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Taxation Without Representation - LID

Boulder County has hopefully made a mistake by instituting a Local Improvement District that assesses a hefty tax increase on more than ten thousand property owners in its unincorporated areas. The county says in its *very defensive* multiple letters to these residents that they have been working for four years to come up with a solution to repave roads in the areas of Boulder County where they have let the pavement deteriorate.

What they haven't disclosed to the property owners that have been assessed increased taxes (in the form of liens against properties) is that it was the Board of County Commissioers that decided to reallocate the funds meant for repaving these roads and that is why there are no monies for the county to do the job. County Commissioners in 1995 decided to change the county's Comprehensive Plan to prioritize road funds for main roads only and this decision over many years allowed the other roads to deteriorate to the point that in 2009 the Commission could no longer ignore the poor condition of these roads.

What happened next was a scheme by the Commission to raise taxes to fund the needed repaving of these roads. What they failed to take into consideration is that Colorado has laws to prevent this type of scheming by our government officials. It is called TABOR - Taxpayer Bill of Rights, and while many downsides can be pointed to with TABOR, we have to now hope it will stop this injustice for the taxation without representation that the LID has imposed upon many Boulder County property owners. So far the first step in the legal battle is to determine if the county surpassed its authority by assessing the taxes to repave these roads. I suppose if the court finds they did then the rest of the issues in the lawsuit are mute, time will tell.

From their website - "BoCoFIRM (Boulder County Fairness in Road Maintenance): On behalf of unincorporated Boulder County property owners, Boulder County FIRM filed a lawsuit seeking to stop the County from imposing an unwanted and unnecessary Subdivision Paving Local Improvement District (LID) on 10,900 property owners. The claims in the suit include: The County Commissioners exceeded their authority under state statute by forming a LID for road maintenance. The LID violates the Colorado Constitution's Taxpayer Bill of Rights (TABOR) provisions by imposing a new tax on residents without a vote. The LID violates the Colorado Constitution's uniform taxation requirement by imposing a tax on a select group of residents. The due process rights of the property owners included in the LID were denied. The County breached the contracts entered into with subdivisions when they accepted subdivision roads."

"Judge Andrew Hartman of the Colorado 20th District Court has issued a ruling that the lawsuit filed against the County to stop the subdivision paving LID will move forward in "the ordinary course of litigation."

In the ruling Judge Hartman wrote that ""this case presents very important issues of public policy and is of deep concern for the Plaintiffs and other property taxpayers in Boulder County."

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In his ruling Judge Hartman instructed that "The Court will order a status conference shortly to discuss, inter alia, cross motions for summary judgment and the timing for a trial on the merits, if needed." BoCo FIRM's attorney also filed a joinder motion on to add 102 new plaintiffs to the suit."

If you are one of the 10,900 property owners unfairly assessed new taxes you might want to join the lawsuit, donate funds to the cause and keep up with the ongoing litigation about this issue. The links to the documents on BoCoFirm's website can inform you of all the legalese happening and the dates for upcoming court actions.

So, the multi million-dollar question is what happened to the taxes these folks have paid in the form of property taxes to maintain their roads. Well, this is where fuzzy math plays a huge role when County Commissioners decide to rob from Peter to pay Paul. They took the 4 to 5 million dollars of taxes normally allocated to the Road & Bridge Fund and dropped it to only about a million dollars a year. The dropped tax monies were assigned to an Unassigned General Fund or 'the rainy day fund' and it increased by the same amount and is a surplus for the county. So this fund went from $17 to $63 million dollars.

BoCOFirm Chair Chuck Wibby spoke at length on Mike Rosen's radio program KOA 850 on January 21st about the logistics and legalities of the lawsuit against Boulder County. Details of the timeline for the lawsuit and information on how to join or donate to this cause can be found on their website at www.bocofirm.org and you may also listen to the entire radio interview. It is clear so far that the wheels of justice move slowly and are dedicated to the details so no stone will be left unturned - we hope.

The court says it wants to resolve this issue as quickly as possible, but what they really mean is they are asking the County to provide a full copy of the record, i.e. the county gets to tell BoCoFirm's attorneys what was said that led to the PID being on last November's ballot (that got shot down by a huge margin) and why they thought they had the right to institute the LID without TABOR stopping them from doing so. Bottom line is; stay tuned for information on this ongoing process as it unfolds in the courts.

As a monthly magazine we can only give you what has happened so far at press time, the 19th of each month before so your most up to date information will be the **BoCOFIRM.org** website.

It is a real shame that the power afforded Boulder County Commissioners has corrupted them into believing that they can ignore state laws, decide to reallocate funds that cause the county to be negligent in their road maintenance duties, and contractural agreements and waste taxpayers and individuals time and money by forcing lawsuits just to make them do their jobs ethically. I only wish there were some penalties for this misuse of power, oh wait - there is - don't vote for any of them again.

In my research I have spoken to a county official Mike Cates at 720.564.2644 who only listens to complaints about the imposed LID assessments: which by the way average about $5,000 per propety over a fifteen year time period. This means an increase in property taxes of over $300 per year for most of the properties.

The County has an equation they use to come up with the figures and you can find out your assessment on a list at the BoCoFirm.org website also. Mr. Cates had no knowledge of any hardship waivers for elderly or handicapped folks affected by this LID and so we all must wait and see how the lawsuit goes.

By A.M. Wilks

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Rescued Grizzly Bear At CSU

The horses were moved, the police were alerted, and Colorado State University's Veterinary Teaching Hospital was abuzz Tuesday as a rescued grizzly bear arrived for surgery to repair both elbows, which apparently were broken when the carnivore was confined in a concrete bunker as a roadside attraction in north Georgia.

"This is the most exciting case I've been part of during my two years of clinical rotations in veterinary school," said vet student Barr Hadar, who would compile case notes on the patient thought to be a mix of grizzly bear and Syrian brown bear. "That's what interests me in veterinary medicine, especially wildlife medicine. You never know what you're going to get."

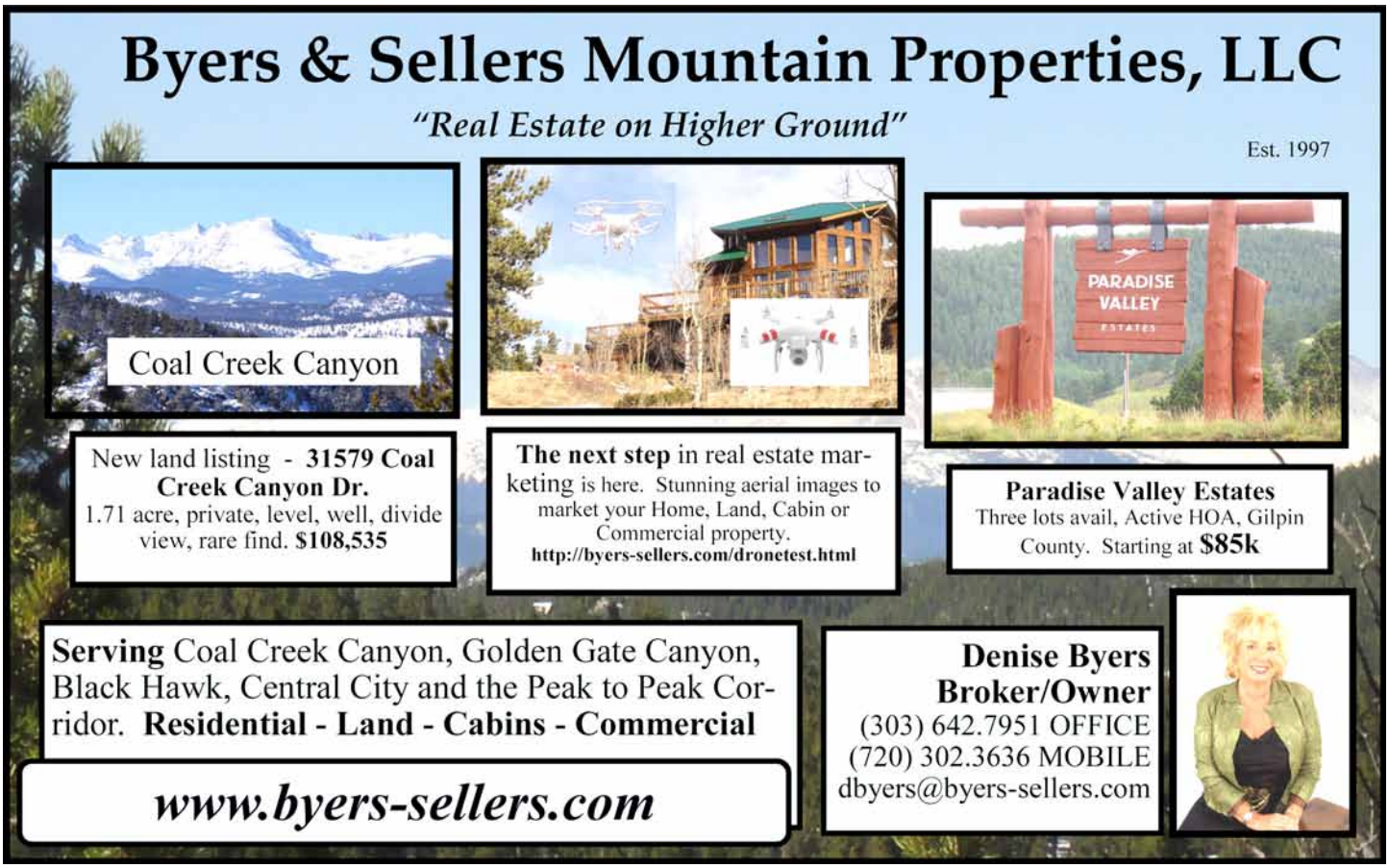
Last month, the Wild Animal Sanctuary in Keenesburg, Colo., rescued "Marley" and 16 fellow inmates from a foreclosed "bear park," where the animals were kept in cramped concrete pits and fed apples and bread by tourists. The bears were released into 15-acre natural habitats on the plains northeast of Denver, but sanctuary keepers noticed Marley, a 7-year-old female, would not put weight on one of her front legs, said Rebecca Miceli, who accompanied the impressive patient.

