



Photo: Mitchell Warrick

**SAN JUAN  
CITIZENS  
ALLIANCE**

Spring/Summer 2020

# DEAR SUPPORTERS,

There's a whirlwind of change churning through the San Juan Basin. Our electric energy mix, the fate of cherished landscapes around Chaco, permanent protections for our remaining wildest regions, and recovery of rare wildlife species are all on deck for the remainder of this year.

Aggressive climate change goals in Colorado and New Mexico have impelled electric utilities to accelerate their transition from coal to renewable energy. Public Service Company of New Mexico remains on track to retire San Juan Generating Station by 2022, and we continue to advocate for at least 300MW of large-scale solar at the site of the power plant as replacement power. We will also be engaging with the community to craft effective ideas for the economic transition funds (up \$40 million!) coming their way. Meanwhile, we have to provide a reality check to wishful thinking about rescuing powerplant jobs with a new carbon sequestration scheme. This sci-fi solution is not just unproven and wildly expensive; it also prevents the community from looking forward and engaging with the new future of energy.

Tri-State has belatedly gotten on board as well, announcing its intention to immediately close the Escalante coal-fired power plant near Grants, New Mexico. Tri-State will also retire its much larger coal plants in Craig, Colorado by 2030. That's a great benefit to the climate, but we still hope to take charge of our own energy future with the ability to increase locally-owned renewable sources that benefit co-op members in the La Plata and Empire Electric service territories.

After literally a decade-long wait, the Bureau of Land Management (BLM) finally unveiled its plans for oil and gas development near Chaco Canyon. We will be scrutinizing the plan and mobilizing public feedback to promote an approach that protects local communities and cultural resources.

Land protection bills covering over 1 million acres in Colorado have now passed the U.S. House of Representatives. The CORE Act, which includes 60,000 acres in the San Juan Mountains, passed the House near the end of 2019. The Colorado Wilderness Act passed the House this January and contains protections for more than 660,000 acres of desert and canyon landscapes, including those in the Dolores River basin. Both these bills are now pending action in the U.S. Senate. We'll need to redouble efforts to advance those protections across the finish line.

We'll be onboarding a new wildlife manager staff position later this spring. Our new staffer will elevate our existing habitat protection campaigns, like making space for bighorn sheep to reclaim more of their native habitat, and figuring out how wolves might fit back into the landscape of the Southern Rockies.

In the meantime, we will maintain our "neighborhood watch" program, tracking projects ranging from timber sales to motorized trail proposals to land exchanges in order to ensure that the cherished landscapes in our region are preserved.

As always, we couldn't do this work without supporters like you. Thank you!



*Mark Pearson*

**Mark Pearson**

Executive Director,  
San Juan Citizens Alliance



# Quick Hits

Updates on a few of our ongoing campaigns



## • Protecting Greater Chaco

We continue to confront oil and gas industrialization in Northwest New Mexico in order to preserve Chacoan landscapes and heritage. Most recently, the Farmington BLM Field Office and Navajo Regional Office of the Bureau of Indian Affairs finally released an amendment to the 2003 Resource Management Plan to evaluate approximately 3,000 new Mancos Shale oil and gas wells. This initiates a 90-day comment period through the end of May 2020.

SJCA will be analyzing and responding to this plan. In particular, we'll make sure that communities, consultation & informed consent, public health & safety, cultural heritage, and air quality are prioritized above oil and gas development.



## • Silverton Trails Plan

For areas lacking the permanent protection of wilderness, we need to maintain constant diligence. In January, the BLM unveiled a proposal to convert a quiet alpine valley, Minnie Gulch, into a motorized thoroughfare as part of a larger trails plan around Silverton.

The Minnie Gulch proposal inspired widespread opposition from San Juan County, existing quiet recreation users, and the Ute Tribal Nation in its efforts to protect a culturally-significant historic Ute trail. BLM should unveil its final decision later this year.



## • Village at Wolf Creek

The Village at Wolf Creek remains mired in litigation. The planned city of 8,000 people atop Wolf Creek Pass has been promoted by Texas developer Red McCombs since 1986. The developers want paved, year-round road access so they can build out the massive resort.

In 2015, the Forest Service approved a land exchange that was later overturned in court. Now, the court is awaiting proof the Forest Service and McCombs have "unwound" the land exchange and put everything back the way it was. Later, in 2019, the Forest Service approved a different mode of access using a law designed for Alaska, and that approval is also tied up in ongoing litigation.



