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For Immediate Release

Judge Protects Rio Grande National Forest Halts road construction to proposed "Village at Wolf Creek"

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Denver, Colo. – In the latest legal victory for opponents of the proposed "Village at Wolf Creek," US District Court Judge John Kane halted billionaire developer Red McCombs' plans to begin road construction to his controversial year-round resort development. The access roads and development would be situated in critical Canada lynx habitat in the Rio Grande National Forest. Following Magistrate Judge David West's recommendations, Judge Kane's order identifies numerous potential flaws and logical inconsistencies in the US Forest Service's decision to authorize the building of roads through the national forest, and shed light on developer McCombs' influence over the Forest Service's approval process. After thoughtful deliberation, the Judge extended the Preliminary Injunction (PI) that has prevented, since last fall, any road construction or other Village related activity until the Court has had an opportunity to issue a final decision on plaintiffs' legal claims.

On behalf of Colorado Wild and the San Luis Valley Ecosystem Council, the non-profit Western Environmental Law Center, together with Energy Minerals Law Center, filed a lawsuit challenging the US Forest Service's decision to authorize construction of two access roads across public lands for the purpose of building the proposed 10,000 person "Village" without analyzing the environmental impacts of the proposed development.

"Judge Kane's Order clears the way for the public's concerns to be heard by the Court before any construction begins," stated Ryan Demmy Bidwell, Executive Director of Colorado Wild. "Although it has been a long road to get here, the Court's impartial review is a breath of fresh air after the Forest Service's tainted analysis and decision."

Consistent with this sentiment, Judge Kane wrote:

"The thousands of public comments submitted on the draft EIS, the majority of which reportedly opposed [Leavell-McCombs Joint Venture] access request and development plans, also demonstrate the public interest in maintaining the status quo by not allowing the Forest Service and [Leavell-McCombs Joint Venture] to begin implementation of the [decision] until this challenge to the Forest Service's decision is fully resolved."

The impacts of the decision are significant for the local communities affected by the proposed development.

“This proposal will destroy one of the few pristine places in the Rockies, where, up until now, man has walked softly,” stated Greg Gosar, a San Luis Valley farmer and rancher of 35 years. “There are too many questions left unanswered or not even considered. We need to start over from the beginning and try to find answers and with a process that is not tainted by what is very much appearing to be an inordinate amount of developer bias and influence peddling.”

“The Court’s Order speaks directly to the problem with the whole Village process,” explained Geoff Hickcox, attorney for the Western Environmental Law Center in Durango. “Just as the developer tried to piecemeal analysis of the proposed Village to hide its true environmental impacts, it now wants to piecemeal construction. Now that the Court has seen our arguments it has ordered a halt to all activity on the proposed Village until a final decision is issued in the case.” Hickcox expects the case to continue through the upcoming winter before a final decision is reached.