The 300-pound grizzly came to the CSU Veterinary Teaching Hospital crated and anesthetized on Tuesday morning, February 18th. Examining radiographs, veterinarians soon determined Marley had not one, but two forelimb fractures estimated to be more than a month old; one break was badly infected.

"Our main concern is the infected fracture on the left forearm," said Dr. Terry Campbell, a CSU veterinarian specializing in wildlife and exotic animals. "A draining, open fracture on a bear is anything but ideal, and we will need to surgically treat it immediately."

Campbell knew the procedure would require the skills of an orthopedic surgeon. But was it a job for a large-animal or small-animal orthopedist? The decision: both. "We have to determine: Is the bear more like a dog or more like a horse?" Campbell said before surgery, referring to the patient's bone structure. "The truth is, it's a bear. It's not like either. So we, as a team of veterinarians, collaborate to find the best solution."

Dr. Felix Duerr, small-animal orthopedic surgeon, and Dr. Jeremiah Easley, equine orthopedic surgeon, jointly handled the successful surgery. In the case of the infected forelimb, vets cleaned the infection, looked for necrotic bone, cleared scar tissue and inserted antibiotic beads to promote full healing. Duerr then provided shockwave therapy to accelerate the process. Also essential to the case were veterinary anesthesiologists, Dr. Pedro Boscan and Dr. Gregg Griffenhagen.



By Tuesday afternoon, Marley was recovering, and CSU veterinarians expressed hope that their unusual patient would have a greatly improved quality of life. Miceli, director of educational programs at the Wild Animal Sanctuary, said she thought Marley could potentially live another 20 years at the home for rescued large carnivores.

For veterinary students involved with the case, the memory of Marley might last just as long. As the grizzly bear arrived, excited murmurs filled the hospital halls, and students swarmed the windows and doors of the large animal wing to catch a glimpse of an ear, nose or paw.

The equine unit had been alerted about the grizzly to prevent spooking among horse patients. A police officer was on standby, a standard precaution when a large carnivore is in the hospital, Dr. Tim Hackett, hospital director, said.

The students lucky enough to be on rotation with the wildlife and exotic animal service were able to observe Marley's treatment up-close and to weigh in on options.

"Yesterday, we saw a guinea pig, a rat and a of couple ferrets. Today we get to see a grizzly bear," third-year vet student Katherine Alley said. "This week is definitely turning out to be pretty cool and heightens my interest in pursuing a future working with exotic animals."

Today the hospital has: About 40,000 patient visits annually. Almost 400 faculty, staff members, student employees and volunteers. More than 20 veterinary interns and residents each year. About 300 junior and senior veterinary students train at the hospital annually. Ongoing clinical trials and other research activities that advance leading-edge techniques and technologies for animal and human medicine.

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Stressing The Vine

By Melissa Johnson

When we long for life without difficulties,
remind us that oaks grow strong in contrary winds
and diamonds are made under pressure.
- Peter Marshall

People speak of wanting an easy life. But how many of us really want it 'easy'? If our desire was met and we faced only comfort and ease, wouldn't we soon become bored? Where's the fun in life without challenge? Where's the flavor without spice? Where's the growth without pruning? Would we not, on some level, seek to create our own chaos if chaos didn't exist, particularly where situations have become stale or too readily assured? I dare say we would.

Yet we hear so much about how unhealthy chronic stress is for our bodies. We need only turn on the news or read a health post on the Internet to discover all of the reasons why we should rid our lives of this toxin. Constantly faced with demands, frustrations, hassles and deadlines, it seems impossible to break free. But do we really want to break free? Might this be where the magic happens?

Consider the life of a wine grape. While it's true that many agricultural endeavors require nutrient rich soil to thrive, winemakers worldwide will tell you that when it comes to growing grapes for wine, fertile soil is not the best. In fact, most California vineyards are planted in soil that would choke the life out of other crops. Growers look

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for nutrient poor or even dry soil that drains well because it forces the vines to extend their roots far into the dirt to find sustenance—stressing the vine—and causing them to direct their energy and sugar into grape clusters instead of leaves, which produces small grape berries. A handful of tiny grapes will be almost all skin and very little juice, which translates into a rich, concentrated color and flavor in the wine. For these growers and vintners, the stressed grape is the best grape and produces the superior vintage.

Might we also benefit from a bit of stress on the vine? I think so. In our periods of stress we are called to break out of our complacency, extend ourselves beyond the comfort zone, and direct our energy to find ways to thrive even under the most pressure-filled conditions. We are given an opportunity to turn our negative stressors into positive ones that help us to grow, remain vital and alive. We learn to think positive and remain hopeful for better days. We discover how strong and capable we are. And if we stretch, we learn that humor and laughter are the catalysts that lift us out of our oppression and transform us into the most colorful and delicious versions of ourselves, like the wine grape.

So perhaps what we really mean is that we want an 'easier' life, every now and then; a break from worrying that a certain wolf may huff and puff and blow our house down. If an easier life is what you desire then I suggest you can have it, simply by making up your mind to not dwell on factors that you cannot change and, instead, look for ways to set a positive process in motion, and trust that there is a good reason for this.

Melissa is a writer, photographer, artist and lawyer. Read more on her blog at www.HeartLaw.blogspot.com.

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Buffalo Field Campaign

Hard times are underway for wild buffalo, as hunting, capture, and slaughter increases. Since early February, approximately 87 wild buffalo have been trapped within Yellowstone National Park; in the Stephens Creek capture facility in the Gardiner Basin. None of the buffalo had ever left the park. Park rangers are not actively hazing (chasing) buffalo into the trap, and patrols in Gardiner are convinced that the Park Service has been baiting them with hay, a tactic the Montana Department of Livestock is known to use.

Of the buffalo that have been captured to date, the Confederated Salish & Kootenai Tribes shipped 37 to a tribal slaughter facility, 17 of these buffalo were condemned just yesterday. The USDA Animal & Plant Health Inspection Service took five buffalo to be used in experiments with the birth control chemical GonaCon. The buffalo that are still in the trap at the time of this writing will likely be taken to other tribal slaughter facilities by the InterTribal Buffalo Council, a federally chartered buffalo ranching organization.

We also learned that the Nez Perce tribe has just signed a slaughter agreement with Yellowstone, so they, too, will begin to transport wild buffalo from the Stephens Creek trap to Nez Perce slaughter facilities in Idaho, more than a twelve hour drive. While tribal governments are making these drastic decisions to fully participate in slaughtering

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wild buffalo, there are many within these tribes who strongly oppose such actions and these voices will not go unheard.

While these terrible actions are taking place, hunting has also been staining the landscape red. State and treaty hunters have so far killed One hundred sixty seven buffalo. Within the Gardiner Basin where buffalo are being trapped, state and treaty hunters have killed seventy-five buffalo since capture operations began. The state hunt finally ended on February 15, but Native treaty hunting will continue into April, with calving season just around the corner. In the Hebgen Basin, west of Yellowstone's boundary, a family group that we had come to know very well has been shattered.

Since mid-autumn, BFC patrols have been monitoring a group of 26 buffalo. They were all that remained after Confederated Salish & Kootenai tribal hunters killed nearly 3/4 of a group that had migrated into Montana earlier than we typically see. Initially there were over 80 buffalo in this group; after the hunters left, just twenty-six remained. These twenty-six buffalo had been keeping themselves alive by residing on the Galanis property and in Yellowstone Village, both buffalo-friendly residential areas on Horse Butte where hunting is not allowed.

Day after day we would breathe a sigh of relief because the buffalo seemed to be quite content staying in this safe zone. But, these buffalo-friendly properties are adjacent to Gallatin National Forest, where hunting is permitted. There were times when the group of 26 would move over to the national forest land, giving us a good scare. But they always moved when there were no hunters around, and when hunters did arrive, they found the buffalo safely back in no hunting areas. We can't be sure, but we strongly suspect that some hunters got frustrated with the buffalo being inaccessible.

Late in February, patrols discovered the buffalo gone and trespassing snowmobile tracks on the Galanis property. The tracks circled and circled, which lead us to believe that the buffalo were harassed and pushed out of their safe zone. In the days following this discovery, the groups split up and state hunters shot eight of them. Six of these buffalo were shot near the Madison River, in a sensitive riparian area of Gallatin National Forest that is closed to snowmobiles. As if it weren't already far too easy to kill buffalo, the hunters asked for permission to take their snowmobiles down into this closed area to retrieve their kills. Montana Fish, Wildlife & Parks, unfortunately granted them permission. Only a small handful of these buffalo remain in the area, and they are back on the Galanis property where they are safe, for now.

Please allow this information to inspire you to take action. The buffalo need us to speak up and share their story now more than ever. See our website for some very important actions you can take and thank you so much for being with us for the buffalo! Stay strong and remember the words of Edward Abbey, "sentiment without action is the ruin of the soul." Wild is the Way-Roam Free!

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The Natural Gas Industry Needs To Come Clean

By Sarah Gilman

Shift more of the nation off coal-powered electricity and onto that supplied by natural gas, and what do you get? A significant reduction in the carbon emissions driving the alarming climatic shifts we already experience in our daily lives.

That's the theory anyway, because natural gas produces about half the carbon dioxide that coal does when burned. This ongoing electricity switch may account for a significant portion of the overall decrease in U.S. greenhouse gas releases that's occurred over the last few years.

But the climate benefits of natural gas hinge on just how much is leaking from the wells, pipelines, compressor stations and other infrastructure extracting and delivering the fuel. And what that amount is no one seems to know precisely.

