Species Act, depletions are considered "jeopardy" to the continued existence of the Colorado pikeminnow and razorback sucker. The prudent and reasonable alternative to jeopardy is to replace the depletions. Reclamation can use releases from storage in Blue Mesa to meet the downstream needs to recover endangered species and to allow historic and a modest amount of future uses to continue. As part of the Recovery Program, Reclamation is doing a study of historic and future uses for water in the Gunnison Basin to determine how much water is available for release to recover the fish. The Front Range water providers are asking Reclamation to include the 240,000 af marketable yield as part of this water demand study.

In a court opinion on the water rights for the Delores Project (McPhee Reservoir) and the Dallas Creek Project (Ridgeway Reservoir), it was determined that 147,000 af of water had to be reserved in Blue Mesa to avoid jeopardy for the depletions of those projects. The depletions of water projects in the Gunnison River Basin have not been fully calculated. Until we see a model of these depletions, no one can know how much water might still be available, if any.

Earlier this year, the Park Service filed to have its water rights for the Black Canyon quantified. The Park Service is asking for flows that mimic the natural flows before Blue Mesa Dam was built. This would require more water being released in the spring and less water being released in the summer, fall and winter. To accomplish this, water would have to come from storage in the spring, reducing the amount of the marketable yield.

Another factor not included in the Front Range request to buy Blue Mesa water is the loss of hydropower generation. All of the water that accumulates in the Upper Gunnison Basin runs through three generating plants before leaving the basin. The power revenues are the primary economic justification for building the Aspinall Unit. Water diverted to the Front Range would no longer be generating power. In fact, it would take a great deal of additional power to pump the water to the metropolitan suburbs. It does not make sense to lose this power source when power demands are outstripping supply.

Since this new strategy has not been formally proposed, it has not been evaluated for its environmental impacts or economic feasibility. There are many hurdles yet to be defined including universal Western Slope opposition. It would be wiser for the Front Range water providers to focus

their attention on meeting their needs with existing supplies. Several alternatives have been identified to help meet future needs without building a new water project. They include conservation, conjunctive use of groundwater and surface water, reuse, and improved efficiency of existing infrastructure.

Big time power politics are at play here. Will the Bureau of Reclamation be allowed to meet its downstream obligations or will Front Range water interests prevail in getting their way at the expense of environmental needs and protecting the historic agriculture responsible for the pastoral beauty of the Western Slope? The answer is in the hands of Secretary of Interior, Gale Norton, the Colorado water courts and the court of public opinion.

The Pathfinder Project

by Steve Glazer

Convened in the spring of 2000, the Pathfinder Project is a local community-based group working to assess the stream flow needs of the Grand Mesa, Uncompahgre, and Gunnison (GMUG) National Forests. Local participants include federal agencies, state water management and fish and wildlife agencies, local water users, irrigation companies, conservationists, recreational users and others with an interest in balancing healthy stream environments with human water needs.

The GMUG forest planners are currently revising their management plans, and are looking for guidance from community-led groups such as the Pathfinder Project. As part of management revisions, the Forest is attempting to develop stream flow guidelines that will provide sufficient

water for what they call "flow dependent values." Examples of flow dependent values may include critical fish habitat, wetlands, or water quality.

One of the biggest challenges of the group will be finding methods to protect these stream flow needs. The State's Instream Flow Program will get us part of the way. Starting in the early 1970s, the Colorado Water Conservation Board filed for environmental water rights throughout the GMUG. But, these filings are junior to the majority of agricultural water diversions on the Forest.

The Forest Service Organic Act of 1897 lists "securing favorable conditions of water flows" as the first purpose of forest reserves. The Multiple Use-Sustained Yield Act of 1960 (MUSY) lists outdoor recreation, watershed, wildlife and fish as uses for which the National Forests are managed. The 1976 National Forest Management Act (NFMA) recognizes that the National Forests serve a multitude of public purposes, such as providing recreation, scenic and aesthetic values, and preserving fish and wildlife habitat and diversity.

