



Photo of Cold Mountain Ranch by Janet Urquhart

CRYSTAL CLEAR

Spring, 2022

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

In Support of Proactive Trail Management

Game wardens and a few locals gathered at the old railroad siding at Placita. Word was out that the Division of Wildlife was going to release elk into the upper Crystal Valley. John Darien remembered that day in the early '40s as he recounted the scene to me in the barnyard at Prospect Mountain Ranch one afternoon.

Darien spent most of his adult years maintaining the dirt road to Marble and the rocky road to Crystal City from approximately 1960 to 1985. Elk were not common at this time and he didn't want to miss this sight. These animals were brought to Colorado to propagate the herd that had been rendered extinct by hunters supplying meat to the mining camps. At Placita Siding several open slatted, wooden railroad stock cars sat waiting. Inside the cars were a number of Roosevelt Elk that had been relocated from the Yellowstone area herds. The doors slid open and it was like a "jack-in-the-box!" The elk flew out of the cars and in no time disappeared into the Placita mountains.

Placita is the abandoned hamlet of several yellow cabins along Highway 133 above Redstone. It was a coal mining station along the Crystal River and San Juan Railroad route to Marble. Placita was also the proposed site of a 301-foot-tall dam in the canyon narrows. The dam would have held half the volume of Ruedi Reservoir. In the '70s, the Crystal Valley Environmental Protection Association (CVEPA) successfully opposed this dam (and another dam at Redstone). It wasn't until 2013 that Redstonian Bill Jochems and Pitkin County succeeded in getting the West Divide Water Conservancy District to relinquish their conditional water rights from 1958.

Placita is located along the old wagon road, which was the original route up the Crystal Valley. It also sits at the foot of the old McClure Pass Road. These historic routes are at the heart of the Redstone to McClure Pass Trail, proposed by Pitkin County to the US Forest Service. The Draft Environmental Assessment (EA) is now being considered. The route has cultural and historical significance to the public. One trail is over one hundred years old and both trails are solid and serviceable. The trail proposal would offer a safe trail experience away from the risk and noise of the highway. Moderate grade walking trails such as this are the exception in the Elk Mountains.

The value of these routes and public lands were the subject of a

lengthy, in-depth debate at the February CVEPA meeting. The draft EA offered two options: trail development or do nothing. Sadly, rolling the clock back to that day at Placita Siding was not an option. Neither is satisfying every person's vision for the land.

The crux of CVEPA's discussion was inviting use of the quiet wagon road area to the public. "If you build it they will come." We are all stunned at the pace of growth in our beloved valley. Enhanced infrastructure of parking lots and signage will bring more users. The "do nothing" option may postpone increased visitation. CVEPA supports staying ahead of the curve, a proactive management approach, believing that an increase in public use is inevitable.

Then there is the progeny of the Roosevelt elk from Placita Siding. I walked the trail last week and the evidence of elk winter frequency is clear. Colorado Parks and Wildlife (CPW) wants winter closures, and possibly elk calving closures, if the trail is developed. No protective restrictions are currently in place.

CVEPA supports strict enforcement of wildlife protection regulations. Everyone is a wildlife advocate, until it comes to making concessions. Pitkin County has offered to pay for Forest Service Forest Protection Officers (FPOs) to patrol the area. (Reference the Feb. 24 Aspen Times Weekly article on FPOs on local public lands). FPOs have the capability and responsibility to enforce winter closures and other regulations on Forest Service lands.

The CVEPA Board voted 4-1 to support the draft EA. To avoid any perception of a conflict of interest due to their employment, two board members recused themselves from voting at the February 10 meeting.

CVEPA opposes commercial use on the trail; especially bike shuttles to the top of the pass. That does not preclude local bike rentals. CVEPA encourages Pitkin County to work with CDOT to develop bike lanes on Route 133 to give riders seasonal options and to accommodate road bikes, which are not suited for the trail.

Trail proponents and opponents are aligned in many ways but reaching a balanced decision that all can support is the challenge. CVEPA believes that everyone deserves a safe route through the valley without a motor vehicle. The proposed trail was the principal route through our valley during much of our recorded history. That does not diminish our responsibility for respectful stewardship of the land.

John Armstrong

Marble Wetlands Preserved for Future Generations

Accepting an offer of riverfront property near Marble for the enjoyment of the public turned out to be more difficult than the opening of the typical present.