We do know that methane, natural gas' primary component, is a vastly more potent greenhouse gas than carbon dioxide. Some researchers think that as little as a 3% loss of methane from its production cycle could cancel out the emissions reductions achieved by moving from coal to gas. Recent studies certainly don't stoke confidence. One published in ***The Proceedings of the National Academy of Sciences*** in November concluded that U.S. methane emissions were 1.5 times higher than previously thought, and that those for the oil and gas industry in Kansas, Oklahoma and Texas were five times higher.

You'd think the industry would fall all over itself to plug leaks and ensure its place in the U.S. clean energy pantheon. Presenters and attendees at an industry conference last summer certainly talked that talk; they beat the hey-enviro-hypocrites-we're-reducing-greenhouse-gases! drum at every opportunity. When President Obama made natural gas a key part of his climate strategy, energy companies and trade groups were more than happy to pile onboard. You might even think that the industry would embrace Colorado's landmark proposal to rein in fugitive methane emissions from oil and gas operations, announced last fall as part of a larger effort to tighten air quality rules. After all, doing so would make the industry's recent concern about climate change seem more, well, genuine. Indeed, some of the state's major operators - among them Noble, Anadarko and EnCana - supported the revision.

But two major trade associations representing the industry in Colorado? Not so much. In early January, the Colorado Oil and Gas Association and the Colorado Petroleum Association filed documents with the state's Air

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Quality Control Commission arguing that it doesn't have the authority to regulate methane and that doing so as proposed was inappropriate, unjustified and unfairly singled out the oil and gas industry for its greenhouse gas emissions.

Moreover, they suggested that the parts of the rules that cracked down on emissions of volatile organic compounds, which contribute to the formation of lung-damaging, smog-making ozone, should apply only in parts of the state that have already been officially designated as zones with significant air quality problems. Essentially, that would mean that energy companies could pollute more in areas with cleaner air.

"The Colorado Oil and Gas Association supports many aspects of the rule," spokesman Doug Flanders said diplomatically in a statement. "We are committed to continuing the good work we have accomplished with state regulators to ensure our air stays clean while allowing this critical industry to responsibly develop oil and natural gas - a product each one of us are using right now."

Sorry, guys, but you can't have it both ways. If you want to claim that natural gas is a key part of the solution to climate change, **you can't expect the public to buy that all companies are going to voluntarily tackle the leak issue.** 'Responsibly' developing natural gas is going to take tight regulation to ensure that it's a bridge fuel to a cleaner energy economy and not a bridge to nowhere.

As Massachusetts Institute of Technology professor John Deutch, who chaired the Obama administration's panel evaluating the risks of fracking, has observed, the industry's reluctance to be transparent about the chemicals used in the drilling process has hurt companies more than it's helped them, exploding into a public backlash and a nationwide anti-fracking movement. If the formulas are safe, why must companies hide their composition, trade secret or not? "The industry, by saying, 'We're going to hold something back,' is paying a cost," Deutch recently told EnergyWire.

Now, it looks like it's making a similar mistake with methane. I guess that's another one to file under 'missed' opportunity.

Sarah Gilman is a contributor to Writers on the Range, a service of High Country News. She is associate editor of High Country News (hcn.org) and tweets @Sarah_Gilman.

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77 Years Later, Here Comes Pot

By Allen Best

In 1936, the editor of a newspaper in Alamosa, Colo., wrote a letter to Henry J. Anslinger, commissioner of the federal government's Bureau of Narcotics. The letter, introduced as evidence into a congressional hearing, informed Anslinger about a "sex-mad degenerate" who had recently "brutally attacked a young Alamosa girl" while under the influence of "marihuana," as it was then spelled.

"This case is one of hundreds of murders, rapes, petty crimes, (and) insanity that has occurred in southern Colorado in recent years," proclaimed Floyd K. Baskette, city editor of the Alamosa Daily Courier. "Can you do anything to help us?" And then this nasty bit of racism: "I wish I could show you what a small marihuana cigarette can do to one of our degenerate Spanish-speaking residents."

The next year, the U.S. Congress passed the Marihuana Tax Act of 1937, which subjected sales of cannabis to taxation that required a permit. Soon after, a 23-year-old from Trinidad, Colo., named Moses Baca became the first person arrested under the new law. He was sentenced to 18 months in federal prison. The second person nabbed was a 57-year-old laborer, Samuel Caldwell, who was convicted of selling three marijuana cigarettes in downtown Denver. He served two years in prison. So began our long adventure in the criminalization of marijuana.

The federal agency never issued a permit under that legislation, and in 1970, Congress defined marijuana as a controlled substance, further giving muscle to eradication efforts in 1973 by creating the Drug Enforcement Administration.

Now, of course, 20 states and the District of Columbia have allowed some use of marijuana for medicinal purposes, and in Colorado and Washington state, the federal government has chosen to ignore recreational use as long as the two states block sales to young people and control by cartels.

Figuring out how to govern this new use has been a fascinating challenge for Colorado during the last year. Many towns want nothing to do with marijuana; others embrace sales, and the taxes they generate. One ski town, Breckenridge, even expects to get $1 million in taxes this

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year. Most sales seem to be to tourists.

Denver fussed at length whether residents should even be able to smoke 420 - that seems to be the name preferred by younger people - on their own patios and porches. The answer, finally, was yes. But unlike liquor, there are no bars for cannabis in Colorado that I'm aware of.

I never particularly liked how marijuana affected me. I tended toward paranoia. Was that Johnny Carson on the TV making fun of me? Nor do I like how it affects others. It dulls, not sharpens. As with alcohol, the trick is moderation. Some do it better than others.

In voting for legalization, I hoped it would change the supply chain. The underground economy made cannabis lucrative, spawning mass murders in Mexico. In a sense, I voted for the psychoactive equivalent of the local food movement: Grow it local, smoke it local.

"Prohibition Ends," proclaimed The Telluride Watch in the first days of January. Could this have turned out otherwise? Our sitting president, Barack Obama, openly admitted to smoking pot. George W. Bush deflected questions about drug use, saying: "When I was young and irresponsible, I was young and irresponsible." Bill Clinton, of course, responsibly chose not to inhale.

When I think of the past, what I find most interesting - and disturbing - was the logic we used to prohibit marijuana. It was the stuff of do-gooders. Various histories of the drug war point out that reformers associated marijuana with jazz musicians and others on the racial, economic and cultural margins of the American mainstream. By the 1960s, pot was linked to the "tune in, turn on, drop out" culture of rebellion. Tainted by these associations, the drug could then be targeted as a villainous erosion of American values, even safe society.

The letter from Alamosa in 1936 points not just to the pervasive racism of the time, but also to confusion about causality. According to that newspaper editor, back then you could blame marijuana for sexual assault and even murder.

The American Medical Association in 1937 wanted more evidence before it agreed that marijuana should be banned, but Congress was in a rush. Evidence such as the letter from Colorado was enough. The 77-year lesson here is that it doesn't take leafy, herbaceous substances to make people muddleheaded. Even when we're stone-cold sober, we're fully capable of making stupid choices.

Allen Best is a contributor to Writers on the Range, a service of High Country News (hcn.org). He publishes an e-zine from the Denver area called Mountain Town News (mountaintownnews.net).

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Forest Health- Public Notice -Nat'l Wildlife Week

Annual Forest Health Report Details Threats & Opportunities for Colorado Forests

The 2013 Report on the Health of Colorado's Forests, released Feb. 19th by the Colorado State Forest Service at the annual Joint Agriculture and Natural Resources Committee Hearing at the State Capitol, details forest health concerns throughout the state and the opportunities available for landowners to mitigate their effects.

"Colorado land managers continue to face unprecedented challenges in their pursuit to foster healthy, thriving forests," said Mike Lester, state forester and director of the Colorado State Forest Service. Lester said that insect and disease outbreaks, devastating wildfires, and recent floods have brought to light the necessity of working together to actively manage Colorado forests and as a result, collaboration among public land managers and private landowners has never been stronger.

Each year, the Report on the Health of Colorado's Forests provides information to the Colorado General Assembly and residents of Colorado about the health and condition of forests across the state. The report provides recent data, figures and maps detailing major insect and disease concerns in the state, including the expansion of spruce beetle activity and the detection of emerald ash borer – an invasive pest first discovered in Colorado in 2013, which poses serious risks to the state's urban forests.

This is the 13th consecutive year the CSFS has produced a report on the state of Colorado's forests and the actions it is taking to mitigate forest health concerns. The theme of this year's report is "Today's Challenges, Tomorrow's Opportunities," with an emphasis on the link between the forest health risks of today and the opportunities to attenuate those risks in the future. The principal source of information for the forest health report is the annual aerial forest health survey, a cooperative project between the CSFS and the Rocky Mountain Region of the USDA Forest Service. Other data sources include field inspections, CSFS contacts with forest landowners and special surveys designed to help ensure early detection of potentially invasive insect species.

The 2013 report also includes a special online supplement, the 2013 Colorado Forest Insect and Disease Update, which is a comprehensive listing of the damaging agents of Colorado's forests. This supplement is available, in electronic form only, at http://csfs.colostate.edu/pdfs/2013FHR-InsectDiseaseUpdate.pdf. Copies of the 2013 forest health report are available at CSFS district offices or online at http://csfs.colostate.edu.

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The Bureau of Reclamation and the Municipal Subdistrict of the Northern Colorado Water Conservancy District and Northern Colorado Water Conservancy District **invite the public to two contract negotiation sessions** for the proposed excess capacity contract out of the Colorado-Big Thompson Project; in accordance with the Reclamation Act of June 17, 1902, as amended and supplemented, Section 14 of the Reclamation Project Act of 1939; and the Colorado-Big Thompson Project Act of August 9, 1937.

Sessions will be held on ***March 5 & April 2, 2014.*** The March 5th session will begin at 10:00 a.m. and will held at Denver Federal Center, Building 67; Hungry Horse Room, by the cafeteria, Lakewood, CO 80225. The April 2nd session will begin at 9:00 a.m. and will

held at the Granby Road and Bridge Shop Conference Room, 467 E. Topaz Avenue, Granby, CO 80446. Public comments will be heard at a designated time during the sessions. For additional information, please contact Bob Rice at (970) 962-4396.

