



# CRYSTAL CLEAR Winter, 2022

Published by the Crystal Valley Environmental Protection Association, Environmental Watchdog for the Crystal Valley since 1972.

## An Administrative Withdrawal for the Thompson Divide

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Up and down the Crystal Valley you can spot “Unified for Thompson Divide” yard signs - a visible marker of how much our community loves this extraordinary landscape of a quarter of a million acres of public land! Stretching west from Carbondale and south from Glenwood Springs into the North Fork Valley, and continuing south over Kebler Pass towards Crested Butte, water flowing from the Divide supports domestic and agricultural uses in the Crystal, Roaring Fork, and Colorado River Valleys; people, fisheries, livestock, and wildlife all rely on it.

For many in our Valley, the Thompson Divide area embodies the rural and wild character of western Colorado. It encompasses more than a dozen inventoried roadless areas but has long been threatened with potential oil and gas development and a lack of permanent protection; these threats first emerged during the leasing frenzy of the early 2000s and by 2009 companies held about 70 leases within the Divide and dozens more in nearby roadless areas. CVEPA - and its long-time leaders like Dorothea Farris and Peter Westcott - have been proud to support fellow local groups such as the Thompson Divide Coalition (TDC) who have fought off these

threats and achieved significant victories along the way.

As we've shared in previous issues of the *Crystal Clear*, permanent protections for the Thompson Divide are included in the Colorado Outdoor Recreation and Economy (CORE) Act, federal legislation championed by Senators Bennet & Hickenlooper. Despite bipartisan support, the bill has struggled to move forward in an evenly divided Senate. But in October, President Biden announced the Bureau of Land Management (BLM) and US Forest Service would be moving forward with protections for the Divide!

Just days later, Secretary of the Interior Deb Haaland began the process to administratively withdraw 225,000 acres of the Thompson Divide from future oil and gas leasing, as well as mining, for a 20-year period - the maximum allowed under Federal Land Policy and Management Act (FLPMA). This is a huge step forward that our community should celebrate and support! The proposed withdrawal is the strongest form of protection from mineral development the administration can provide, but it's not permanent and doesn't cancel existing leases.

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# Thompson Divide, continued

A 90-day public comment period is underway and includes an important public meeting on December 14 in Carbondale (see additional information.) The proposed withdrawal requires analysis under the National Environmental Policy Act (NEPA), which will likely take more than a year to complete. While the proposed withdrawal would provide important interim protections for the next 20 years, local groups such as TDC and Wilderness Workshop (WW) will keep fighting for a permanent legislative mineral withdrawal. The Divide still contains existing oil and gas leases that could be developed; WW and others are working to ensure these leases remain undeveloped and are cleared from the books.

