



THE MOUNTAIN MAIL

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Early years: Browns Canyon

Decades of work culminate in national monument designation

by **Ryan Summerlin**
Mail Staff Writer

Editor's note: This is the first of a two-part series about Browns Canyon.

National monument designation for Browns Canyon is the culmination of decades of work, and it might not have happened at all if not for the persistence – perhaps stubbornness – of a few advocates.

Just days after President Barack Obama signed off on Browns Canyon National Monument, a few of those advocates sat in a Salida coffee shop to recount the years of effort.

“This is a story that has great human and political drama,” said Michael Kunkel, the first president and cofounder of Friends of Browns Canyon.

In the early years, they were scraping together any money they could for the cause.

Even before the Friends group came along, advocates struggled for decades to get more protection for Browns Canyon, seeing bills come and go, only to have hopes dashed by political roadblocks.

The Friends’ ultimate goal was to create a wilderness area east of the Arkansas River with the Browns Canyon Wilderness Study Area at its heart.

“We were all volunteers,” said Kunkel. “We weren’t paid. We had no titles, no business interest in Browns, no hidden agenda.” And for the first 10 years of their efforts, they operated on less than \$1,000 a year.

Much of this area used to be roadless, said Jerry Mallett, who was the Wilderness Society’s western field representative from 1970 to 1982 and another cofounder of Friends of Browns Canyon. At the time, Mallett was on the ground mapping the area and meeting with interested individuals and groups.

But as the years went by, the size of wild space around Browns Canyon would shrink by significant amounts.

“We didn’t want Browns Canyon to become a 20,000-acre appendage of Fourmile,” said Kunkel.

The story begins with the Roadless Area Review and Evaluation (RARE I), which was for areas with wilderness characteristics that had not been reviewed under the 1964 Wilderness Act.

RARE I, established in 1972, included U.S. Forest Service lands in Browns Canyon, then known as Aspen

Ridge, which spanned more than 100,000 acres.

In 1976, Congress instituted the Federal Land Management Policy Act (FLPMA), an act that directed the Bureau of Land Management to review its land for best management practices and gave the BLM direction to manage resources, said Mallett. “Before that they were a holding agency to dispose of lands no one thought were valuable. Mostly, they were going to grazing and energy.”

Mallett and Dick Scar helped champion wilderness designations for other areas, such as the Sangre de Cristo, Collegiate Peaks and Buffalo Peaks wilderness areas.

FLPMA was the first initiative that said that the area in the heart of Browns Canyon, which wasn’t a wilderness study area yet, had wilderness characteristics. In 1976 it also closed Turret Trail where it crossed into the area that would become the Browns Canyon Wilderness Study Area.