National Wildlife Week, March 17-23

Makes a Splash with Water Help kids learn about water and wildlife, no matter where you live. National Wildlife Federation (NWF) will be showing kids the importance of water to all living things during the 76th annual National Wildlife Week, March 17-23. National Wildlife Week gives families, educators and community groups the chance to connect kids with wildlife and explore the world around them. With a theme of "Wildlife and Water: From the Mountains to the Rivers to the Oceans," NWF will help children and adults explore the important role that water plays in the lives of wildlife and people across the country.

Since 1938, National Wildlife Week has been a time to learn about wildlife and nature. This year, NWF will highlight the critical impact that water resources have on wildlife by showcasing ways wildlife are connected to water. Marine mammals, birds, plants, fish, reptiles, amphibians, and invertebrates that help us to assess water quality will be among the species featured.

"National Wildlife Week has inspired generations to learn and reflect on wildlife and our environment," says Eliza Russell, Director of Education at NWF. "We encourage every American to take a moment during this week to learn about water, a resource often taken for granted. Join in the celebration by taking your kids fishing, cleaning up a local stream, or planting a tree. Every action helps wildlife."

National Wildlife Federation will provide resources for families, schools, individuals and organizations to participate in National Wildlife Week. Resources include a poster, educational webinar, lesson plans, activities, event-planning tips, and a calendar of events.

National Wildlife Week was first observed in 1938 under the name "National Wildlife Restoration Week." Past spokespeople of National Wildlife Week include Walt Disney, Shirley Temple, and Robert Redford. Learn more at www.nwf.org/wildlifeweek. National Wildlife Federation is America's largest conservation organization, inspiring Americans to protect wildlife for our children's future.

Dear Editor,

We get our mail at the Crescent Branch Post Office and I saw a poster offering to kill mountain lions. My biology teacher says they are necessary to healthy ecology so I was wondering why someone would want to kill the big cats and why they put up a poster to do so. Melissa Diaz

Dear Melissa, Some folks don't know as much as your biology teacher, they're ecologically ignorant. Editor

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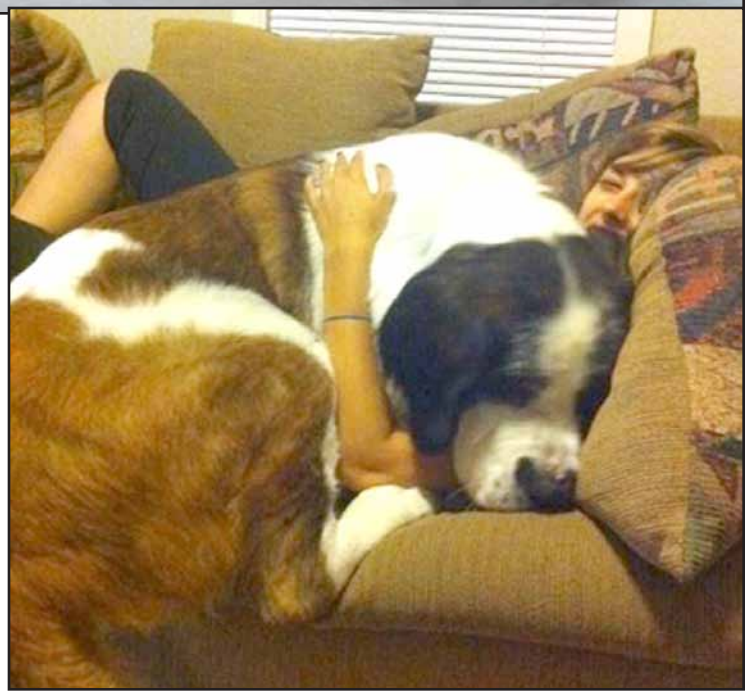

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Top Left: Lotus & Fafiki.
Top right: Cover Cat moves away.

Bottom : Email photos.

Readers, please send your favorite photos to see them on these pages - to news@highlandermo.com

Top Left: Mountain Lion tracks in snow: Front paw with Jan Kramer's hand. Below, the rear paw, only four toes. Thanks Jan!

Top Right: Email picture.

Bottom Right: Ginger, a French Mastiff Puppy, so cute!

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Owls React To Fires & Climate Trends

From Tay Wiles

In the 1980s, when ecologist Brian Linkhart first started digging around in old woodpecker holes in Colorado for flammulated owls – fuzzy, black-eyed creatures weighing just one to two ounces – his research was all about the birds. He wanted to understand if and where the secretive little animals were breeding – questions he pursued purely because the owls fascinated him.

But after decades on the job, the Colorado College professor has turned his attention to what these owls can tell us about larger phenomena, like mega fires and climate change.

Not many people have extensively studied "flams," as Linkhart calls them, because they're elusive: The birds are nocturnal and sing for only a short span of time during mating season, and even then quietly. Linkhart has studied flammulated owls longer and more deeply than anyone, which puts his research in a unique spot to evaluate how long-term trends like warming temperatures may impact the owls. It takes decades of observation for those cause-and-effect relationships to exit the speculative realm and come into relief – and that's exactly what's happening with Linkhart's data.

In the early 2000s, he first started seeing Colorado flams breeding earlier in the year than they used to. "That was one of my first clues," Linkhart says, that the owls were responding to changes in the climate. Then he began to notice fewer offspring and evidence of siblicide in broods. More recently, these changes inspired Linkhart to examine the larger trends that could be causing them.

Linkhart has found that the earlier breeding cycle has a direct correlation with warmer spring temperatures. Precipitation declines over many years in the Manitou Experimental Forest, one of his study areas in the Pike National Forest southwest of Denver, are likely a factor in the decrease in offspring. Flams usually produce two or three fledglings a year, but over the past 15, Linkhart has seen an average closer to one. With less moisture between January and June, he thinks the shrubs, flowers and vegetation that insects – the owls' primary food source – depend on, aren't growing as abundantly as they used to and support fewer insects. That makes for hungrier flams. Increasingly parched summers have also made a major predator, red squirrels, more aggressive. With trees producing fewer seeds for squirrels to eat, the rodents have been pillaging flam nests more often than usual, to feast on eggs.

These temperature and precipitation trends may be a result of the last half-century of climate change, though

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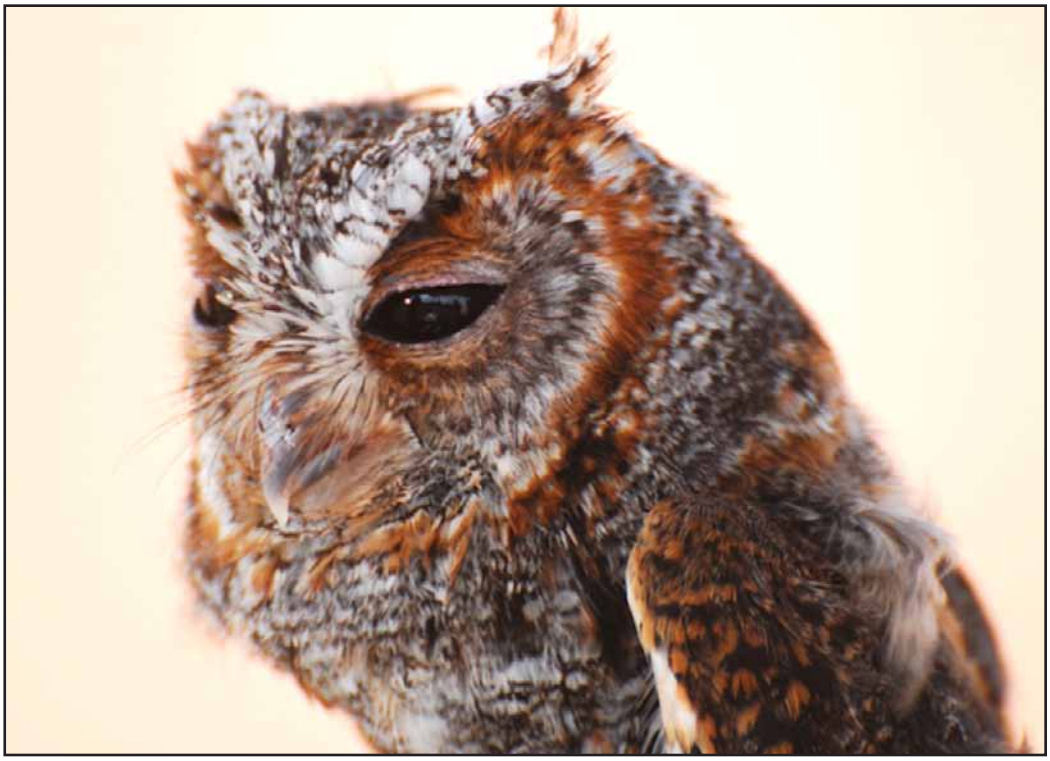
it's difficult to prove. Either way, future climate change will no doubt exacerbate the trends.

Another piece to the puzzle of earlier breeding and fewer offspring is fire and forest management. As wildfires increase in frequency and intensity – scientists predict that by midcentury, fire season will be about three weeks longer and start earlier – the owls' ponderosa pine habitat may become more threatened by fires that incinerate whole stands of trees. One of Linkhart's four study areas, each six to eight miles in circumference, includes a stand severely burned in 2002's massive Hayman Fire. He has no pre-burn data, but his team has seen an influx of owls in unburned areas in the Pike National Forest since the fire.



Mega fires like the Hayman that level big swaths of forest send flams – and other wildlife – in search of new homes. Fewer flams return to burn areas after their winter migration to Mexico. Those birds that actually have come back to the Hayman burn scar are isolated in small pockets of surviving trees in between the most-severely charred areas. That's not to say all fires are harmful for the species. Smaller fires that clear young trees *Continued next page.*

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are actually key to maintaining ideal habitat for flams, which usually prefer older, spacious ponderosa and Douglas fir stands.