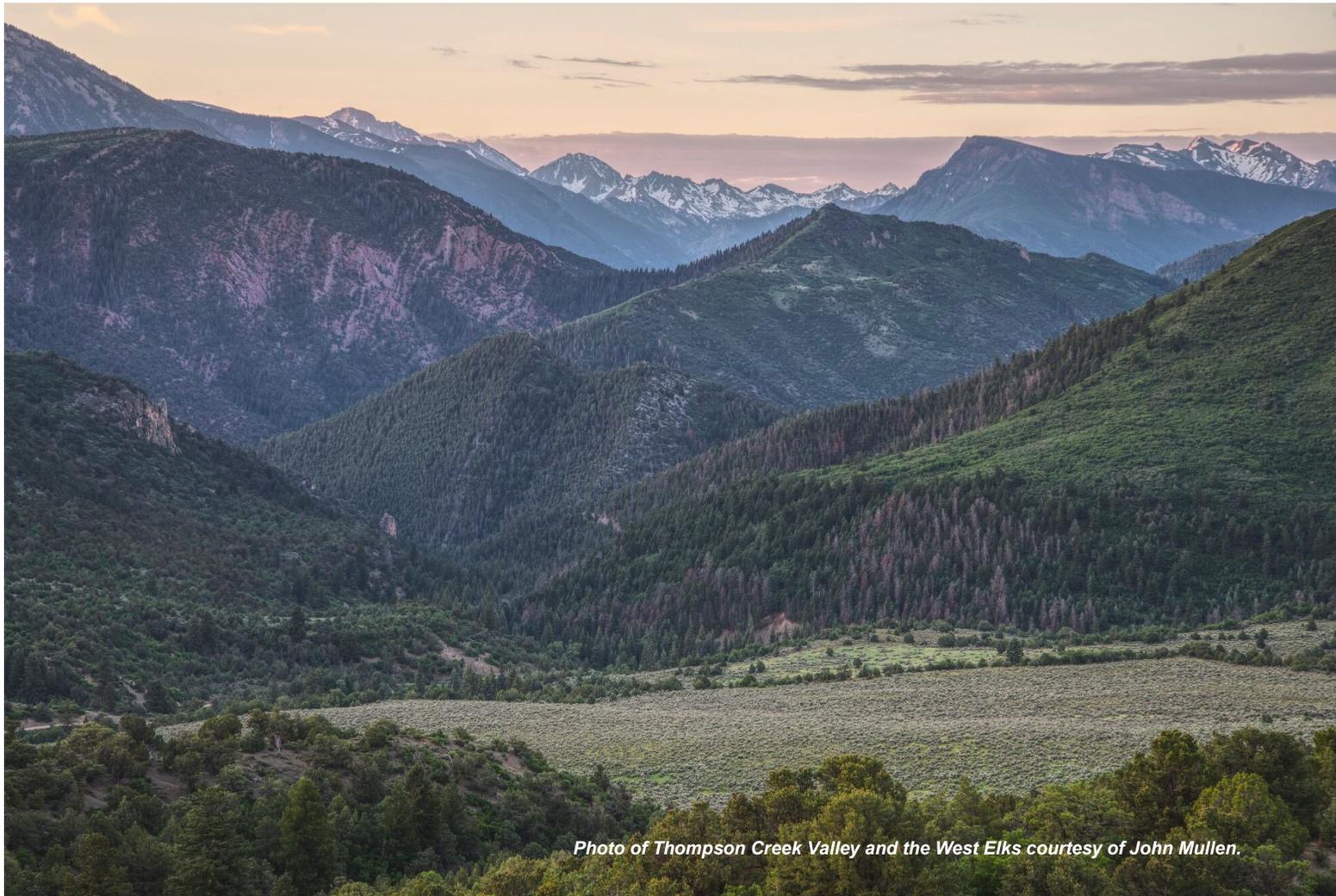
CVEPA encourages you to join the Thompson Divide Coalition, Wilderness Workshop, and fellow supporters in advance of the public meeting about the proposed Withdrawal! We'll make signs and buttons and write supportive comments before heading to the public meeting to show our community remains "Unified for the Thompson Divide." For more information, scan the QR Code, visit [wildernessworkshop.org/events](http://wildernessworkshop.org/events), or email [erin@wildernessworkshop.org](mailto:erin@wildernessworkshop.org) to learn about other ways to participate. WW also has an advocacy action on their website - please make sure you take action by **Friday, January 13!**

**Show your support  
for the  
Thompson Divide!**

**Wednesday, December 14  
4:30-5:30 p.m.**



**Community Hall at the  
Third Street Center  
520 South Third St.,  
Carbondale, CO 81623**



*Photo of Thompson Creek Valley and the West Elks courtesy of John Mullen.*

# Final Recommendations for Lead King Loop

The results of a multi-year process to develop travel management solutions for the Lead King Loop (LKL) were presented to the Gunnison Board of County Commissioners (BOCC) at their work session Tuesday, October 25.

Melanie Armstrong, Director for the Center for Public Lands at Western Colorado University (WCU), and Isabel English, graduate student in Environmental Management at WCU, presented the final recommendations of the LKL Stakeholder Group to the commissioners. About 24 members of the public attended the work session via Zoom. Dr. Armstrong facilitated the process, convened by the Gunnison BOCC, the US Forest Service and the Town of Marble in September 2021, that utilized both the input of representatives from a variety of sectors and the results of three public listening sessions involving 123 members of the public. (See *Crystal Clear* Fall 2022 issue for more details on the process.)

The recommended actions touch on eight areas: Parking, Reservation System, Education, Enforcement, Noise, Road Conditions, Trail Construction and OHV Management. The details of the specific recommendations may be viewed at: [https://drive.google.com/file/d/1MLtWyC4\\_9xz2Mo5H8TcP0RYfFVwiZkMi/view](https://drive.google.com/file/d/1MLtWyC4_9xz2Mo5H8TcP0RYfFVwiZkMi/view)

Many members of the stakeholder group believe these actions, if implemented, have the potential to provide positive recreation opportunities while mitigating impacts to the community and the environment. However, CVEPA representatives, in accordance with the rules of the Stakeholder Group Charter, voted to stand aside with major disagreement. CVEPA voted to formally disagree with the recommendations without blocking them from being presented to the convening groups.