# Fighting for a Cleaner Animas

It's been more than three years since the mining-impacted headwaters of the Animas River were designated as a federal Superfund site.

Superfund is a program administered by the U.S. Environmental Protection Agency (EPA) to investigate and clean up hazardous substances across the country. For the Animas and its headwaters above Silverton, the Bonita Peak Mining District Superfund Site targets more than 50 mining-related sources of toxic metals that have impacted the river and its tributaries for more than 150 years.

Even in its fourth year, the cleanup process at the Bonita Peak Superfund site is in its early stages. The EPA and its project partners are still collecting and analyzing data to inform their cleanup strategies.

This means that there is ample opportunity for SJCA, and our watershed communities, to get involved in the Superfund process. Since the beginning of the cleanup, we have been advocating for four main things:

- 1. Science-informed decisions to improve water quality**
- 2. Mitigation of unplanned releases of mine-impacted water (like the Gold King Mine Spill)**
- 3. Diverse and substantive community involvement in the Superfund process**
- 4. Full funding for the EPA and Superfund program**

With unsteady leadership and dozens of environmental rollbacks under Trump's EPA, substantive community involvement at the headwaters of the Animas has never been more important.

Recognizing this need, we helped create a Community Advisory Group (CAG) for the Bonita Peak site in January of 2019. Over the last year the Bonita Peak CAG has served as a public forum for representatives of diverse community interests to discuss their concerns related to the Superfund decision-making process. The CAG has also advised the EPA in regards to our community's preferences surrounding cleanup investigations, remediation activities, and overall environmental and human health goals.

Beyond engaging directly with the Superfund process, SJCA also championed critical reforms to the Colorado Mined Land Reclamation Act. After three years of effort alongside our statewide partners, our proposed reforms became law in the spring of 2019 and will help ensure that future mining operations are done much more safely and responsibly.

To date, the EPA has been monitoring both surface water and groundwater at the Superfund site, and they've continued operation of the Gladstone water treatment plant. They've also taken steps towards completing the goals outlined in their Interim Remedial Action Plan, which includes easier projects to stabilize and mitigate pollution sources. In 2020, we expect the EPA to continue those interim projects, complete updates at the water treatment plant, and continue their scientific investigations. The EPA will also likely begin testing for the closure of the bulkhead (a concrete plug designed to hold back mine water) at the Red & Bonita mine site – an important step toward cleaning up some of the worst pollution sources at the headwaters.

As the EPA continues with the cleanup, SJCA will keep advocating for science-informed decisions and continue to facilitate community involvement and oversight from the CAG. More information, including how to get involved, can be found at [www.bonitapeakcag.org](http://www.bonitapeakcag.org).



# Carbon Capture Proposal Staggers On

Across the nation, utilities are ditching expensive, dirty coal and shifting towards a cleaner, more affordable portfolio. Now, the San Juan Generating Station is finally following suit, and is scheduled to shut down in 2022. After decades of pollution and adverse health impacts levied by the plant onto workers and local communities, the shuttering of San Juan would finally mean cleaner, healthier air for our communities.

Unfortunately, unexperienced duo Jason Selch and Lawrence Heller founded Enchant Energy in early 2019 and convinced the City of Farmington that they could keep San Juan Generating Station open with speculative carbon capture technology. We staunchly oppose this project and the environmental and economic damage it will cause.

Keeping the plant open means continuing a legacy of contamination and would negate the environmental benefits that come with closing San Juan. Enchant is effectively proposing to dig up sequestered carbon in coal seams, only to burn it and then attempt to (less efficiently) recapture and rebury it.

It's not hard to see how the environment loses with the project.

It is time for the Four Corners to transition away from its historic dependence on fossil fuels and move towards a more sustainable energy economy. We

need to protect the natural resources of the region and preserve the health of its residents for decades to come.

We're advocating for proactive solutions, but Enchant wants our community to retreat from the future in favor of attempting to preserve the status quo.

In addition to prolonging the coal plant's legacy of pollution, the proposal by Enchant Energy disingenuously peddles unproven technology and sells the deceitful promise of a resuscitated coal economy in the Four Corners. Our communities are presented with a short window for transition and, at a time when our elected officials should be focusing on realistic and sustainable options for the future, the opportunity costs of blindly following Enchant's exploratory project are immense.