Flams like "pre-settlement conditions," Linkhart says, where small fires were relatively common, keeping the forest open. The birds have fewer offspring in younger stands of trees, and as Linkhart points out, flams struggle where forest managers have actively suppressed all fire, including natural, small ones, allowing forests to become overcrowded with younger trees. Not only has the past century of suppression likely resulted in lower-quality habitat for flams, but also it's helped precipitate this era of mega fire.

One fire suppression method that could actually be a boon for the owls in this part of Colorado is tree thinning. Linkhart says that it's still unknown exactly how it affects most wildlife, though he's preparing to study its impact on flams. Parts of the Pike National Forest have been slated for thinning, "but the Forest Service money has been drying up," Linkhart says, and the agency put the project on hold. So the professor is collecting pre-thinning data in the meantime. If thinning mostly targets young trees that have sprung up in the absence of fire, then it might be beneficial, performing the same service small fires would had larger suppression efforts not made them scarce.

It's clear that flams are challenged by changes in climate, but overall health of populations in the Rocky Mountains and across their range, which runs from the Pacific Northwest to Mexico, is still largely unknown. Their migration route was only confirmed a couple of years ago, when Linkhart and a group of undergraduates outfitted several flams with dime-sized geolocators that tracked their journey, which covered a thousand miles or so between central Mexico and the U.S.

This May, a handful of Colorado College students will venture into the Pike forest to expand the narrative Linkhart has pieced together since he first got hooked on flams as a junior at Colorado University in Fort Collins. This summer, as in previous years, he'll teach students to mimic the males' call, look for tagged birds returning from migration, and take turns on night watch to document the owls' nocturnal flutterings in and out of their nests. Some lucky members of his team will witness a fledge – when a young flam leaves the nest for the first time and crashes to the forest floor, a plume of grey fuzz and a data point in the making.

Tay Wiles is the online editor at High Country News. She tweets @taywiles. "Cross-posted from High Country News, hcn.org. The author is solely responsible for the content."

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Location Matters In War On Lake Trout

By Eric Wagner-High Country News

Lake trout aren't just found in low-elevation lakes with large recreational fisheries, like Montana's Flathead Lake. For more than two decades, they have thrived in the crystalline, icy waters of Yellowstone Lake, in the heart of Yellowstone National Park.

Biologists believe someone introduced lake trout to Yellowstone Lake back in the 1980s. Since then, the population has exploded, while the Yellowstone cutthroat trout, a beautiful, small-bodied native, has declined by more than 90%. Lake trout both eat and compete with cutthroat trout, as they do with bull trout in the Flathead drainage.

The loss of cutthroats has rippled through the ecosystem. Unlike lake trout, which spend their entire lives in lakes, cutthroat return to their natal streams to spawn. There, a host of animals - from spiders to bald eagles to grizzly bears - depend in some way on their carcasses for food. Scientists are finding that when those animals can't get trout, they'll turn to other things. Arthur Middleton, a biologist at Yale, recently published a paper in the journal ***Proceedings of the Royal Society B*** showing that, in the absence of cutthroat, grizzly bears have started eating more elk calves. As a result, some elk populations have declined. "That a change in the trout fishery can reach to elk migration is striking," Middleton says. "It shows how the broader effects can be felt far outside the park."

This helps explain Yellowstone's increasingly aggressive drive to eradicate lake trout. Unlike at Flathead Lake, where there is an entrenched lake trout recreational fishery and multiple managers, Yellowstone Lake is overseen solely by the National Park Service, which has a mission to preserve native species. Park biologists have had broad public support to deploy increasingly sophisticated methods, including using experienced gillnetting crews from the Great Lakes to sweep up lake trout.

In the first years, gillnetters caught 25,000 to 50,000 lake trout each summer; the catch rose to around 100,000 by the mid-2000s. As funding has increased - to over $1 million a year from both private and public sources - so, too, has fishing; gillnetters now remove between 200,000 and 300,000 lake trout per year. Although the agency has gotten some pushback from lake trout-loving fishermen, most angling groups support the effort, says Dave Hallac, division chief of the Yellowstone Center for Resources at the park.

The exact number of remaining lake trout is unknown, but Hallac guesses that it is in the hundreds of thousands, and that gillnetting will need to go on for years. But there are promising signs that the population is declining. In the last two years, gillnetters have caught fewer lake trout, and an independent monitoring program has found juvenile cutthroat trout in Yellowstone Lake for the first time in years. "It's too early to claim success just yet," Hallac says, "but we're definitely on the right track."

This article originally appeared in an issue of High Country News (hcn.org).

Editor's Note: Whenever people interfere with the natural world's ecological balance it will inevitably end up with repercussions that are negative in ways we can't imagine.

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Ocean Acidification Drives Changes-Marine Ecology

From Cally Carswell

For a time, Pseudolithophyllum muricatum was king of the kelp forest understory around Tatoosh Island, a rocky blip of land off the northwestern tip of the Olympic Peninsula. In experimental "bouts" staged there by famed ecologist Bob Paine that pitted the crusty, milky red algae against other species of coralline algae it lived amongst, P. muricatum "won" almost 100% of the time, growing more abundantly than any of its competitors. Its edge was its especially thick crust, which allowed it to slip over the lip of its more thinly crusted neighbors and overtake them.

In 2012, Sophie McCoy, a doctoral candidate at the University of Chicago, collected samples of P. muricatum from Tatoosh Island and compared them with samples Paine had collected in the 1980s. Her samples were only half as thick as his. Now, by repeating Paine's experimental plant battles, McCoy has shown that P. muricatum has indeed lost its competitive edge. "It's now winning only about a quarter of the time," she says. "It loses to basically everybody some of the time. That's a huge change."

The cause of this paradigm shift? Most likely, says McCoy, it's the downward creep of the ocean's pH, caused in large part by the vast amounts of carbon dioxide the ocean has absorbed since humans began burning fossil fuels. This phenomenon, known as ocean acidification, was once described by former National Oceanic and Atmospheric Administration chief Jane Lubchenco as the "equally evil twin" of climate change.

The waters that lap Tatoosh Island are already experiencing pH creep at a rate 10 times faster than models predicted. Combine that fact with the decades of detailed ecological data collected there by Paine and his disciples, and you've got an ideal place to study the ecological consequences of changing ocean chemistry.

Coralline algae are particularly good organisms to probe to begin to understand these consequences. They sit at the bottom of the food chain; meaning changes in their competitive relationships - which control the abundance and composition of different species - are likely to have ripple effects. Coralline algae are also expected to be particularly sensitive to changes in water chemistry. That's because they're highly dependent on bicarbonate for photosynthesis and carbonate to build their hard skeletons. As the water's pH changes, bicarbonate levels go up and carbonate levels go down. So far, McCoy says, whether coralline algae ultimately benefit from increased bicarbonate, or suffer from decreased carbonate "seems to be really species dependent." For instance, a decrease in carbonate means the algae have to expend more energy to maintain their skeletons, which are at greater risk of dissolving in the acidifying water. This explains why P. muricatum has begun to thin: It's become too taxing to build and maintain such a thick skeleton. Thinner algae, on the other hand, need less energy to maintain them, and therefore might take less of a hit.

But for this recent study, McCoy was less interested in how individual species were reacting than in how those reactions altered the competitive dynamics of entire communities, and whether those changes might impact the overall diversity of plants and animals in the long run. How

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the loads of carbon we're pumping into the atmosphere will alter global and local biodiversity is a big question, and this study provides an early look at how marine life in the Northwest is already changing.

That said, the ultimate implications for biodiversity are still uncertain. Though acidification is negatively affecting P. muricatum, that's not necessarily a bad thing for overall diversity. Though in the past Tatoosh Island's coralline algae had a simple, ladder-like hierarchical structure, with P. muricatum on the top rung, it didn't blanket the kelp forest's understory in a monoculture like cheatgrass in the Great Basin. Rather, its abundance was kept somewhat in check by snails and urchins that grazed it and, in turn, made room for other plants. Now, these predators don't seem to have much of an effect on the composition of the plant community. "What I think is happening is that those changes in seawater chemistry are more stressful than the (snails and urchins)," says McCoy. In other words, one source of stress has overwhelmed the other, and proven a more formidable foe for P. muricatum. That's not necessarily a bad thing for overall diversity, assuming other species of algae are less impacted. If ocean acidification eventually causes the populations of P. muricatum to decrease, which seems likely, it could open up more room for other species of algae to colonize than the snails and urchins made available.

The most important insight to be gleaned from McCoy's study, however, is perhaps more simple: The natural world is changing rapidly, often out of view; in ways we are only beginning to understand. Change tends to happen very slowly in natural systems, and starts with processes that are invisible to the naked eye. It is especially hard to pick up on changes in communities of long-lived, slow-growing species like coralline algae through observation alone - by simply surveying how many of each algae species there are around Tatoosh Island, for instance. For now, P. muricatum, much of it established years, decades, or even centuries ago, is still the most common coralline algae in the area. But the new experimental bouts showed that it's no longer the strongest. As McCoy writes in her paper: "The direct measurements of altered competitive dominance we observed experimentally may be the first indications of pervasive ecological change in this system."

Cally Carswell is the assistant editor at High Country News. She tweets @callycarswell."Cross-posted from High Country News, hcn.org. The author is solely responsible for the content."

Editor's Note: Many fail to understand that ecology refers to the interrelations of an organism with its environment and this includes humans. The relationship is a two-way one and any unnatural changes can cause unwanted effects. Natural changes are called adaptation or evolution, both scientifically based.