The CVEPA Board of Directors believes that the LKL Working Group and subsequent stakeholder process established that the OHV exemption on County Road 3 has resulted in a decline in the quality of life and the health and safety of Marble and Crystal residents, has developed into a divisive issue within the community, and has created road and environmental degradation which no one has the resources to mitigate. The list of concerns includes issues of dust, pollution, noise, and wildlife and recreationalist displacement.

CVEPA's mission is to protect and preserve the natural environment and its scenic resources, and to restore and maintain the integrity of the ecosystems within the Crystal River watershed. Consequently, CVEPA cannot endorse any effort that seeks to accommodate or provide infrastructure to the very activity that is causing the problems we seek to mitigate. This includes providing special parking for trucks and trailers to import a use that, by state law is prohibited.

While CVEPA recognizes and respects the autonomy of the Town of Marble to make their own decisions on what they allow within their jurisdiction, we believe that the Gunnison BOCC must act in the best interest of all Gunnison County residents and lift the exemption to state law prohibiting OHV traffic on county roads. This would provide its citizens with the same protection that benefits the State of Colorado and the rest of Gunnison County.

The resolution adopted by the Gunnison BOCC in May, 2022 which continues the exemption and allows OHV use on CR3, expires on January 3, 2023. The LKL Stakeholder Group will reconvene after the 2023 season to review the results of any actions that are implemented.

## Top 10 priorities selected as “Most Important” in survey responses:

1	Respect	14.58%	14
2	Wildfire prevention	11.46%	11
3	Tranquility	9.38%	9
4	Value and Quality of Life	9.38%	9
5	Wildlife habitat	8.33%	8
6	Volume of users	7.29%	7
7	Local's Priority	5.21%	5
8	Disproportionate impact	5.21%	5
9	Parking	4.17%	4
10	Permits	4.17%	4

## The purpose of the Crystal Valley Environmental Protection Association

is the protection and preservation of the natural environment and its scenic resources; the enjoyment and protection of wilderness, wildlife, forests, and streams; the restoration of the natural environment; the maintenance of the integrity of the ecosystems found within and around the Crystal River watershed; the promotion of greater knowledge of the environmental resources of the valley; and the encouragement of human conduct which will sustain these resources.

CVEPA acts as a watchdog on government and industry, an advocate of environmentally sound practices, and a leader in the environmental movement in the Crystal and Roaring Fork Valleys. Although the primary scope of interest is in the area defined by the watershed of the Crystal River, CVEPA may become involved in environmental issues that extend beyond these boundaries.



# Thoughts on the Meeker Uprising, Hayden and the Crystal Trail

**Dale Will**

When Ferdinand Hayden's team of surveyors entered the Crystal Valley in 1873, they noted the existence of a "hardened trail" running from the summit of what is now known as Schofield Pass down to the confluence of the Roaring Fork and Colorado Rivers. At this point, the surveyors were the guests of the Ute Nation which had been promised roughly the western fifth of the Colorado Territory as their permanent reservation under the Treaty of 1868. The eastern boundary of the 1868 reservation lies approximately where Woody Creek sits today, and the entire Crystal watershed, and lands west to the Utah border, were within it. Hayden's report to Congress that year noted that the trail was a major Ute travel route, connecting the western Colorado River valley with the Front Range via Schofield and Monarch Passes. For those interested in such things, Hayden's maps were ultimately published in the 1884 Atlas of Colorado, and can be viewed at the Aspen Historical Society and the Denver Public Library's Western History Collection.

When the Ute were granted the western fifth of Colorado, one might have hoped that the US government would protect their dominion of the same. But the government's racial bias in favor of the ongoing white settlement permeated the priorities and policies of the day. So

it was, that when a zealous Christian Missionary named Nathaniel Meeker decided to enter the reservation and seek to disrupt the Ute's culture, the US Army was sent to protect him. This didn't end well for Meeker, or for the Calvary detachment that was soundly defeated by the Ute at Milk Creek in September of 1879.

