

## **Ask Senator Ken Salazar to hold a forum on the proposed " Village at Wolf Creek "**

Senator Ken Salazar  
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### **March 22, 2007 - Village at Wolf Creek (VWC) Update**

A number of hurdles still stand before the McCombs/Honts partnership, and the development called "Village at Wolf Creek" (VWC). These hurdles include returning to Mineral County for development reapproval of their Planned Unit Development. (PUD). The plat has to be re-designated because another 12 acres of wetlands were found on the property and because the developers did not have road access when it was originally approved. SLVEC and Colorado Wild filed a lawsuit against Mineral County in late 2004 which is now in the appeal process. The developer had appealed Judge Kuenhold's decision to require two access roads to the property which resulted in SLVEC and Colorado Wild submitting a cross appeal. A decision will be made sometime in summer/fall 2007.

The permitting process for this VWC development has now made its way to the State agencies. The VWC developers still need to obtain an access permit for an access road from the Colorado Department of Transportation (CDOT). The developers want Tranquility Road, which is connected to Forest Service Road 391. According to the Record of Decision (ROD) on the Forest Service Final Environmental Impact Statement (FEIS), the developers must build two roads, the Snowshed Road and a continuation of Tranquility Road, for safety purposes. The developers appealed this decision because they want sole access to the site through Tranquility Road. It is unclear what their intentions are for the Snowshed Road, which could cost at least \$15 million to build.

### **Court Suspends "Village" Construction – at Wolf Creek**

In response to the federal lawsuit Colorado Wild and SLVEC filed in October challenging the Forest Service FEIS, A Preliminary Injunction (PI) A Preliminary Injunction (PI) was filed **prohibiting construction and permitting activities from going forward** until the Court can rule on the Forest Service lawsuit sometime next spring.

Specifically, the agreement bars road construction, application for highway access permits from CDOT, or any other ground disturbing activities. Copies of the Court's order are available on our webpage at: [friendsofwolfcreek.org](http://friendsofwolfcreek.org). The Forest Service started reinterpreting their Record of Decision on the FEIS regarding road construction, so CO Wild and SLVEC were forced to seek the court's intervention

Meanwhile, McCombs can't go back to the County for approval until he receives a permit for access from CDOT. Because of the injunction, that won't happen anytime soon.

Once the court takes a close look at the Forest Service's flawed decision, it is possible that the agency will have to go back and consider all of the impacts associated with its decision to allow access from US Highway 160 to the proposed Village site, not just those arising from the footprint of the access roads themselves. Beyond that substantial delay, this could result in major changes to the access granted, and the proposed Village itself.

There is another permit process that the developers must undergo with CO Dept. of Health and Environment, regarding the building of a wastewater treatment facility on their property and a permit regarding effluent limits. SLVEC, along with partner Colorado Wild, testified before the Colorado Water Quality Control Commission public Hearing in Denver on Tuesday, October 10, encouraging the commission to ensure that all regulations are followed in this process and that water quality standards remain at their present "reviewable waters" standard of "Aquatic Cold Water 1". Department of Health officials have agreed to conduct baseline monitoring of Pass Creek which did happen the day after the hearing and will be continued for the next three years. SLVEC is training individuals to work on this project. Please contact us if you are interested.

A "Friends of Wolf Creek" working group met on Friday February 9th to strategize efforts for the coming year. Outreach efforts will include a letter to Mineral and Rio Grande County residents, updating them on current issues and continuing ways to keep the SLV informed

On Friday, February 15th, a forum was held by the "Village at Wolf Creek" developers in Alamosa at the Inn on the Rio Grande. Red McCombs was there with Bob Honts and they met with County Officials and members of the planning commission in Mineral, Rio Grande, Alamosa and Archuleta counties. A public meeting was held in the evening, it was the largest group of people ever assembled in the valley regarding the "Village at Wolf Creek" development. There were approximately 150 people. The questions that were asked by those in attendance reflected concerns about "Village" impacts. Water supply, high altitude, impacts to the local ski area, and general

concern for the local economy. A representative from Wall, Smith and Bateman gave a revenue tax report on the economic benefits to Mineral County. It was pointed out that there was no "Cost of Community Analysis" to accompany this report.

To summarize, McCombs still needs permits from CDOT, the Army Corps of Engineers, the Colorado Department of Public Health & Environment, Mineral County, and others before he can legally begin construction of the Village.

SLVEC is still unclear of the date regarding the pending lawsuit filed between the partnership of McCombs/Honts and the Wolf Creek Ski Area. The case was supposed to go to trial sometime last fall but we are unaware if a date has been set. We will keep you posted.

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