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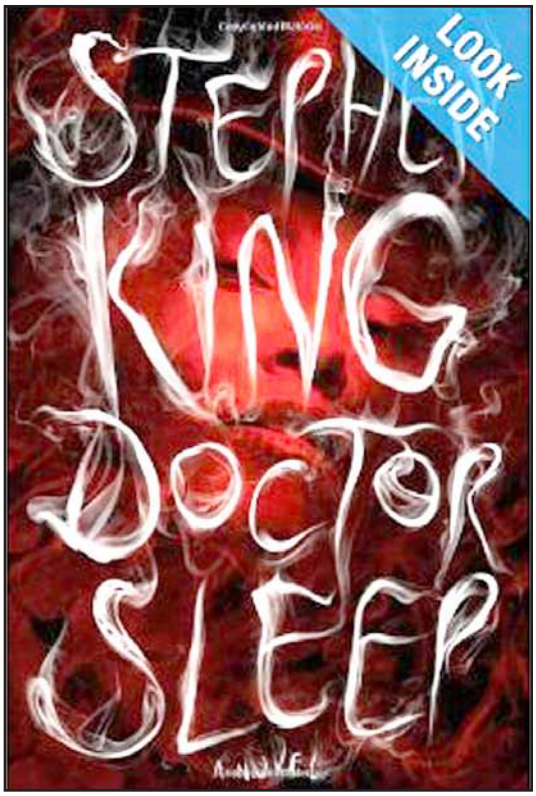
Sequel To The Shining

By Tracy Reseigh



Internationally acclaimed author Stephen King gave a talk at Boulder's Chautauqua Auditorium last September to promote his new novel ***Doctor Sleep. Doctor Sleep*** is the sequel to King's 1977 novel ***The Shining***; the book that many would agree inaugurated King as the master storyteller of the horror genre.

The Shining is a novel about Jack Torrance, an aspiring writer who after losing his job at a Vermont prep school, interviews to be the winter caretaker at The Overlook Hotel. The Overlook is a famous upscale hotel set in the mountains outside Boulder, Colorado. At the end of the season the hotel shuts down, and the staff is sent home for the winter. The winter caretaker then over-sees the maintenance of the hotel until the following spring. Jack is offered and then subsequently accepts the job. This is a last ditch effort for Jack to get his family back on track.

Jack, his wife Wendy and their young son Danny move to The Overlook on the last day of the season. While getting the tour of the kitchen, Danny is befriended by the cook who instantly recognizes that Danny has a gift. Danny can read people's minds - he can "shine." With the help of his imaginary friend Tony, Danny knows that the Overlook job is the last chance that his mom will give his dad to try to keep their family together.

The rest of the story is Jack's descent into madness, and Wendy and Danny's plight to escape from Jack and the snowed-in, cut-off Overlook Hotel. I realize that most Highlander readers are probably familiar with ***The Shining*** and the quick re-cap is a segue into the ***Doctor Sleep*** review.

Doctor Sleep is the continuation of Danny Torrance's life. In this novel, King has picked up almost right where he left off 38 years ago. It is the story of how the events at The Overlook constantly affect him, and how he struggles with his own demons of alcoholism and his telepathy, or "shining" gift. King creates all new characters in ***Doctor Sleep***; however there are always subtle references to ***The Shining***, and to how The Overlook winter has molded Danny Torrance into the adult he is.

Danny is now on his own journey, trying to fight the same battle with alcoholism that his father fought, while also trying to find his place in the world where his telepathy can be helpful. He gets involved in his own situation where he tries to help a kindred spirit while staving off a group of gypsy paranormals.

The Shining and ***Doctor Sleep*** are books for Stephen King fans, or for readers who enjoy suspenseful, scary and just plain good stories. I recommend reading ***The Shining*** (not just watching the movie even though Jack Nicholson was epic as Jack Torrance) before reading ***Doctor Sleep***. I first read ***The Shining*** when I was 9 years old, and 36 years later it was every bit as scary and suspenseful. ***Dr. Sleep*** is not a horror story so much as it is a story of a young man still trying to make sense of horrific past events in his life. Published by Anchor Books, ***The Shining*** is available in paperback at Barnes and Noble for $7.99. Published by Scribner, ***Doctor Sleep*** is available in hardback at Barnes and Noble for $16.85.

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Keystone XL Pipeline

From Judith Lewis Mernit

It's hard to know where to begin unpacking the U.S. State Department's Final Environmental Impact Statement on the controversial Keystone XL, the transcontinental pipeline that has been proposed to transport heavy crude oil from the tar sands of Alberta to the Gulf Coast of Louisiana. On one hand, the document admits that from "wells to wheels" — a lifecycle analysis that includes extracting, refining and burning — crude from landlocked Canada is 17% worse for the climate than the other kinds. On the other, moving any oil, no matter how polluting, along a pipeline is better than transporting it by rail or tanker. No one wants to repeat what happened last summer at Lac-Mégantic, the small Quebeçois village where 47 people died when a train derailed carrying oil from North Dakota's Bakken fields, nor do the residents of Casselton, N.D., want to be forced to flee another fiery rail crash, as they did in December. Build the pipeline, goes the ominous Hobson's choice the State Department report offers, or get ready for more horrific railcar explosions to rock rural North America.

Whether that's really the tradeoff, however, remains a matter of debate. There's no question that as flammable petroleum fills up tank cars designed for more benign cargo, rail disasters have mushroomed. Since last March, the New York Times reported, "there have been no fewer than 10 large crude spills in the United States and Canada because of rail accidents." Keystone XL would be contractually obligated to carry off about 100,000 barrels per day from the Bakken development, thus reducing the railcar risk from North Dakota as well Alberta. The pipeline, then, clearly wins on the issue of transportation risk.

But as a project that crosses an international boundary, the pipeline's approval hinges not on the opinions of rail-safety experts but on a decision to be made by President Barack Obama, who announced in his landmark June speech on climate that "the net effects of the pipeline's impact on our climate will be absolutely critical to determining whether this project is allowed to go forward." And that net effects calculation gets tricky.

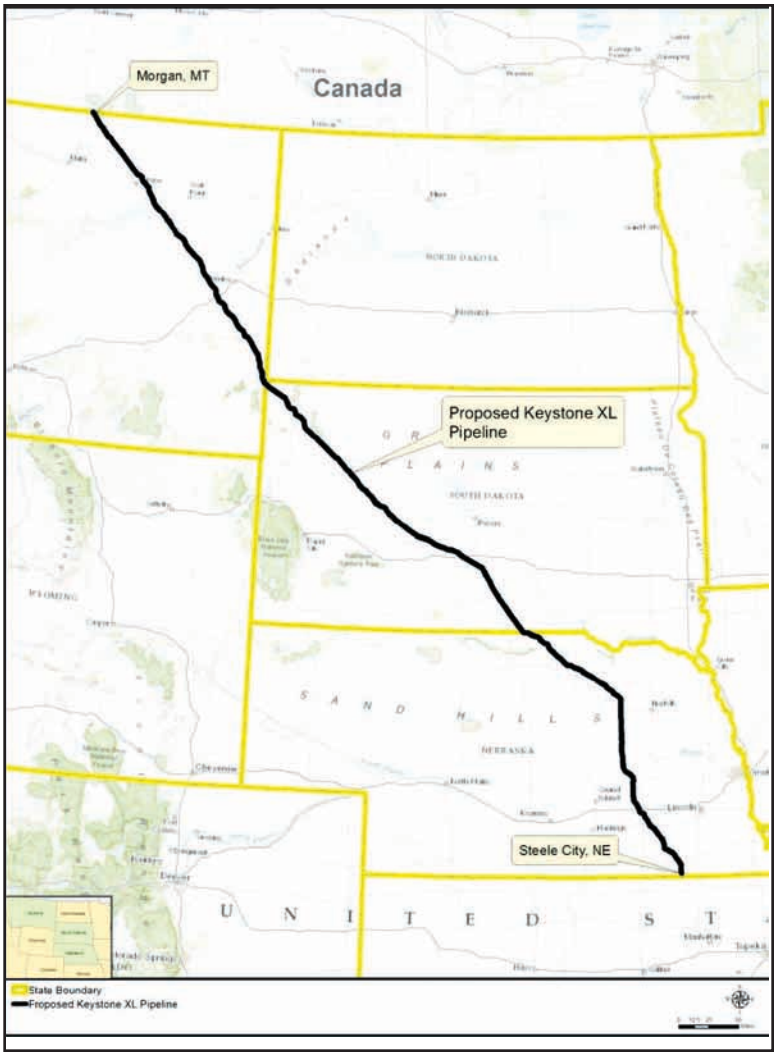
On its face, the State Department's analysis says the pipeline will have no significant impact on climate, which is different from saying the oil itself won't contribute to carbon pollution when it's extracted and burned. Instead, the report concludes, the pipeline won't exacerbate the greenhouse effect for the simple reason that oil producers will still develop the fields without it, moving their oil to export terminals in the Gulf by rail or truck. In other words, no matter how "GHG intensive" the tar sands' oil might be, access to the pipeline won't exacerbate climate change because access to the pipeline will have no effect on oil production. Several environmentalists opposed to the pipeline, including NextGen Climate Action founder Tom Steyer, say that's bunk. And most investment analyses argue that without the pipeline, Canada's oil will cost so much and sell for so little it won't be worth the trouble.

Steyer — the San Francisco billionaire who has famously sunk large sums of his personal fortune into fighting the pipeline — issued a detailed open letter to Secretary of State John Kerry, arguing that the *Continued next page.*

study's conclusions "conflict with and are contradicted by tar sands industry executives who confirm that they need the pipeline in order to continue to develop the tar sands and to reach international markets." He goes on to cite chapter and verse: "If Canada fails to develop its oil sands now — and fails to build the pipelines to move it to market — the opportunity could vanish for decades," the Toronto Star, quoting industry executives, reported on January 15; without a pipeline "I would have to slow down," an executive from the Canadian oil developer Cenovus told the The Globe and Mail's editorial board. "The pipeline has to be done," another oil-industry executive said in Davos. And so on.