The State has opposed every effort of the Forest Service to use federal reserved rights, which would be senior to most agricultural users, to protect water on the forest. The Forest Service can impose bypass flow requirements for any special use permit issued for diversion right-of-ways. The State has also opposed this effort because it reduces the yield of water rights the users have relied on. Our hope is to find ways to improve the State Program in the hope the Forest Service can rely on it to meet their federally mandated responsibilities. We will also be looking at other creative market-based approaches to help find a balance between human needs and environmental protection.

PUBLIC LANDS PROGRAM

Forest Plan Update

by Sandy Shea

Planning in a Changing Political Landscape

The Grand Mesa Uncompahgre and Gunnison (GMUG) National Forests are beginning the Forest Plan revision process within a volatile political climate, to say the least. Rollbacks of existing laws on Capitol Hill are the word of the day. And many laws protecting the forests are being caught in the fray.

Since the arrival of the Bush team, many basic regulations and policies having to do with environmental protection have been scuttled, or are in jeopardy. Most people have heard about the attempt to gut the Clean Water Act by essentially eliminating arsenic standards for our drinking water. Also jeopardized are Clinton's Roadless rule, and the new National Forest Management Act regulations (NFMA). These last two items will play heavily into forest planning efforts now underway on the GMUG.

Rule-less on Roadless

Roadless areas on the GMUG remain unprotected because of legal maneuverings by opponents of Clinton's Roadless Rule. The failure to implement the Rule means local roadless areas could potentially be designated as suitable for development (logging, mining, oil& gas) during the Forest Planning process.

NFMA Rules

The National Forest Management Act (NFMA) was first enacted in 1976 to establish a planning framework that would decide where things happened on each National Forest, and how much of each activity happened over the planning period (10-15 years). NFMA sets levels of grazing, mining, logging, recreating—you name it—for a forest. Through a series of Standards and Guidelines, a Forest Plan tells managers (and the public) how short you can graze the grass on the Forest, or what percentage of forest canopy cover makes good elk hiding cover. For Forest Planning, NFMA is the keystone, and any changes in NFMA can have profound impacts on a local planning process like ours.

The 1976 NFMA regulations were based mostly on defining (and producing) outputs from the forests. Success was measured in volume of trees logged or the number of cows grazed. An overarching assumption in these regulations was that mankind comes first; the critters, water, and air come later. In 1998, the Forest Service began a revision process for NFMA, engaging an esteemed Committee of Scientists and holding hundreds of public meetings across the country. The outcome of that process created a new NFMA that suggested a radical shift: the needs of critters and mankind should be considered on an equal footing during the planning process. Unfortunately, these regulations never saw the light of day. Instead, the current administration has held up the adoption of the new regulations, and we continue to operate under the old ones.

The New Planning Language-- GAU's and LWG's

The GMUG Forest is electing to proceed with a community collaborative planning process as outlined in the new rule. The Forest Service intends to divide the pie of the GMUG into 7 or 8 Geographic Areas (GAU's) In each GAU, a Landscape Working Group (LWG) is charged with the task of identifying (collaboratively) how the Forest should be run in their geographic area. These suggestions are forwarded to the Forest Service, and the public will have a chance to comment on them during the NEPA scoping process. Each LWG would ideally be made up of a good cross-section of forest users in that area who could donate the time, energy and expertise to the many meetings that will be required. On paper, this approach has the potential to minimize conflicts between different sub-cultures of people who live within the seven-county area that GMUG encompasses. While Forest Supervisor Bob Storch can make decisions that matter across the entire breadth of the Forest, he will also make decisions targeted to specific geographic regions, based on input from the LWG's.