For generations the Ute had skirmished with the Arapaho people, each fond of hot springs and horses, and vying for control of both. These skirmishes were among people who understood each other, who shared both the strengths and vulnerabilities of living off the mountain landscape. Estimates of the total Ute population vary, with "The People of the Shining Mountains" concluding their total numbers were likely around 4000. The warriors in the tribe could not know the extent of the white population and material resources of the recently arrived Europeans. But when they trounced the cavalry at Milk Creek, reinforcements arrived quickly, and the warriors knew enough not to wait around for a further response. And so, they fled up what is now known as the Crystal Trail and sought the high grounds on Schofield Pass.

I originally became aware of this story in a brief mention

in "The Crystal River Pictorial", Dell McCoy's wonderful book on the Crystal Railroad. Years later, I was fortunate to walk some same sections of the trail with my friend Kenny Frost, a member of the Southern Ute tribe. Kenny independently recounted that the Ute warriors had indeed sought refuge in the upper Crystal Valley following the Meeker uprising and the associated Battle of Milk Creek.

Imagine that scene: Some early white settlers had already appeared in the valley. Myron Thompson had apparently first diverted water from his namesake creek this same year, in 1879. Perhaps he was about that fall day, when a heavily armed group of Ute men rode past. These men were

at the height of their strength, combining their deep knowledge of the mountains with the horses and firearms that Europe had introduced to the scene. Myron would have been wise to keep a low profile.

And what was on the minds of the warriors? They had prevailed at Milk Creek by controlling the high ground. They also knew the topography intimately. They might have chosen any place in western Colorado for refuge. They chose the upper Crystal. Whatever the invaders' numbers and equipment, they at least would have their familiar high ground.

What might have been a protracted guerilla war in the Crystal Valley was averted by Chief Ouray himself. By this time the Meeker women were under his guardianship at his home near Montrose. He arranged to repatriate them, unharmed (contrast this to what occurred 15 years prior, at the Sand Creek Massacre). According to Kenny, Ouray then sent runners up into the Crystal and told them to come down. These brave souls had won the battle, but they could not win the war for their homeland, and Ouray would agree to relinquish the 1868 reservation, accepting in return two smaller reservations in SW Colorado, and shared habitation of the already occupied Uintah reservation in NE Utah.

This history bears remembering for all those visiting and residing in the Crystal Valley, especially for those who might do so without respect for the sacred landscape. Not long ago, the bravest warriors of an honorable nation stood ready to defend their homelands in this fragile valley.

*CVEPA is dedicated to protecting access to all the ancient trails in the Crystal Valley, while insisting that human interactions with the same are conducted in a respectful manner.*



Hayden surveyors in the field. Photo courtesy of Dale Will.

# Have You Seen the Ghost of Marble Past?

**John Armstrong**

On a grey winter day you can hear the eerie wind whistle down the long corridors which stretch out almost as long as a football field. It is the 200 room skeleton of the Marble Ski Area base lodge. (The actual size is debatable but it is very large!) The sprawling roof can just barely be seen from the Marble Quarry Road. The massive hulk of a building was never completed and stands as a monument to unrequited greed. Christmas wreaths never decked the halls. Never an anxious skier sipped coffee while waiting for the lift to open, never an apres ski hot mulled wine was shared with friends after a day on the slopes. The abandoned building is called the Marble Village Inn, also known as the Crystal Lodge. The Lodge is entirely on private property, only accessible by permission of the owner. It sits almost 1,000 feet above the Marble Valley Floor. The drive to the lodge could be a challenge in itself during the Colorado winter. The carcass of the hotel shares some dubious similarities with the Titanic. Reputedly, the "hull of the ship" has a cracked and damaged foundation due to the turbulent Mancos Shale it was built on which expands and heaves depending on the ground water.

The Dickens "Christmas Carol" imagery that one conjures up of a "Marble Yet to Come" could wake you terrified in a sweat like old Scrooge himself! The misfit ski village of 26,000 people that was proposed was thwarted by a grassroots effort of common local people, like you and me, who have a love and respect for the land. Those forefather and mothers formed the Crystal Valley Environmental Protection Association. I risk boring those who have heard this story so many times but I urge the curious to read the fabulous history of the Marble Ski Area by Lynn Burton published one year ago in the Sopris Sun. <https://soprissun.com/marble-ski-area-fight-raged-50-years-ago/>

Lynn elucidates the story in brilliant chronological form.