The State Department study essentially dismisses the cries of oil-industry executives — who do, after all, stand to make more profit with the pipeline than without it — as anecdotal. If "analysts and financial institutions" have said that denying the pipeline would reduce production, it's because "they have different focuses, near-term time scales, or production expectations, and/or include less detailed data and analysis about rail and transport." The study's more substantiated conclusion is that, while "lower than expected oil prices could affect the outlook for oil sands production," oil prices will stay above the break-even point for domestic oil production, and extraction from the tar sands will continue apace, with or without a pipeline.

It's worth noting that other environmental groups, such as the Sierra Club and 350.org, have read — or perhaps spun — the State Department report differently, trying to make a case that the report proves the pipeline will indeed worsen greenhouse gas pollution. "The State



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Department wisely walked away from its earlier contention that Keystone XL would have 'no significant impact' on climate disruption," said the Sierra Club's Michael Brune in a statement. Bill McKibben of the climate activist group 350.org backed him up. They're correct only in the most literal sense. The report also acknowledges that, even with a conciliatory detour around Nebraska Sandhills, the project will disturb whooping crane habitat, devastate the endangered American Burying Beetle, and **possibly contaminate the Ogallala aquifer that supplies fresh water to millions of High Plains farmers and residents.** Indeed, the study documents all the way through just how much damage the Keystone XL and the bounty it carries will do to the planet. It's just that all the alternatives are worse. Looking at the climate problem alone, not building the pipeline will cause 28 to 42% more greenhouse gas emissions to be released into the atmosphere, mostly because trains and trucks burn fuel.

There are, of course, alternatives that go beyond the scope of the report. Oil could become uneconomical if people stopped using so much of it; trains might not burst into flames if the industry were forced to retrofit tank cars to carry petroleum more safely. If the State Department's study only passingly factors a steep drop in oil prices into its takeaway conclusion, Steyer and others have speculated that there's a simple explanation: As Inside Climate News' Lisa Song reported last March, the primary agency behind the study, Environmental Resources Management, has long-established ties to the oil industry. The accusation alone augurs against the report's own hopes that no "perceived conflicts . . . would impair the public's confidence in the integrity of the work."

But establishing conflict-of-interest in the report's preparers may not even be necessary for Obama to apply his greenhouse-gas litmus test to a denial. Pipelines, once built, need to be fed to remain structurally sound. Without the pipeline, there still exists the possibility that oil sands production will decline for all sorts of reasons. Once it's built that possibility diminishes to near zero. The President could decide for himself that the pipeline effectively locks in more destruction of Alberta's boreal forests for the extraction of tar sands oil. He could then conclude quite reasonably that it will therefore hasten climate change. It would then be hard for anyone, even the most studious analyst of the State Department's massive report, to prove him wrong.

Judith Mernit Lewis is a contributing editor to High Country News. She tweets @judlew. "Cross-posted from High Country News, hcn.org. The author is solely responsible for the content."

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A (Very Small) Room With A View

By Claire Thompson/High Country News

Andrew Girardeau-Dale finished college a few years ago, but when the 24-year-old aerospace engineer shows me his new place in Seattle, Wash., it's like being back in a dorm room. I take notes perched on his desk chair, while he sits a foot away on the end of his bed, displaying the features of the kitchen behind us, which consists of a sink, small fridge and hot plate. "I thought about getting a second one so I could cook rice and stir-fry at the same time," he says, "but now I just cook the vegetables with the rice."

Low-key in demeanor and dress, and with his hands often tucked in sweatshirt pockets, Girardeau-Dale says the 'Podment' the developer's name for this type of ultra-compact apartment, otherwise known as microhousing - fits his minimalist personality. And at $775 a month, including utilities, it gives him a chance to both save for the future and live in Capitol Hill, home to artsy trendsetters since the Northwest's legendary grunge era. A typical studio in this centrally located, apartment - and bar-filled neighborhood goes for at least $1,200 a month.

Measuring 150 to 250 square feet, 'Podments' come with bathrooms, kitchenettes and basic furnishings, but share laundry, common space and a full-sized kitchen, stocked with pots, pans and utensils, with other units. This means that each cluster of tiny studios counts as a single unit under city housing code. The Seattle Department of Planning and Development started receiving building permit applications for 'Podments' and similar types of microhousing in 2008, during the depths of the recession.

Since then, rents have continued to rise - in July, they were up 5.8% over the previous year citywide, and a whopping 8.2% in Capitol Hill - even as vacancy rates keep falling. Microhousing has expanded accordingly: As of last November, 29 microhousing projects across the city had received building permits and 15 more were in the permitting process. About 12 of the permitted projects are completed and renting. All boast cheaper rents than the norm, opening rapidly gentrifying urban cores to those with less money to spend or stuff to store. Though some locals worry that the influx of new residents will damage neighborhood character, many cities increasingly see microhousing as a way to deal with the affordable housing crunch. Microhousing can also contribute to Seattle's goal of becoming carbon-neutral by 2050.

For the first time, the majority of the world's people live in cities, and with the urban population set to nearly double by mid-century, cities will necessarily lead the way in reducing global emissions. This requires density: Concentrating people in walkable, mixed-use neighborhoods where they can share the same resources and be as mobile as possible without driving. The challenge is to keep these desirable neighborhoods from becoming prohibitively expensive, forcing folks of lesser means into the suburbs, where they'll spend what they save on rent on gas-guzzling commutes - a trade-off that perpetuates poverty and decreases urban density's carbon benefits.

More people moving into cities is "a healthy thing on so many levels," says San Francisco Supervisor Scott Wiener, "but the downside is much more competition for housing, which just makes things more expensive. It reduces the economic and cultural diversity of the city."

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In fall 2012, Wiener sponsored successful legislation to create a microhousing pilot program in San Francisco that would lower the minimum required square footage for an apartment from 290 to 220 square feet, for a test run of up to 375 new units. In New York City, where new apartments in higher-density areas must be at least 400 square feet, former Mayor Michael Bloomberg sponsored a design contest last year for spaces smaller than that, and construction of the winning project is now underway. Denver also held a microhousing design competition in 2013. Microapartments are now popping up in Portland, Ore., and Vancouver, B.C., has begun allowing backyard cottages and mother-in-law units virtually citywide.

Microhousing is not a brand-new concept - really, it's an updated version of the rooming houses and single-room-occupancy hotels that, in the first half of the 20th century, housed a significant share of young and single urban workers. Over the last 50 years, city housing codes and zoning laws systematically outlawed them, mainly for health and safety reasons. But that left many low-income people with few realistic housing options inside urban cores, says Alan Durning, executive director of the Sightline Institute, a Seattle-based sustainability think tank. "If all you can afford is a 100-square-foot room, then a one-bedroom apartment doesn't do you much good."

Microhousing is, essentially, market-provided "non-subsidized affordable housing," says Seattle DPD spokesman Bryan Stevens. Though far from a panacea for affordability and sustainability issues, given its niche market, Durning speculates that it may help free up subsidized housing for the poorest citizens and those with special needs. It might also give low-income families a better chance at the many single-family homes and bigger apartments currently occupied by groups of roommates who can't afford to live alone.

Opponents most commonly worry that the developments will increase pressure on urban neighborhoods' already limited street parking. But given their location in walkable, transit-rich neighborhoods, these dwellings clearly cater to the carless. In the zones where microhousing proliferates in Seattle - mainly Capitol Hill and the University District - the city has no vehicle-parking minimums, but it does require a secure, covered bicycle parking spot for every four units of a multifamily building, and proposed rules would require the same for microhousing sleeping rooms. Seattle DPD also plans to tweak regulations to ensure that 'Podments' undergo proper design review, giving neighbors more opportunity to voice concerns.

The only downside to his new digs, says Girardeau-Dale, is that it's hard to entertain there. He suggests we decamp to a coffee shop for our interview, but I want to get a sense of what it's like to spend more than a few moments in this space, which he considers an upgrade over the place he shared with three roommates. I can't imagine cramming all my thrift-store sweaters and knick-knacks into this cubbyhole. Then I step to the room's fourth-floor window and gaze out over the tops of neighboring apartment buildings to where a gorgeous winter sunset bleeds across the sky. The view, as Girardeau-Dale notes, makes the room seem much bigger.

Claire Thompson was an editorial assistant at Grist before a stint with the Southwest Conservation Corps in Colorado. She's now writing and working again in Seattle, her hometown. This article originally appeared in an issue of High Country News (hcn.org).

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BLM Considers Grassroots Land Use Plan

From Krista Langlois

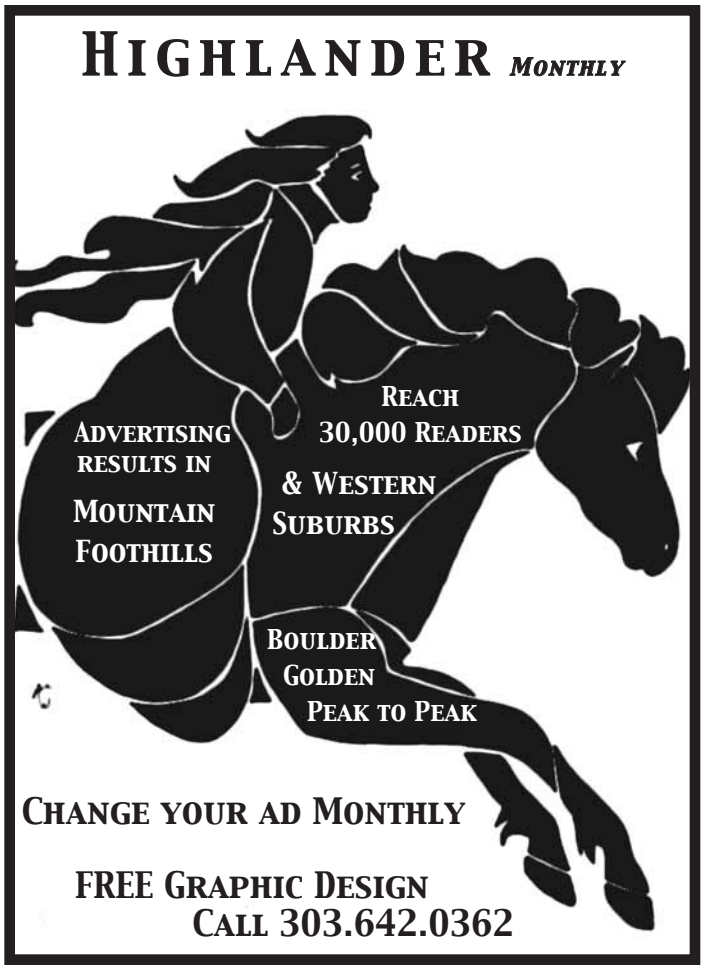
Mark Waltermire squints in the winter sunlight, craning his neck to take in the view from his vegetable farm in Hotchkiss, Colo. He jabs his finger toward a mesa: "There," he says. "And up in there." Palm to the sky, he makes a sweeping gesture, encompassing the flat-bottomed valley, the staggered mesas; the patchwork of ranches and farms, houses and towns, public and private land, all dead grass and mud after a midwinter thaw.