Collaborative planning contemplated by the agency represents a departure from the 'standard' NEPA planning process. The standard planning process got its public input through public scoping—that is, asking people to write comments. This new planning style gets much of its public input from groups of people sitting down talking to each other. Before the agency begins to think about alternatives, this new planning model says "let's see what the community can come up with." This leaves the slate clean for the community to help define the nature and direction of alternatives. Even though we are still technically operating under the old regulations, these collaborative groups will be key in shaping what happens across the Forest, and in our backyard here in the Upper Gunnison Basin. The Forest Service has told us that the planning process for the

Landscape Working Groups (LWGs) will begin sometime in early 2002.

Forest Planning 101

Things a Forest Plan can decide -- broad, forest-wide decisions

General areas suitable for different uses (timber cutting, livestock grazing, oil, gas and mineral exploration, recreation, etc)

General areas suitable for motorized and non-motorized travel

Areas suitable for ski area expansion

Things it can't decide -- project level decisions.

Logging within a specific area suitable for timber removal

Building a new trail or road

Building of ski lifts, runs

These would be handled through an Environmental Assessment or Environmental Impact Statement

The Gunnison Stakeholders Travel Group...A Rough Road

by Sandy Shea

Almost a year ago we began telling you about the Gunnison Stakeholders travel group and how this diverse set of folks had started getting together to talk about a sensible travel plan for the Gunnison National Forest. The group has since adopted this mission statement: *To provide a collaborative decision-making forum for all interested individuals in the Upper Gunnison Basin to come to collective agreement on a travel management plan for public lands in the Upper Gunnison Basin. We envision diverse people working together, sharing knowledge, resources and trust, to agree on a travel plan for the Upper Gunnison Basin.*

We wish we could report that it's all been smooth highway driving. Quite the contrary. Sometimes it feels as though we're navigating the same old worn two-track over and over again, in a jalopy with no suspension. All the while, some of us are jamming on the gas, others are moshing on the break. It makes for one bumpy ride.

The group has held eight meetings, with most of the time spent on developing a decision making process, firming up our membership, and selecting a first area of study (Flat Top to Kebler Pass). As originally envisioned, the group would come up with a set of recommendations for all roads and trails within the planning area, looking at which routes should be used for what purpose. During this process, group members would check in with their constituents to come up

with options everyone could live with. Then, these suggestions would be included as an alternative in a Forest Service Environmental Assessment that would go out to the public for comment. That was the way it was supposed to work, anyway. Everybody'd be happy with the process and the outcome. The reality has been far more rocky, with the group getting diverted from areas of agreement into areas of solid disagreement.

There are good reasons why travel planning is among the most contentious of issues on public lands. When someone says, "we're discussing travel planning," to some that's code for "we're figuring out what you're doing out there and we're gonna put a stop to it." To others, it may mean, "we're trying to balance our uses against each other and against what the land can sustainably provide." To all, it signals the reality of the Age of Limits brought home to our local planning effort. Limits? For some folks who moved to the Gunnison country for the wide open spaces, for miles of places to ramble around in and to explore, that can be a tough one to swallow.

Traveling on public lands whether by foot, ATV, or anything in between is all about freedom. We want the freedom to cover as much ground as we choose, to be out for as long as we like, and to get to places we've always gone before. We want the freedom to fish, hunt and drive to those secret places where our dad first took us to camp overnight, where we caught the big lunker, or where it was so pretty, so secluded, so wild. We want the freedom to explore the place, and in that place explore a bit of ourselves.

Unfortunately, while the land base stays the same, the number of folks wanting those freedoms is rapidly growing. Ten years ago, hikers, motorcyclists, ATV's and mountain

bikes went many of the same places they go now. You heard some grumbling about "more people out there" but frankly there was more concern about timber sales. Now, there are many more of us out there. Recreating. Traveling. Everywhere. Some routes that might have gotten three motorcyclists, a small hiking group, or a couple of horses on a weekend are now seeing ten times that amount. The grumbling has turned into serious discussion. And here we are.

It's the issue of the limited pie that has driven us to the table for answers. Whether we find any through this forum is yet to be determined. We remain committed to the idea of citizens planning the scope and direction of travel patterns in our local national forest. If we can come up with something our group of seven folks can live with, that will be a start. We're in there talking, and if we come up with anything, we'll let you know. In the meantime, please contact any of the group members below for more information.