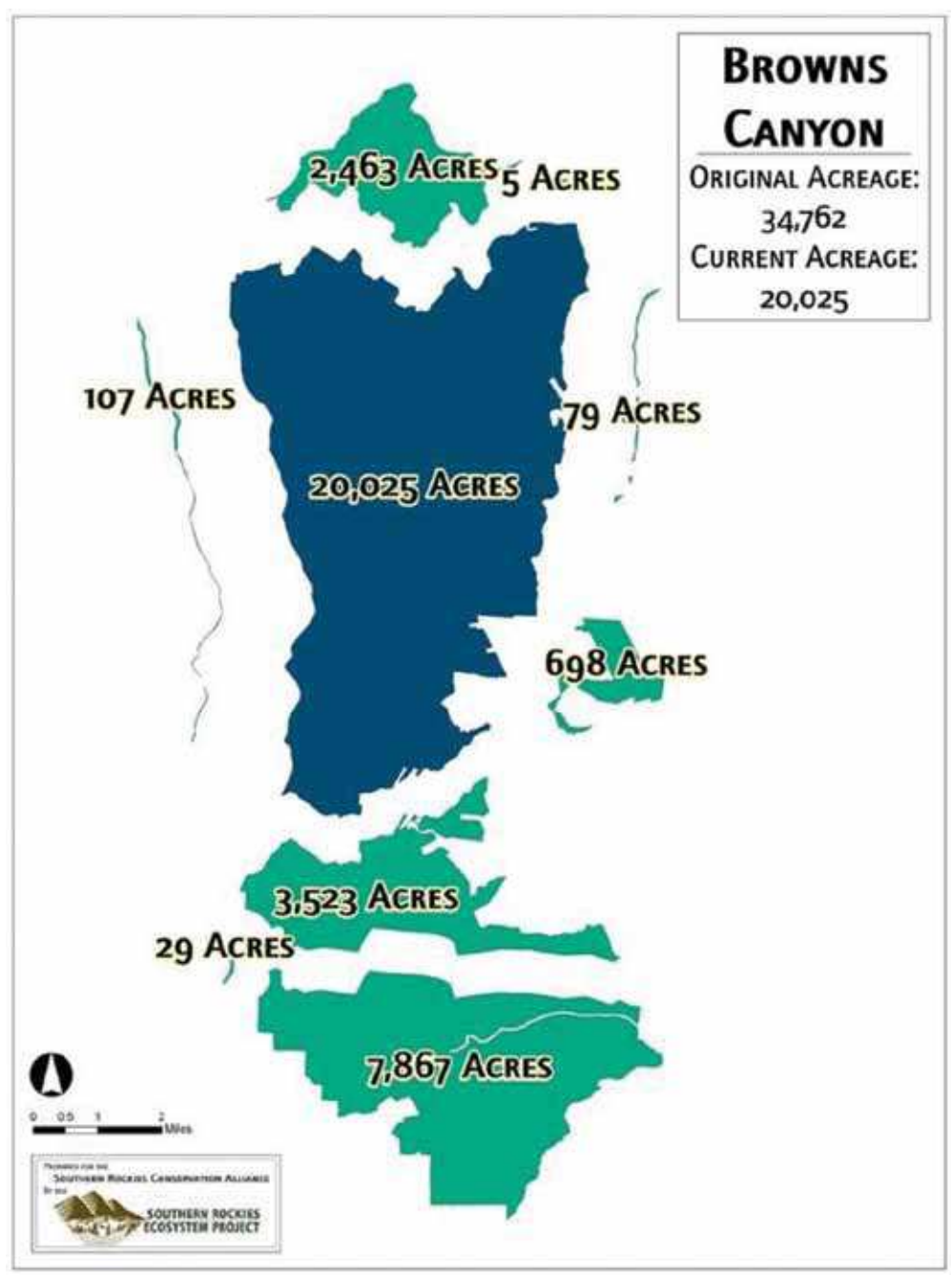
But during that process there was no public involvement. “It was all agency guys proposing the designation of wilderness study areas,” Mallett said. “The BLM was at that time a small agency that wasn’t prepared for FLPMA.”

From the late 1970s into the 1980s, Browns Canyon was further inventoried for wilderness characteristics.

In 1980 the BLM reached the decision that 6,614 acres of Browns Canyon did qualify as a wilderness study area and purchased nearly 150 additional acres to add to the original recommendation after an intensive inventory of the area. Inventorying of Browns Canyon continued through the ‘80s.

A 1991 BLM Wilderness Study Report officially recommended the Browns Canyon WSA for wilderness designation. “The entire Browns Canyon WSA is recommended for wilderness designation. This is the environmentally preferable alternative as it will result in the least change from the natural environment over the long-term,” reads the 1991 BLM Wilderness Study Report.

Republican Reps. Wayne Allard and Dan Schaefer introduced the first wilderness bill that would include Browns Canyon in 1991, but it also included many other areas in Colorado. That bill never made it out of committee, and future bills attempting to designate areas in bulk as wilderness would see similar troubles.