Waltermire is showing me a handful of the 30,000 acres that the Bureau of Land Management planned to auction off to oil and gas companies here in western Colorado's North Fork Valley in 2012. He represents the Valley Organic Growers Association in a larger group that opposed the leases and has thus far been successful in convincing the BLM to defer drilling permits. Not only that, but for the first time in recent history, the BLM has voluntarily agreed to consider a proposal written by residents of a small, rural community as a viable alternative to a regional resource management plan.

Like many of Colorado's public land offices, the Uncompahgre BLM – which oversees 3.1 million acres of western Colorado, including those surrounding the North Fork towns of Paonia, Hotchkiss and Crawford – hasn't rewritten its resource management plan in decades. Resource plans guide all aspects of land and mineral management, and updating them is expensive and time-consuming, says state BLM spokesman Steven Hall. For a while, the attitude was "if it ain't broke, don't fix it." But as Colorado's energy boom took hold over the last decade, drawing more oil and gas companies to public lands, it became clear that policies written in the 1980s were ill-equipped to govern today's landscape of horizontal drilling and hydraulic fracturing. New technologies have brought drilling to places that land planners of yore never anticipated.

Over the last six years, Colorado has been on "an ambitious planning spree"; 70% of it's 8.3 million acres of BLM lands have been or are in the process of having their resource management plans rewritten, Hall says. "It's been a tremendous workload for the BLM, and for advocacy groups that follow these (issues)."

The changes rarely come easily. In Grand Junction to the north and Tres Rios to the south, roadless wilderness proponents and motorized users have been sparring for years over new transportation guidelines included in the plans, and oil and gas leases have proven equally controversial. Middle ground has been hard to find.



Here in the North Fork, the Uncompahgre BLM was already in the midst of updating its 1989 resource management plan when the first oil and gas leases were proposed. There was some support for drilling: "If it's not in my backyard, whose is it gonna be in?" one resident asked. But others were horrified to learn that the parcels abutted schools, irrigation ditches and municipal water supplies. They hoped the revised resource management plan would, as HCN editor Sarah Gilman wrote, "take into account major advances in drilling technology as well as changes to the local area's economy, demographics and environment, in ways the (old) plan and a smaller scale environmental study covering the leasing proposal (could) not. That, in turn, would ideally mean a clearer balance struck between energy development and other interests."

But early drafts didn't satisfy residents' fracking-related concerns. So they wrote their own – a 103-page alternative that would affect only a fraction of the overall Uncompahgre plan. Its main focus is to keep drilling far from schools, communities and watersheds, and help preserve the rural character of a place where organic farms and vineyards now supplement an economy once based mostly on coal mining and ranching. Surprisingly, in December, the BLM agreed to include the "North Fork Alternative" in its next resource management draft, to be released this summer. That'll be followed by a 90-day comment period and then, barring litigation, a final plan. For many locals, the process has thus far been a huge success.

"What's happening in the North Fork is somewhat historic," says Pete Kolbenschlag, a Paonia-based environmental consultant who worked on the plan. An Uncompahgre BLM representative was reluctant to discuss with me the agency's reasons for including the North Fork Alternative, but Kolbenschlag and others speculate that it may have stemmed from a legal battle that unfolded 100 miles to the north, on the biologically rich Roan Plateau. There, the BLM approved a plan allowing oil and natural gas development without including a proposal written by conservationists and Garfield County citizens that would have limited drilling to the plateau's edges. In 2012, a U.S. district judge ruled that BLM was wrong and needed to reconsider.

Though it was a forced victory, some western Colorado environmentalists are hopeful that it may nonetheless be indicative of an agency that's becoming more willing to balance community values, conservation and recreation with mineral extraction.

Mark Waltermire is skeptical, but he's nonetheless happy that for now, at least, his view from Thistle Whistle farm will remain much the same – and his high-end customers in Boulder will continue to want his produce, untainted by fracking. "My markets depend on the reputation of my food," he says. "I just can't see the future of this valley being in extractive industries."

Krista Langlois is an editorial fellow at High Country News. She tweets @KristaLanglois2. Cross posted from HCN.org - the author is soley responsible for the content.

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TAXES
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MARCH
2014

POWER UPDATE

75th ANNUAL MEETING & Anniversary Celebration

APRIL 16, 2014 • ADAMS COUNTY FAIRGROUNDS

Join Us!

APRIL 16, 2 014 • ADAMS COUNTY FAIRGROUNDS

4 - 6:30 PM REGISTRATION, DINNER & ENTRTAINMENT

6:30 - 8 PM BUSINESS MEETING, DIRECTOR ELECTION RESULTS, 75TH ANNIVERSARY CELEBRATION & PRIZES!

Fabulous Prizes!

REGISTERED MEMBERS • MUST BE PRESENT TO WIN

2014 Director Election

YOUR CO-OP...YOUR VOTE

FOR 75 YEARS, MEMBERS OF UNITED POWER HAVE HAD A VOICE IN SELECTING THE LEADERS OF THEIR ELECTRIC COOPERATIVE BY VOTING IN THE ANNUAL DIRECTOR ELECTION.

PLEASE WATCH FOR YOUR COOPERATIVE BALLOT! BALLOTS ARE MAILED TO ALL MEMBERS. PLEASE CAST YOUR BALLOT BY RETURN MAIL, PLACE IT IN A BALLOT BOX AT ANY CO-OP OFCE OR VOTE IN PERSON BEFORE 6:30 P.M. AT THE ANNUAL MEETING ON APRIL 16TH.

MEMBERS HAVE ONE VOTE FOR EACH MEMBERSHIP WITH UNITED POWER. ONLY THE PERSON WHOSE NAME IS ON THE UNITED POWER ACCOUNT IS ELIGIBLE TO VOTE. BE SURE TO VOTE FOR ONE CANDIDATE IN EACH DIRECTOR DISTRICT AND SIGN YOUR BALLOT.

VISIT WWW.UNITEDPOWER.COM FOR MORE INFORMATION

UNITED POWER
Your Touchstone Energy® Cooperative

Think you have the best chili around? Find out on March 15th at the CCCIA Sponsored Chili Challenge Noon to 4 pm!

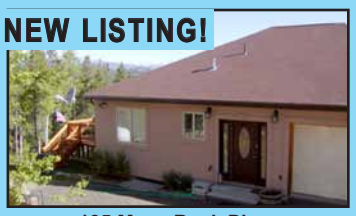
2280 Forest
Warm, welcoming & accomodating!
5 BD/3 BA+ legal 2 BD/1 BA apt. **$739,000**

10982 Twin Spruce Road
Come See All the Changes!
3 BD/ 3 BA Garage/RV Pk'g **$319,000**

10653 Twin Spruce
Road improvements complete!
2 BD/ 3 BA 1,896 sq. ft. **$245,000**

0 Coal Creek Canyon
1.63 Ac Bldg. Site – Motivated Seller
In High End Neighborhood! **$29,000**

102 Black Bear Trail
Privacy in the Pines!
2 BD/ 1 BA 1.39 Ac. **$203,000**



125 Moss Rock Place
VIEWS! VIEWS! VIEWS!
3 BD/ 3 BA 2-Car Garage **$389,000**

33966 Nadm
Private, Backs to National Forest
1.08 Acre **$75,000**

11578 Ranch Elsie Road
Sunny & Great Location!
3 BD/ 2 BA **$329,000**

2771 Dundee
Maintenance Free Patio HOme
2 BD/ 2.5 BA 2-Car **$311,000**

11547 Shimley Road
Dramatic City Views 1.15 Ac
in Coal Creek Heights **$39,000**

30 Wonder Trail
Historic Wondervu Cabin An
Original Get-Away! 1 BD **$84,000**

28 Millard
Charming Get-Away!
1 BD/ 1 BA + Shed/Studio **$144,000**

64 Damascus Road
Beautifully wooded, flat site backs to
Golden Gate St. Pk. 1.87 Ac **$49,000**

0 Damascus Road
Adj to #64 Damascus Rd. 1.86 Ac site.
Thorn Lake privileges. **$49,000**

8819 Blue Mountain
Sweeping Views of the Valley!
3 BD/ 4 BA 2-Car 1 Acre **$529,000**

0 Circle Drive
Gently sloping 1.89 Ac site.
Great Solar Potential **$39,000**

403 Harrow Lane
Completely Remodeled!!
3 BD/ 2 BA 2,376 sq. ft. **$189,000**

992 Karlann
Nice blend of old & new - Remodeled
3 BD/ 2 BA

830 38th Street
Friendly Neighborhood
3 BD/ 2 BA 1,427 sq. ft. **$454,000**

11568 Overlook
Foothill Views!
2 BD/ 1 BA 1,258 sq. ft. **$224,000**

Kathy Keating,
CRS, ABR, GRI
EcoBroker,
Broker Associate
303.642.1133

For additional information and photos:
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