Members of the Gunnison stakeholders group: Burt Guerrieri, rancher; Mike Martin, Crested Butte Mountain Bike Association and business owner; Mary Anne Tarr, Gunnison Country Trails Commission; Don Turk, Crested Butte Trailriders; John Nelson, outfitter; Sandy Shea, HCCA; Tod Vandewalker, ATV representative. Jim Dawson, USFS, and Barry Tollefson, BLM are advisory, non-voting members.

Western State College Students Prepare Black Canyon Management Alternatives

by Erica Andrews

After three semesters in the works, the Black Canyon of the Gunnison Backcountry Management Plan nears an end. The

plan is a joint venture between the National Park Service and Darrel Jury's Environmental Studies 400 class at Western State College. Students used Limits of Acceptable Change (LAC) guidelines to determine what changes to current management, if any, should be made. The plan addresses nearly 85 percent of land in the park and considers the impacts caused by facilities, recreation and visitors. Specifically, fall semester's portion of the project highlighted two steps of the LAC process. The objective was to decide what resource and social conditions are to be maintained in various areas of the park and to identify management actions to preserve those conditions through a variety of alternatives.

"The Park Service doesn't have the staff and resources right now to research this plan," student Sara Aufderhar said. "We are helping them out by doing the legwork. Meanwhile, they are helping us students out by providing an opportunity to gain experience in the real world." The class researched and offered five varying land management prescriptions, or alternatives, to the Park Service.

The first is a "no-action alternative," which would continue practices of current management while allowing for changes when finances allow. The second proposes "unconfined recreation," which emphasizes human recreation and enjoyment of park resources. Several improvements to facilities are included under this alternative, as well as the possibility of increasing fees by \$2 a day. Securing public access to Red Rock Canyon is also considered under this alternative.

The third proposed alternative, "recreation and solitude," focuses on human use while preserving biological integrity. Changes in management include voluntary registration,

limiting group size, increasing fees by \$2 a day and limiting use of the Inner Canyon.

The fourth alternative, "protection of naturalness," would encourage protection of natural resources and minimizes human impact by concentrating areas of use. No new developed trails or routes would be allowed. Visitor use would be restricted and a lottery system would be established to allow access to Red Rock Canyon. The \$2 fee increase would be included as well. The fifth and final proposed alternative is "ecological preservation," which has as its centerpiece the ecological integrity of the park, and would use conservation biology to preserve wildlife corridors. Under this alternative, visitor use would be limited, Red Rock Canyon would remain closed to public access, and no new development would be allowed.

Ultimately, the Park Service will decide. The final plan could combine elements of one or more of the alternatives. "Funding and Park Service policy will alter the proposed plans somewhat, but the students have provided a great base for us to start from," commented Park Service employee Ken Stahlnecker.

The class presented its findings at a public forum in November. Please send your comments (until January 31) to: Darrel Boyd Jury, Environmental Studies, Kelley 110A, Western State College, Gunnison, CO 81231. You can comment online at western.edu/envs/black/Welcome.html.

"This is a good opportunity for the public to comment on how our public lands are managed," said student Amy Owsichek. "Please get involved. Public input is really important in composing a final management plan, so give us your ideas."

Road Inventory Project 2002

This is the seventh year that High Country Citizens' Alliance has organized road inventory crews as part of its **Road Inventory Project**. The effort involves inventorying roads in the Gunnison National Forest during a 10-12 week summer field season, and compiling results at the office. Inventory includes locating roads via GPS, photographing, and documenting road segments on forms and USGS maps. This collection of data is then entered into computers for GIS mapping. Most travel in the field is done by mountain bike or on foot.