18 months ago, a benevolent property owner, who had previously donated Marble's "Thompson Park" to the Aspen Valley Land Trust (AVLT), hoped to donate 55 acres of valuable wetlands along the Crystal River. The transaction needed to be completed quickly to keep the property from going on the open market.

The Crystal Valley Environmental Protection Association (CVEPA) was contacted to help secure the property for conservation. CVEPA Board President John Armstrong's first call was to AVLT. Despite their interest, support of the acquisition by AVLT's Board of Directors was hampered by the presence of a old smelter site that remained from mining activity circa 1913.

Armstrong then contacted Pat Willits of the Trust for Land Restoration in Ridgway, CO. CVEPA Vice President, Dale Will, knew of Willits' work with abandoned mine sites in Western Colorado, notably on Red Mountain Pass. Through several informative and supportive phone calls with Pat, CVEPA gained an understanding of the process and the name of Mark Rudolph at Colorado Department of Public Health and Environment (CDPHE).

With the help of Rudolph, CVEPA applied for and received a grant for Phase I Targeted Brownfield Assessment (TBA) from CDPHE and was also able to complete analysis of the slag material from a certified laboratory pro bono.

In August of 2021, CDPHE issued a favorable Phase I report with their recommendations for mitigation of the site. TLR deemed "that the (CDPHE) report more than adequately meets the standard of 'All Appropriate Inquiry' of the 2002 Brownfield Act to provide TLR legal liability protection as a Bonafide Prospective Purchaser."

Despite the favorable report, the AVLT Board reluctantly passed on the property at the end of 2021. With only two business hours left in 2021, the nimble and fast-acting Trust for Land Restoration accepted the property, and the deed for donation of the 55 acres was recorded, protecting the land from development.

In a remarkable acquisition that traveled full circle, the TLR Board consummated in three days' time what so many had worked to achieve for many years. The donor's generosity, patience, and persistence to conserve this property for posterity became a reality on December 30th.

The property is adjacent to the popular Beaver Lake and includes almost a kilometer of riverfront. It is also borders the Town of Marble and creates a scenic and habitat buffer at the town's edge. The donor's intention to protect the property for future generations has been realized.

TLR's mission of working on remediation and restoration of abandoned mine sites made them uniquely suited for this kind of land acquisition. TLR will work to fulfill the site mitigation recommended by CDPHE and, within the next year, will find the most suitable entity to assume permanent ownership of the property.

The conservation values of watershed and wildlife protection and non-motorized public access are paramount to the new partners. The Aspen Valley Land Trust remains interested in the land as are several other groups. Colorado Parks and Wildlife border the Hepola Wetlands on two sides, and they are a likely candidate. Outreach and collaboration with numerous organizations will assure that stewardship of the property protects this gift for residents and visitors forever.

And thus, on the eve of the new year, the patience and persistence to conserve this property for posterity became a reality.

CVEPA Board Changes



As we went to press, CVEPA saw the resignation of two dedicated, long-time board members. **Dorothea Farris** and **Peter Westcott** devoted decades of hard work to preserving the environmental health and uniqueness of our beloved Crystal Valley. In the June issue of the "Crystal Clear" we'll tell you more about their many contributions to this organization.

CVEPA is fortunate that those farewells were quickly followed by a welcome to a new addition to the board. **Tait Andersen** was born and raised in the Seven Castles area of the Frying Pan Valley, where he learned what it means to develop a love of place and nature. The deep natural connections he established in the Roaring Fork Valley as a child drew him to earn a B.S. in Natural History and Ecology from Prescott College, and an M.Sc. in International Environmental Studies from the Norwegian University of Life Sciences.

Tait calls the broader Roaring Fork River Watershed home and loves nothing more than wandering the backcountry with a home-sewn pack and as few necessities as possible. For the last ten years, he has spent his summers sharing his love of nature through wilderness trips for military veterans with the local non-profit Huts for Vets. Tait is excited to have the opportunity to serve on CVEPA's board and become more personally invested in the stewardship of the Crystal River Valley.

Letter From The President



I have been thinking lately about how complex all the current environmental issues are and how potentially divisive they can be. Certainly, it was so much simpler years ago and things were so much more black and white. Simpler and less divisive issues in 1972? There was an air of satisfaction and anticipation with proponents of the Marble Ski Area. The development would bring huge economic growth in the Marble Valley. The Ute Curse, or just bad luck, had bankrupted Marble and the Quarry with mudslides, fires and avalanches,

the market and war. There was little but subsistence living in the upper valley.