Northwest New Mexico is missing out on the chance to meaningfully participate in energy transition because we've been blinded by the false hope of jobs and economic boon being promised by Enchant. Our community and its workers deserve the truth. And the truth is that Enchant Energy still lacks financing for its project, lacks power purchase agreements, lacks a buyer for the CO2 it plans to produce, lacks any guarantee of transmission or water rights, and has yet to deliver any sort of concrete plan forward that involves a realistic timeline.



## Farewell to Zach

*Our San Juan Energy Organizer is headed off to law school in the fall! Here, he reflects back on his time at the Alliance and how he envisions the future of energy in New Mexico*

It's been quite the year and a half! What an honor to have spent it with the incredible team at SJCA fighting on behalf of the San Juan Basin's communities and the natural world that supports them. As I'm sure you already know, the crew at the Alliance is something special and we are extremely lucky to have them advocating for us and our interests as residents of the region.

Though it's tough to say goodbye, in May, I will be departing from the Alliance in order to spend a month and a half on the Pacific Crest Trail before beginning law school in the fall. I will be concentrating on environmental law with a focus on environmental justice. In the coming years these issues will undoubtedly become even more pressing than they already are as we work for a sustainable and equitable path forward. There are unconscionable disparities in power and agency as proscribed by the current system and I look forward to the opportunity to leverage my J.D. on behalf of the voiceless in the current climate crisis, including our natural world.

We're making huge progress right now in New Mexico, but there is no shortage of work to be done moving forward. As coal plants are abandoned, now is the time to hold utilities accountable for their part in a just transition that doesn't leave communities and workforces behind. Enchant Energy is a predatory company that we will continue to fight at every turn as it attempts to keep coal in San Juan County. We will continue providing input as New Mexico works on a methane rule to prevent wasteful practices by the oil & gas industry. Chaco is still under threat of oil & gas development and will need advocates to stand up for its protection.

In the last year and a half, we have had an exponentially growing base of citizens who are stepping up and taking action in New Mexico and it wouldn't be possible without your support. Thank you to SJCA for all the invaluable work it does and thank you to each of you for making all of our work possible!