This year will once again be an extremely busy one as HCCA has joined a regional effort to map roadless areas throughout the entire Southern Rockies. HCCA is a member of the Southern Rockies Forest Network (SRFN), an alliance of 20 conservation groups from Southern Wyoming and all of Colorado dedicated to the protection of roadless areas in their regions. SRFN is coordinating mapping efforts among six different groups. HCCA's focus area is the Gunnison National Forest, specifically the Taylor/Cebolla Ranger District, which covers almost a million acres from the Maroon Bells to the La Garita Wilderness, and from Monarch Pass to Blue Mesa Reservoir.

We are looking for Field Crew Members. This position runs from June 1 – August 15, 2002

Participation in the Road RIP program as a **Crew Member** is an exceptional way to spend a summer traveling through some of Colorado's most magnificent and remote high country, while helping important conservation efforts at the same time! A food stipend and gas mileage is paid as part of these positions.

For more information or to interview, please contact Sandy Shea at sshea@rmi.net. These positions are open until filled. We encourage you to apply early.

Sage Grouse head into winter...what will it bring?

by Sue Navy

As we wonder what lies ahead for our weather this winter knowing our livelihoods depend on ample to exceptional snowfall amounts, the Gunnison sage grouse are just as dependent on the elements for their own livelihoods, i.e. survival. A fine balance exists between enough and too much, as sage grouse need adequate snow for winter and spring moisture, but too much can mean more difficult conditions for foraging and finding shelter. After many years of decline, Gunnison sage grouse populations have remained relatively constant for the past few years, no significant decline or revival. We'd like to see this as a positive situation, although it's as unpredictable as the weather.

Land management agencies are still striving to find the delicate balance between human and sage grouse needs. Habitat can be impacted in many ways. Housing development on Tomichi Creek threatens important sage grouse habitat, while lek areas in Chance Gulch have yet to rebound from uranium tailings relocation, grazing circumstances and landfill expansion. These are being addressed by many dedicated people. High Country Citizens' Alliance is currently scrutinizing management plans in Chance Gulch and serving on the Gunnison Sage Grouse Mitigation Committee which was formed by Gunnison County in response to the landfill expansion to mitigate

impacts to sage grouse habitat. While populations may be somewhat level, more effort and time are needed to effectively reverse a long-standing decline. The Conservation Plan has been in effect for almost four years and has accomplished some of its objectives, but there is much left to be done.

The Gunnison Sage Grouse ~ A Dance of Survival video has been extremely well-received in many venues since its release in March, exceeding our expectations. At the Reel Fest Film Festival in Crested Butte, it was awarded the Silver Audience Award. Distribution has been widespread and remains a focus for this educational piece. Please contact HCCA if you would like a copy for yourself, your agency, your school or working group. T-shirts are available at The Alpineer and Blue Addiction. Our thanks to these businesses for their help.

Whether you're praying for snow, sun or peace on Earth, let's hope that winter provides an abundance of whatever is needed to sustain all forms of life on our planet.

Reform of Coal Mining in the West Elk Roadless Area

by Mark Heller

Question: What happens when you mix energy exploration and roadless areas? Answer: Controversy then compromise. In a West Elk demonstration of the national conflict between natural resource conservation and energy exploration, HCCA joined in an administrative appeal on behalf of our Paonia sister group WSERC. We objected to the ways that the Forest Service was allowing coal companies to build roads in the roadless areas surrounding coal leases. The West Elk Roadless Area, which borders the West Elk

Wilderness and is near the town of Paonia, is home to many hundreds of acres of coal leases for the area's high energy, low pollution anthracite coal. Coal production near Paonia is booming and the boom is expected to continue for another decade.