The U.S. Forest Service and Gunnison County had already shown support for the ski area and for many it was a foregone conclusion that the development was going to succeed. The wave of ski area growth in Colorado seemed unstoppable and many residents accepted this with resignation.

I reflect on our organization's foundation, especially this year, as CVEPA celebrates its 50th anniversary. The small group of people who founded CVEPA were called everything in the book, eccentric environmentalists, greenies and spoilsports, NIMBYs that were so selfish they didn't want to share the valley with anyone. Divisive issues indeed! Simple answers were illusive and the victories were hard-earned. I am so impressed with the courage of the founding women and men of CVEPA.

Today, we all share an entire suite of new challenges, some with new twists. Every environmentally conscious person wants to stem climate change and mitigate the methane gas fuming from abandoned coal mines. No one wants to disturb 30 years and millions of dollars of high country reclamation. The American people have inherited the unfinished business of Redstone's Mid Continent Coal and Coke and the escaping methane is said to be voluminous. "Mr. Peabody's coal train done hauled it away" and now the Crystal Valley Methane Groups, elected officials, CVEPA, and innovative minds in the private sector are challenged with how to best ameliorate the damage. Delta Brick and Climate Company has applied to the USFS and BLM for a permit to enter Coal Basin to garner more information on the volume and location of the methane gas leaks. Senators Bennet and Hickenlooper have secured \$1.2 million in federal funding through the Omnibus Appropriations Bill for methane capture in Pitkin and Gunnison Counties!

People need low impact ways to recreate, commune with nature and safely get off the highways. Every step off the road threatens to fragment wildlife and bird habitat and

"recreating" in a mall threatens the physical and mental health of our society. Local environmentalists struggle to achieve balance with recreational amenities in the Upper Crystal Valley. Both the Coal Basin and Upper Crystal Trail issues find environmentalists with differing ideas on how to protect the character of the present while preparing for the future.

While bicyclists, hikers and stand up paddle boarders seek opportunities, others are driving high impact motor vehicles such as ATVs, OHVs and side-by-sides that produce much greater consequences for high country environments. The collateral effects on the Town of Marble and the Lead King Basin are profound. The Lead King Loop Stakeholders Group is a committee funded by the USFS, Gunnison County and the town of Marble and brokered by the Center for Public Lands at Western Colorado University. The group is in its fourth month of meetings. CVEPA is the environmental representative on the committee and has invested a lot of man and woman hours

working towards solutions to the recreational impacts in the Upper Crystal Valley. You are also encouraged to share your thoughts in this process (see link on page 5). The fruits of this working group will be presented at a public listening session in April.

CVEPA's position has always been focused on the disproportionate impacts of said motor vehicles on the health of the environment and the populace. One person on one machine causes more disruption than scores of "lighter" trail and road users.

The U.S. Army Corps of Engineers released the decision on the retro-active permitting of Colorado Stone Quarries (Marble Quarry) Yule Creek operation last week. We have awaited this decision since 2019 when CVEPA reported to the Corps that the Quarry relocated Yule Creek without a permit. We have been told to expect little in the way of required compensatory mitigation from the Corps and the Quarry. We must petition the Army Corps through the Freedom of Information Act to even learn what the decision is. The lack of freedom of information is indeed troubling.

The Wilderness Workshop is shepherding the effort for Wild and Scenic Designation of the Crystal River. The Workshop has been vigilant at maintaining transparency and inclusivity as it works to form a productive stakeholders group moving forward. We know that the process of designation is lengthy and we appreciate the work local groups are doing to move this forward.

CVEPA is so proud of our newest board member, Tait Anderson. Tait and Grant Stevens give CVEPA a boost of the energy and expertise from the next generation of environmentalists. We encourage members to become involved with CVEPA as guardians of this very unique valley.

—John Armstrong

“Both the Coal Basin and Upper Crystal Trail issues find environmentalists with differing ideas on how to protect the character of the present while preparing for the future.”