# The Decline of Coal



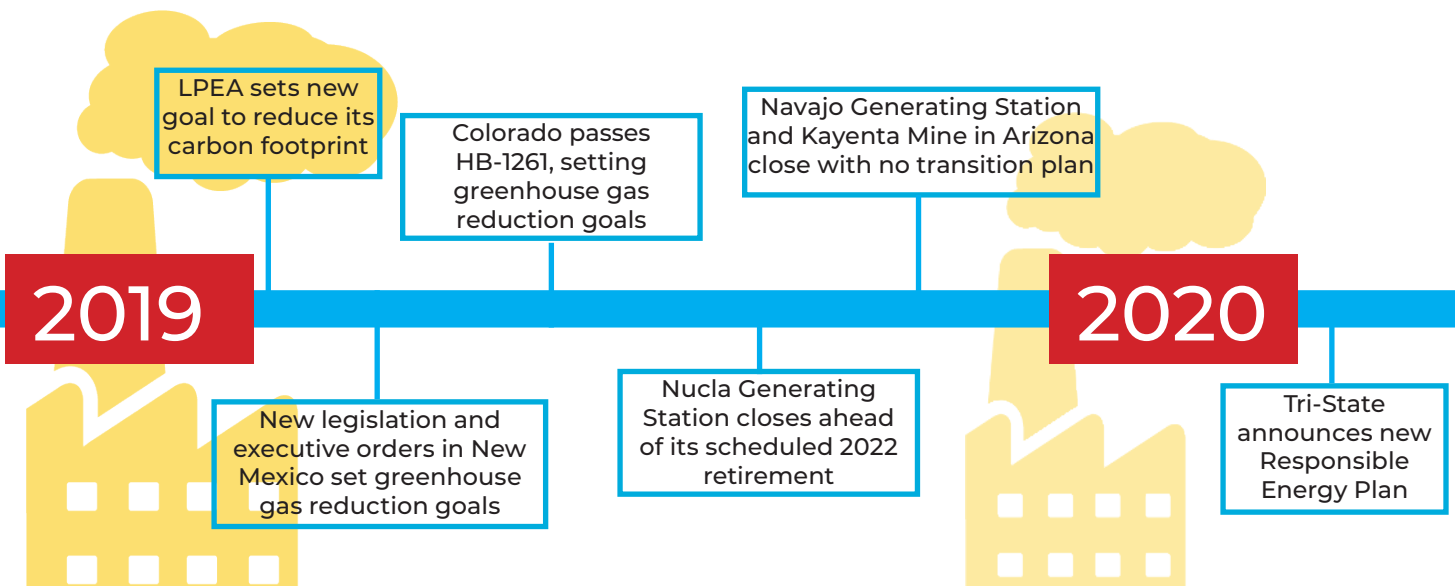
Photo: Ted Wood

We've been advocating for the orderly and equitable transition from coal to renewable energy for years. Now, the faltering economics of coal combined with new carbon reduction goals in Colorado and New Mexico have led to the shuttering of coal plants across the Southwest. These closures have expedited the need for economic diversification and just transition in the Four Corners Region.

Many of the closures revolve around Tri-State, a generation and transmission cooperative that supplies power to forty-three member co-ops in the West, including La Plata

Electric Association (LPEA) and Empire Electric Association (EEA) in Southwest Colorado. Faced with the pressures of an aging coal fleet, member unrest, and new carbon reduction legislation in Colorado and New Mexico, Tri-State unrolled their new Responsible Energy Plan this January.

The announcement included plans to close all Colorado and New Mexico coal assets by 2030, as well as plans to increase Tri-State's renewable energy generation from wind and solar by 50%. The Responsible Energy Plan also contains goals for 100% clean energy in Colorado by 2040.



# in the Southwest

The Responsible Energy Plan is great news for the air we breathe, but it still doesn't solve all the problems that continue to plague Tri-State. For one thing, the announcement didn't contain any guarantees for increased local generation or member flexibility. Tri-State member cooperatives can still only generate 5% of their own electricity and must purchase the rest of their power from Tri-State.

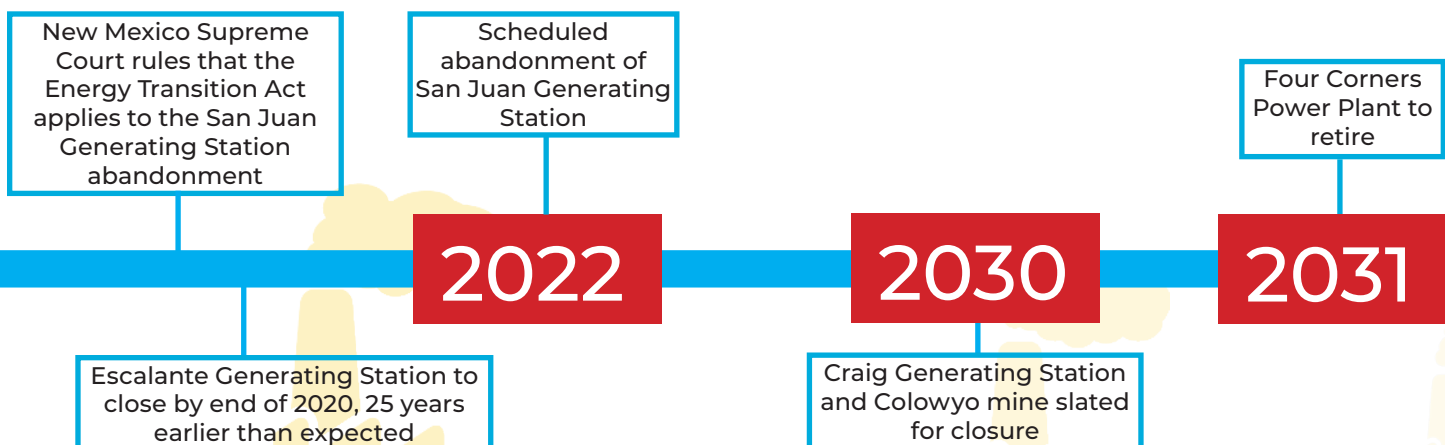
Co-ops like LPEA have maxed out that 5%, meaning that they cannot pursue additional local renewable projects. This is a fundamental flaw with Tri-State's new plan; as we look to the future and transition to a renewable power supply, it is crucial that communities can invest in their own economies and build their own local renewable resources.