I was astonished when a good friend who was raised in this valley told me how surprised he was to learn that there is a chair lift on the slopes of Mount Daly. The Riblet double chair lift remains on the old ski area slope and might still be serviceable. For ski history nerds, The Riblet Tramway Company of Spokane, Washington built most of the chairlifts in the American West and became the largest chairlift company in the world. Several locals tell stories of riding this lift in 1971-1972 to ski the low angle west facing slopes.

People have long desired to ski in the Crystal Valley. The Redstone Castle T-bar sits idled in a neighbor's back yard giving testimony to Frank Kistler's faded dream of tram-serviced skiing in Redstone. The Colorado Rocky Mountain School also pioneered lift serviced skiing outside of Carbondale. Several other small cross country ski efforts have come and gone. The pure joy of gliding in the snow will not fade away and inspired skiers continue to find the solace or exhilaration they seek whether speculators succeed or not.

In this fiftieth anniversary of the Battle of the Marble Ski Area and of the Crystal Valley Environmental Protection Association I am going to allow myself one more poke at the dangerous initiative of that small group of fraudulent developers. John Zakovich was one of the primary developers of the Marble Ski Area. In true Scrooge form Zakovich told everyone that he "will develop this valley like God would if he had the money!" To that we say "Bah Humbug, Ebenezer!" Let's go skiing!

*To learn more and to support the mission of the Crystal Valley Environmental Protection Association go to [cvepa.org](http://cvepa.org).*

## Winter Closures Protect Bighorn Sheep

Avalanche Creek is a popular portal into the Maroons Bells-Snowmass Wilderness but also an area deemed critical in winter to native bighorn sheep. The White River National Forest announced on November 28 that annual winter closures are now in place at that location nine miles south of Carbondale. Avalanche Creek Road (Forest Service Road 310) is closed to vehicles through May 21, and the entire area is closed to dogs through May 1. All human entry is furthermore north of the road on the south facing slopes that provide a winter refuge for the wild sheep. The seasonal closure was first implemented in 1996.

"The low elevation, light snow-pack terrain that facilitates quick escape, and the presence of winter forage in areas like Avalanche Creek are key elements of bighorn sheep winter habitat during this critical period." said Phil Nyland, Wildlife Biologist with the forest's Aspen-Sopris District. "The seasonal closures are designed to provide a refuge for bighorn sheep, which are a special part of our wildlife heritage."

The USFS has a growing concern that compliance with the closures has decreased, particularly involving dogs. Nyland also commented that "we are seeing big game in this area less frequently than would be expected given its high-quality winter habitat. It's clear to me that the presence of dogs in the closed area contributes to the lower numbers of big game, as does the amount of people." Other biologists, such as Richard Knight, have noted that the impact from human use increases dramatically when dogs are present, due to their ongoing scent marking, greater mobility, and the fact that wildlife perceive dogs as predators.

CVEPA recognizes that Avalanche Creek is also a nice, nearby place to snowshoe or cross-country ski. The privilege of our continued use demands that we each seek to limit our impact by respecting the USFS seasonal closures. Nearby, Pitkin County's Filoha Nature Preserve is closed to *everyone*, from October 1 to July 1 to protect these same Bighorn Sheep.

# President's Letter

**John Armstrong**



Great is the challenge of achieving balance in environmental defense in a valley rich in natural resources. Extraction or harvest of marble and other stone, coal and gas, agriculture and diminishing quantities of water join suburban sprawl, recreation hunger and access to public lands to challenge our quality of life. We value our relationships with government, business and the private sector, land managers, the free press and our membership as we work toward equilibrium.

In CVEPA's "golden anniversary" year we are humbly proud and grateful for the recognition and congratulations we (and you as members) received from our county

governments, both our senators and even a visit from the Governor. Guest speaker Maggie Fox posed the question at the anniversary event "Has CVEPA ever lost?" The only loss can be the failure to engage.

This is the only time of year we ask our members to please renew their support for CVEPA, invite another to join our group and to ask yourself or a friend to consider becoming involved at the board level or as a volunteer.

Thank you for your support.

*The "Crystal Clear" is published quarterly by the Crystal Valley Environmental Protection Association, a 501c3 organization. CVEPA has been the environmental watchdog of the Crystal Valley since 1972. Past issues of the "Clear" are available at [cvepa.org/newsletters](http://cvepa.org/newsletters)*

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As a grassroots non-profit organization, we rely on your support to help us protect the Crystal Valley. Please consider becoming a member by visiting <https://cvepa.org/become-a-member>.



**Crystal Valley Environmental Protection Association**

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