CVEPA's 50th Year

CVEPA began in 1972 when a small group of Crystal Valley residents banded together to address the threat of a major ski area proposed for the upper Crystal. Kitchen table meetings of the original three, Lloyd Blue, Marge Orlosky and Esther Fogle Neal, drew interest from others passionate about the environment, and the Crystal Valley Environmental Protection Association was born. After successfully defeating its first foe, the Marble Ski Area, the organization has gone on to passionately fight numerous threats to the valley. CVEPA is excited to celebrate 50 years of grassroots advocacy during 2022, and is grateful to be able to continue the legacy of its founders. We're honoring the good old days with stories from some of those dedicated folks, both members and friends, who ensured CVEPA would continue to exist far into the future. Look for more in our next issue, published in June, and please plan to join us this summer for a valley-wide 50th anniversary celebration.

The Middle Years

Peter Westcott

In the fall of 1985 I was a young teacher at the Colorado Rocky Mountain School and saw a notice for a meeting of the Crystal Valley Environmental Protection Association in the *Valley Journal*. Having recently completed a degree in Environmental Studies, I was curious about what the local environmental issues were and showed up. A few months later I was elected president, a position I held for the majority of the next few decades.

The issue of the moment was trying to get the Crystal River designated as a Wild, Scenic and Recreational River by Congress. The board members at the time were hoping that such designation would allow them to be more proactive than reactive. That first effort, spearheaded by Kathleen Menke and Jack Snobble, had some success; the Forest Service found the Crystal eligible and started managing it in as a Wild and Scenic River. Almost 40 years and a couple of active attempts later such permanent designation remains a top goal for CVEPA.

Meanwhile CVEPA remained a largely reactive organization. The Mid-Continent coal mine above Redstone was still active and had scornful regard for the environmental laws it was supposed to follow. CVEPA had an adversarial relationship with the mine because it was often contacting the state and federal agencies to alert them to environmental violations. When the mine closed in the early 90s CVEPA discovered the reclamation bond was inadequate and became a major influencer in how the limited reclamation funds should be spent.

During these decades CVEPA spent much of its efforts on education and as a "watch dog," keeping track of the issues affecting the Crystal Valley and notifying, persuading, encouraging and demanding the appropriate federal, state and local agencies to take appropriate action. In general, CVEPA worked well and closely with Pitkin County, had periods of cooperation and periods of disagreement with the Forest Service, Garfield and Gunnison counties, the Bureau of Land Management, the Mined Land Reclamation Board, and was generally in contention with the two mines (Mid-Continent and the alabaster mine -- the mine at Marble was closed for most of this period), and the River Conservation District.

Other issues started to become more common as ultra-wealthy people discovered the valley. A major issue of access

to public lands surfaced as wealthy new land owners tried to cut off historical public access by trying to close roads and trails through or near their property. NIMBYism (Not In My Back Yard) was generally opposed by CVEPA in regard to public access of public lands, although at times individual board members would cite wildlife

concerns of increased recreation and support closure. Often CVEPA would play a neutral role, sponsoring public meetings that would just present the information so individuals could be informed.

Over the last 15 years CVEPA board members have spent more time debating recreation, public access, and wildlife / environmental impacts. Trying to find a balance between these issues has caused more division on the board than in the past decades, when decisions were usually unanimous. Several examples come to mind: a proposal for a micro hydro plant on a tributary of the Crystal, the bike trail along the Crystal, land exchanges that benefit the Crystal Valley but set terrible examples for land exchanges in general. I've always been impressed by the discussions of the board members, and when necessary, the agreement to disagree.

What has made CVEPA unique all these years is its independence. We have always been a small organization with no paid staff and a very limited budget. (Board members think we're rich when we have a couple thousand dollars in the bank!) We aren't afraid to take stands against powerful people or big money. We only owe our allegiance to our members, never to big sponsors, real estate, or other corporate interests. We've had dozens of successes (and yes, a few losses), and we are persistent. Yes, we're still working on that proactive Wild and Scenic designation. We enjoy working with other organizations when we can, but always draw our own conclusions. Several times we have taken stands opposite other environmental organizations on local issues.

CVEPA has recently become re-energized under the leadership of John Armstrong and with help from board member Suzy Meredith Orr. The website has been redesigned, the newsletter has a refreshing new look, CVEPA is becoming a more recognized organization with the public. We still spend the majority of our time as a watch dog and encouraging government agencies to do their job, as well as educating people about the issues affecting the valley. And now we can say we have a 50 year history!



CVEPA's 50th Year

Memories From A Friend

John Seidel

My alliance with CVEPA was never planned, it just happened through chance meetings with people who became instrumental in its formation and campaigns. In May of 1972 I was assigned to the Carbondale District as the District Wildlife manager for the State Department of Game Fish and Parks as it was then known. I was green as grass. It was my first assignment. I had just completed a Masters Degree at the University of Colorado where a friend had me attend a few Sierra Club Meetings and I had started backpacking. My official duty was wildlife but I had a heartfelt interest in wild lands. I was already questioning the development of mountain areas.