Tri-State also needs to make sure that there is a robust transition plan for impacted workers and communities. The writing has been on the wall for coal for years, but Tri-State wasn't honest with themselves or their members about the economic viability of the fossil fuel.

Then, practically overnight, Tri-State announced these coal plant closures without any dialogue with local communities. Workers and towns across Colorado and New Mexico now have to grapple with an uncertain future that's coming much sooner than they had thought.

In New Mexico, we're working hard on the implementation of the Energy Transition Act (ETA) to make sure that communities impacted by coal plant closures aren't left behind. The New Mexico Supreme Court recently ruled that the ETA applies to the abandonment of the San Juan Generating Station near Farmington, putting the plant on track to retire by 2022.

We will be watching to make sure that the ETA provides workforce transition, new economic opportunities, and sustainable energy replacement resources in these impacted communities. SJCA has also intervened in several cases in New Mexico and Arizona to ensure that departing utilities pay for transition funding in the Four Corners Region.





# Wilderness Bills Gain Momentum

Protection of western Colorado's desert landscapes took a big step forward in February when the U.S. House of Representatives passed the Colorado Wilderness Act in a 231-183 vote.

Rep. Diana DeGette, the bill's chief sponsor, has championed wilderness protection for canyons and mesas under the Bureau of Land Management's (BLM) jurisdiction for over 20 years. The House passage of the bill marks a significant milestone: the first time Congress has acted favorably to advance sweeping protections for Colorado's arid landscapes.

The Colorado Wilderness Act adds wilderness protection for 35 areas that span 660,000 acres of public land. Wilderness is the most permanent form of protection: it prohibits future energy and mineral extraction, and bans roads and mechanized recreation. While we watch the Trump Administration eliminate National Monuments in Utah or strip roadless areas, legislative designation as wilderness puts areas beyond reach of hostile presidential administrations.

Nearly all of the 3.7 million acres of existing wilderness in Colorado is within our national forests, and typically occurs in the forested slopes and alpine basins of our higher mountains. Meanwhile, only a few BLM wilderness areas have been designated; the expansive Colorado Wilderness Act still covers only about 8 percent of the BLM lands within Colorado.

The Colorado Wilderness Act includes renowned segments of the Dolores River canyon including the Ponderosa

Gorge, the slickrock canyon section from Gypsum Valley to Bedrock, and soaring mesas near Gateway. It makes the most remote places in Canyons of the Ancients National Monument, like Cross Canyon, off-limits to development in case this Administration or another attempts to gut the monument. It also puts the three fourteen-thousand-foot peaks managed by the BLM in the San Juan Mountains – Redcloud, Sunshine, and Handies – into wilderness.

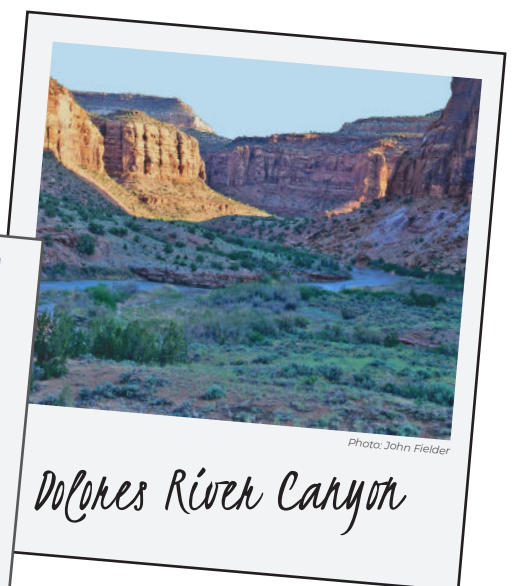
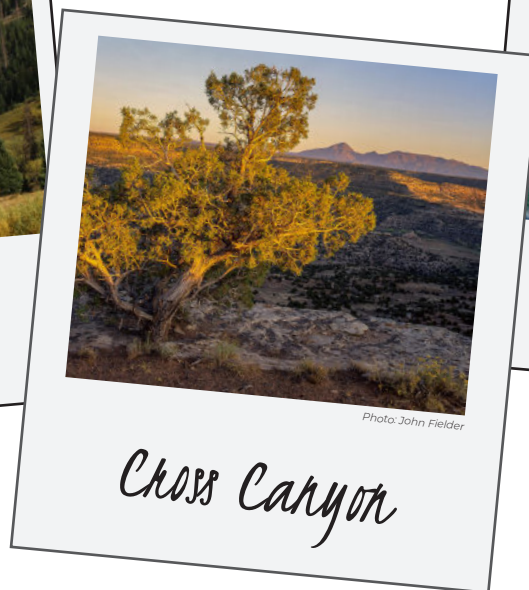
Last fall, the House similarly voted in favor of new protections for portions of the national forest in the San Juan Mountains as part of the pending Colorado Outdoor Recreation and Economy (CORE) Act. Key parts of that bill include doubling the size of the Mount Sneffels Wilderness and placing the alpine high country around Ice Lake off-limits to future development.