As coal companies dig deeper to produce more coal, they also produce more methane gas, which is highly explosive and robs miners of oxygen. In order to mine these deeper tunnels safely, the methane must be vented. The issue for WSERC and HCCA was the ad hoc way that the coal companies (Arch Coal in particular) and the Forest Service went about cutting trees, building roads in roadless areas, and drilling "gob vent bore holes," to allow the methane to escape. For the past several years, when encountering methane, companies would ask the Forest Service for a Categorical Exclusion ("CE") to the pre-approved mine plan, so that they could quickly build a road to a vent site. The Forest Service routinely granted these "CE"s despite the fact that no environmental assessment would take place and without a comprehensive plan or analysis of how such road building could impact the roadless areas. Since methane gas build up is a known problem with the deeper mining techniques, we felt that the coal companies and the Forest Service should do better advance planning so that venting construction could be anticipated and mitigated with minimum damage to the roadless areas.

When the latest round of CE applications was filed, WSERC, HCCA, and The Wilderness Society (through our lawyers Ted Zukoski and Melissa Decker at the LAW Fund) objected. The effect of the objection was to threaten the mine with an immediate shutdown until our concerns were met. After weeks of intense negotiation, we withdrew our objections and the mine was permitted a very limited round of vent

construction. They had to agree to multiple Forest Service conditions and make concessions, including a requirement that the company engage in a comprehensive mitigation plan, contribute \$1 million to a mitigation fund, and consult with WSERC for future operations. This is a shining example of how responsible environmental activism can achieve genuine protection of the environment and reform of a harmful and unnecessary industry practice.

Since the Bush Administration has weakened environmental protections across the board, especially for energy exploration and production, we are bracing for many more battles like this in the coming years.

OTHER PUBLIC LANDS TIDBITS....

M2M—Off and Running

M2M—you'll be hearing that more often now. It stands for Mountains To Mesas, a coalition of Western Colorado citizens concerned with management of Grand Mesa, Uncompahgre and Gunnison National Forests. High Country Citizens' Alliance will play a key role in this effort to create an implementable plan for the GMUG that identifies and expands connected wildlands networks to protect, maintain and restore native biodiversity. The plan will strive to balance ecosystem health with human needs. Look for more information on this process in the next issue!

Other Environmental Rollbacks

More CE's Means Less Analysis

The administration has now proposed expanded use of categorical exclusions (CE's). So-called 'expanded use' would give the agency broad discretion in deciding whether to do any environmental analysis at all. Expanding the use of CE's means that the Forest could offer a timber sale in a roadless area—without doing the required environmental analysis. While we doubt that this would happen (or be successful), widespread use of categorical exclusions is a slippery slope that could open the door to detrimental and unintended environmental consequences.

COMMUNITY PROGRAM

Building a Sustainable Home

by Steve Schechter

What to do when energy prices continue to rise and fall as energy commodities react to the market forces of supply and demand? The simplest and most time tested solution for consumers and homeowners is to upgrade their consumptive habits with products-- whether a home, a car or appliances-- that save the most energy and water and reduce pollution. Consumers really do have choices, that when rationally selected, can save money and headaches for decades to come.

Part of HCCA's Sustainable Communities Symposium dealt with how to build or upgrade an existing home so that our shelter's expenses don't drive us into penury. This author had a small part in the Symposium, talking about the energy efficient home as an essential component of affordable housing.

The first component of energy efficiency is to buy or build a home of modest size that fits your needs rather than your wants. A smaller home is less costly to heat, furnish and maintain, and because it is smaller, uses fewer resources. Planning for a new home, or perhaps buying an existing structure, should revolve around good site selection, adequate sunlight, natural wind protection, orientation of the structure (preferably south-facing), and of course, design and construction techniques that stress energy and resource efficiency.

A well designed home can be comfortable in summer and winter with low energy input. Designing an affordable new home in Gunnison County's extreme climate has several critical features. Most important is making full use of Gunnison's 300+ days of intense sunlight. A home with simple passive solar features can virtually eliminate day heating and evening heating expenses. A home with additional insulation values can further extend solar gains, while a little more spent now on insulation, efficient windows, doors and window coverings can save a lot on future fuel bills. Airlock type entrances that help keep heat in the structure, even though the exterior door is being opened and closed, are a must.