My first bit of luck was renting a house from Laurie Loeb. Having coffee at her house, I was introduced to JE DeVillbis. We hit it off and it became a lasting friendship. The Aspen Wildlife Officer, Al Whitaker, had taken me on a one day tour of the upper Crystal and had introduced me to Marge and Charlie Orlosky in Marble. I immediately was attracted to Charlie and Marge. Charlie had been a government trapper and he spent hours telling me tales about bears, mountain lions and coyotes and a poison called 1080. He had quit trapping for the government when they wanted him to use it on coyotes. Marge and Charlie told me about a land deal made with Lee Stubblefield and expressed their concerns about the development.

I had befriended Dave McKay, a licensed guide and outfitter and son of Stanley McKay of the Beaver Lake lodge where I had lunch many a time when in Marble.

The Department informed me that due to the proposal of the ski area and the EIS required by the Forest Service we needed to know what the wildlife resources were and what would be the effect of the ski area on them. At this time the Department of Game, Fish and Parks had started on scientific studies instead of just observations

and historic tales. It was determined that I would trap and band elk near Marble to determine the population that would be impacted by the proposed development.

In determining the location and initial assessment, I took several rides with Woody Williamson, a Forest Service 'Naturalist' who would much rather spend a day on a horse than in an office. He became a mentor and confided that the ski area was a bad idea and that the Forest Service was in favor of these developments due to political and economic pressure. He also said that the natural resources would suffer. We selected the area near Lily Lake that was adjacent to the elk winter range and had a government cabin that I could use if needed.

I skied the Marble Ski Area one time. As a lifetime skier I realized it was a terrible location. Because of its south facing slopes the transition between sunny areas and shaded areas went from corn snow to ice in seconds.

I had also met and enjoyed a feisty 'young' woman, Paula Mechau of Redstone, who became a confidant and ally in cleaning up the Coal Basin watershed that periodically flooded, bringing tons of coal slurry into Coal Creek and the Crystal River. She and her son Mike were very involved in CVEPA and the Crystal Valley.

When CVEPA was formed it was natural for me to gravitate to its members and mission in that they were considered allies in the my desire to protect the wildlife resources of the land and streams.

Over the years we worked on many issues that came up in the valley including, Coal Basin, The Marble Ski Area and the Placita Dam, truly a watershed organization that has made difference.

Lead King Loop Feedback Wanted

The Lead King Loop Stakeholders Group was convened by the Town of Marble, Gunnison County, and the US Forest Service to address management strategies for the Lead King Loop. Marble, Crystal, and surrounding public lands in the White River National Forest have experienced social-economic and environmental pressures due to large numbers of annual visitors on the Loop. Each summer, up to 17,000 visitors travel to the Crystal Mill and elsewhere using the Loop's 13-mile, rough, unmaintained road. The stakeholder group will collaboratively develop recommendations to address the increased volume of users by assessing recreation uses, determining stressors within the Town of Marble and Crystal, collecting data on the environmental impacts on the surrounding lands, water and wildlife, and creating management strategies that will best mitigate impacts to the community, visitors, and the ecosystem.

This group is seeking public input regarding priorities for managing this area. The survey, linked below, asks interested parties to anonymously rank 24 diverse values or issues. Your input will help the stakeholder group identify areas of critical focus. All instructions are provided within the survey, which may take up to 30 minutes to complete. Go to <https://www.centerforpubliclands.org/marble-survey> to provide your feedback.

For more information on the issues surrounding unmitigated traffic on the Loop, please visit www.cvepa.org/lead-king-loop.



Save the Date!

Join CVEPA on
Sunday, August 21, 2022
to celebrate 50 years of
protecting the
Crystal River Valley!
Details in the next issue of the
“Crystal Clear.”

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

Board of Directors

John Armstrong, President
Suzy Meredith-Orr, Vice President
Dale Will, Vice President
John Hoffman, Treasurer
Tait Andersen
Chuck Downey
Grant Stevens

Directors Emeritus

Michael Mechau
Bill Spence



Crystal Valley Environmental Protection Association
PO Box 921
Carbondale, CO 81623
www.cvepa.org