The House has now passed roughly a dozen comprehensive lands protection bills that cover new wilderness designations in Colorado, California and Washington, and prohibit new mineral development near the Grand Canyon and Chaco Canyon.

The Senate has yet to take up any of these bills. One potential course for action might be at the end of the year, if Senators push some of their own favored bills and a comprehensive omnibus package is cobbled together combining both House bills and Senate bills.

In the meantime, we'll need to stay engaged and maintain pressure on Colorado's senators to take up the mantle for Colorado wilderness. See [www.coloradowildernessact.org](http://www.coloradowildernessact.org) and [www.sanjuanwilderness.org](http://www.sanjuanwilderness.org) for more details.

## Protected Places in the Colorado Wilderness Act:







*Roadless areas, like the one that Warren has his eye on, are prime wildlife habitat for species like this Canada Lynx*

## Another Billionaire Land Exchange?

One of the tools the U.S. Forest Service can reach for to help enhance our public lands is a land exchange protocol. This process includes a significant amount of flexibility for the agency; however, the supposed steadfast requirements of the process are that any land exchange must be “in the public interest” and the parcels need to be somewhat of “equal value” or at least within 25% of the federal value.

Land exchanges are most often proposed by private property owners who have a self-interest in the proposal, and as one can accurately assume, their self-interest is not necessarily a match with the USFS’s requirement that the exchange be “in the public interest.” Luckily, the USFS isn’t required to proceed with an exchange proposition; after an initial review they can “just say no”. Despite this available option, SJCA has noticed a decided reticence by the USFS to turn down politically-connected landowners, which in turn has jeopardized our public lands.

Most readers will immediately be reminded of the Village at Wolf Creek land exchange fiasco that we have been working on setting right for decades. The Pillage land exchange (as most of us refer to it) is a prime example of a USFS action that is NOT in the public interest.

Unfortunately, the San Juan National Forest (SJNF) missed out on the obvious lesson from the Rio

Grande National Forest’s Pillage disaster, and has engaged in a new land exchange process forced by yet another billionaire, Kelcy Warren, the developer of the controversial Dakota Access Pipeline.

One of Warren’s many ranches, the Bootjack Ranch, lays in the valley to the east and below Wolf Creek Pass. Evidently the property isn’t large enough to suit Mr. Warren’s taste as he is hoping to obtain the deed to nearly two hundred acres of our publicly owned Colorado Roadless Areas. In an effort to propagate a land exchange, Warren craftily purchased as trade bait an 880 acre parcel south of Pagosa Springs (called Valle Seco) that shares boundaries with the SJNF. Though this parcel provides winter range for elk and deer, there is nothing particularly unique about the acreage; it is certainly not a match to the Colorado Roadless Area acreage that would be lost. And, as a Pagosa Springs outdoor enthusiast observed, “God isn’t making any more roadless lands.”

SJCA has fought hard for years to bring Roadless Rule protection to tens of thousands of acres of pristine and unroaded lands that serve as prime wildlife habitat in the Wolf Creek Pass area. Now, we need to actively fight this land exchange that the SJNF is foolishly promoting. Giving away treasured roadless lands to a billionaire property owner who doesn’t even reside on his ranch is clearly NOT in the public interest. We must insist that the SJNF use their authority to “just say no.”