All of us, whether building new or upgrading an older home, can invest in energy efficient compact fluorescent bulbs or electronic ballasted fluorescent fixtures that use one quarter of the energy of older incandescent bulbs or magnetic ballasted fluorescent fixtures. When a washing machine, dishwasher, hot water heater, dryer or refrigerator finally dies, we can replace it with the most energy efficient model available. Most of the newest appliances give energy savings that can pay for a new appliance in less than three years. Or maybe you can just send the old clothes dryer to

the junkyard for recycling and put up that outdoor or solarium clothesline that uses no energy at all.

Projects Plentiful for Volunteers

HCCA has an abundant amount of ideas we'd like to put into action in order to enhance the quality of life within our communities in the Gunnison Valley. Our Community Program is seeking volunteers to help with or lead several projects.

We are looking for someone to help with organizing the HCCA/Center for the Arts Millennium Speaker Series. We invite well-known, charismatic speakers to present us with innovative social and environmental concepts.

We have rekindled our "Recycling and Reuse Campaign" and we would appreciate your assistance towards extending the current Recycling system in the valley.

Would you like to be involved in the creation and distribution of the Newcomers Brochure, the Volunteers' Guide to Crested Butte Non-Profits, the Local Directory of Green Building Materials and Professionals, or the folder "50 Things You Can Do for Your Community"?

If you are interested in looking into ways to implement value-added agriculture in the valley, we would like to hear your ideas.

We are also looking for a motivated person to create a 30-minute video clip from our tapes of the 2001 Sustainable Communities Symposium.

Please feel free to call Gesa at 349-7104 or e-mail her at gesa@hccaonline.org if you have the desire to volunteer for

any of these projects. Let us know if another project is on your mind that you always wanted to tackle; we will surely be able to assist you. With your help we can all make a difference!

A Successful Third Annual Sustainable Communities Symposium

by Gesa Michel

In September, High Country Citizens' Alliance held the Third Annual Sustainable Communities Symposium. Nearly 200 people attended lectures, workshops and tours during the three-day event. Symposium goals -- to share successes in sustainability and to stimulate thought, discussion and action in Gunnison County and the Rocky Mountain West -- were met again this year. Attendees found the presentations inspiring and informative, giving such feedback as, "Businesses and environmentalists can work together to create a more sustainable community," and "I learned a lot and was given hope." An inspirational letter of thanks written by speaker Dan Phillips is included in this newsletter.

Attendees and speakers interacted well, exchanging motivational ideas and sharing contacts. Some ideas inspired by the event were:

- Circulating a local currency in Crested Butte and Gunnison
- Creating a construction company that builds houses from free, salvaged and recycled materials
- Developing a sustainable Willows Subdivision (Verzuh-15) in Crested Butte
- Continuing roundtable discussions for aspiring sustainable builders

Establishing an improved recycling program in the Gunnison Valley

Creating a 20-30 minute video synopsis of the taped presentations

Friday night's keynote speaker Dr. Harvey Stone gave a presentation entitled: "The Globalization of the Gunnison Valley ~ Our World in the Next Quarter Century." He focused on the emergence of a global community by acknowledging the realities of global dangers and abuses today. He highlighted positive steps that countries, companies, communities and NGOs are taking to move us to a fairer, freer and more sustainable global community. His talk, which was tailored to the local situation of the Gunnison Valley, was inspiring and uplifting.

On Saturday morning Michael Kinsley of the Rocky Mountain Institute led a plenary session entitled: "Strengthening the Local Economy While Preserving the Quality of Life." Kinsley challenged the audience with three questions: 1) How would your business or other organization be affected if the number of local residents and tourists stopped increasing?; 2) How many people can fit into the County?; and 3) How does continuing growth affect your personal life? By asking these sensitive questions Kinsley made the point that there will be an upper limit to a desirable population in the Valley and painful adjustments to achieve a stable population will be inevitable. He strongly suggested making these adjustments now rather than later and suggested several intriguing ways that a community can grow sustainably. He discussed investing in resource productivity, shifting to