# The Future of Our Forests

Visual reminders of our changing forests are increasingly evident to those of us hiking, riding or driving through the forests of southwest Colorado. Tree mortality inflicted by spruce bark beetles is obvious on Wolf Creek Pass, and that same species is now in the forest of the upper Animas River watershed, moving towards Silverton. The spruce budworm's damage is evident around Purgatory resort, while just downstream you can often see a darkened Hermosa Creek carrying a heavy sediment load off of the 416 fire scar. And further west, beyond Dolores, thousands of acres of ponderosa pine are inundated by happily masticating pine beetles.

Of course, we can point to ourselves as the fossil-fuel consuming species that has hastened the effects of fire, insects, and disease to our forests. While these kinds of disturbance events are naturally occurring phenomenon, and important elements of a healthy forest, the reality is that we are witnessing both a heightened intensity of these events and, in some cases, overlapping incidences of events. Unfortunately, though not surprisingly, humankind has also invoked forest management strategies in the past century that have exacerbated the current challenges.

These schemes include Smokey the Bear's ill-conceived dictum to suppress wildfires anytime, anywhere and as quickly as possible. This plan has had unwelcome consequences: Southwest Colorado's ponderosa forests needed the fires suppressed by Smokey to self-manage fuel loads, support necessary conditions for regeneration, and provide habitat for wildlife that co-evolved with the pines.

All said, homo sapiens has worked itself into a corner as we now grapple with how to restore our forests. Fortunately, natural processes are very capable at self-recovery in many locales. For example, a stroll in the spruce/fir forest of Wolf Creek Pass will reveal a robust regeneration of young conifers. In places where natural processes need support, the good news is that Southwest Colorado hosts a diverse aggregation of agencies, organizations, governments, tribes, non-profits and individuals that have come together to address the loss of resiliency and reduction of ecological function in the region's forests.

SJCA was involved in the inception of the first collaborative forest and watershed group formed in 2009 to address issues in the headwaters of the San Juan and Navajo Rivers. Since then the Alliance has been involved in the start-up of two more forest collaborative groups across the region that address the interwoven issues of forest restoration, watershed protection and wildfire preparedness across all forest/vegetation types.

As often the only conservation advocacy group at the table, SJCA's role includes ensuring that science informs forest management and that solutions are based on restoration and a long-term view of forest resiliency. The ecologic restoration of our forest is an ongoing endeavor with the prospect of multiple benefits – certainly we'll need to give Smokey and his legacy a rest as we move ahead with a more comprehensive and ecologically-based forest restoration methodology.

## MEET MARK!

### *Executive Director*

Mark Pearson is a long-time advocate for Colorado's wilderness, rivers and public lands, and recently returned to the role of executive director in 2017. He first got involved with San Juan Citizens Alliance in 1993 as a volunteer working on forest management and wilderness, leading the effort to craft SJCA's Citizens Plan for the Wild San Juans that was finalized in 1999. Mark's volunteer involvement with the Alliance led to a decade-long stint as executive director until departing in 2009. Mark's heart lies in local, home-grown conservation advocacy and he spends as much free time as possible exploring the wildlands of southwest Colorado. He has a B.S. in engineering physics from the University of Colorado and a M.S. in natural resource management from Colorado State University







# Ways to Give

Support SJCA in a way that works for *you*. Your contribution will help fight dirty energy projects, protect wild places, and preserve access to clean water here in Southwest Colorado and Northwest New Mexico.

1

## Become a Member

As a regional member-based organization, we rely on individuals like you to support our work. Join or renew with a financial donation.

2

## Monthly Giving

Spread out your contributions in monthly payments. It's easier for you and evens out SJCA's income across the year.

3

## Qualified Charitable Distribution

Account holders who are 72 or older can donate to a qualified charity directly from a traditional IRA, effectively lowering your adjusted gross income and avoiding paying taxes. Contact your accountant for details.

4

## Include SJCA in your Estate Plans

You can provide an ongoing legacy of support through the creation of a bequest in your will. Contact us for assistance.



# Save the Date! SJCA Annual Fundraiser & Dinner September 11, 2020

San Juan Citizens Alliance advocates for clean air, pure water, and healthy lands – the foundations of resilient communities, ecosystems and economies in the San Juan Basin.

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**San Juan Citizens Alliance is a member-based organization, supported by donations from over a thousand of your friends and neighbors. Please consider joining them by supporting our efforts!**

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# Last Look



*Remnants of a mining site at the headwaters of the Animas River, a designated Superfund Site*