Courtesy map
The shape of protected lands in Browns Canyon has changed greatly over the years. Rep. Diana DeGette, from the 1st Congressional District, has consistently pushed wilderness legislation since 1999 that includes Browns Canyon, but the fluctuating boundary lines proved problematic as they swelled to nearly 35,000 acres in 2003. Former Rep. Joel Hefley’s 2005 wilderness bill brought that acreage down to 20,025, which is much closer to the national monument boundaries seen today.

In 1999, Democratic Rep. Diana DeGette of the 1st Congressional District presented her first Colorado Wilderness Act proposal. DeGette would take multiple stabs at an omnibus wilderness bill that included Browns Canyon.

Since 1999, DeGette has introduced 11 different Colorado wilderness bills that would include Browns Canyon, and none of them have come to fruition. The acreage of proposed Browns Canyon wilderness began at nearly 22,000 in 1999, then swelled to about 24,500 in 2001 and 2002. In 2003 it grew to 34,873 acres, stretching further north and south than the national monument seen today.

Compromises have been made along the way, shaving off sections to the

north and south. To the south were lands, such as the Longs Gulch area, that did not have wilderness characteristics, and to the north DeGette’s wilderness crossed a well-established motorized-use trail, which would later become the southern boundary of the Fourmile Travel Management Area.

Although the Browns Canyon advocates were supportive of DeGette, they knew anything she put up for Congress to designate would be hard to advance. DeGette’s bills targeted land all over the state for wilderness while her own district, in the Denver metro area, had none.

It had to come from someone local or it wasn’t going to fly, said Reed Dils, a longtime raft company owner, wilder-

See COLORADO, back page

Colorado Environmental Coalition outing stuns Kunkel

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ness advocate and one of the principal volunteers for Collegiate Peak Anglers Chapter of Trout Unlimited.

“DeGette’s bills have never gone anywhere because they are too far reaching into too many areas of the state where it’s not well received. It causes blowback to whoever is locally elected there,” said Kunkel.

In 2000, Kunkel went on his first outing in the area with the Colorado Environmental Coalition on a wilderness mapping trip. “When I saw this area, I was stunned that the wilderness study area was not being managed at all as wilderness. There was trespassing and trash,” he said.

“I was stunned to note that the BLM/Forest Service gate and fence line on FS 184 Turret Trail had been vandalized 100 feet in either direction

with the fencing ripped out or torn down. Heading west down Cottonwood Gulch, motorcycle, ATV and Jeep tracks were fresh and rampant. Wilderness Study Area signs were nonexistent or had been mutilated. Cans, bottles and trash were scattered throughout the WSA.

“One couldn’t get over the feeling that the Browns WSA was incredibly neglected and certainly not managed as wilderness. Nobody cared about it, and it wasn’t on the BLM’s radar for any management what so ever.”

The advocates’ efforts really began in earnest in 2002, Kunkel said. He approached Mallett, who’d had extensive experience in getting the legislature to designate wildernesses, about creating a friends group for Browns Canyon. Mallett had mapped the Aspen Ridge Roadless Area

during RARE I.

Hooking up with Light Hawk, an organization supporting conservation groups by offering flights over areas of interest, the Friends took multiple flights over the Browns Canyon area.

Kunkel said the Fourmile area to the north of Browns Canyon looked like a blood-shot eye with its many crisscrossing motorized trails visible from the sky. Fourmile has 200 miles of motorized trails on 100,000 acres.

It was an eye-opening experience, said Scar, who participated in multiple flyovers. The maze of user-created trails, especially north of Browns Canyon, was obvious from the sky, he said.

Friends of Browns Canyon officially formed in 2003, with volunteers spending “hundreds upon hundreds of hours in the field mapping and get-

ting to know the area,” Kunkel said. “Jeff Widen and Kurt Kunkle especially dedicated hundreds of hours on field work.”

Later that year a major stepping-stone in their efforts came about. The 5th Congressional District’s Republican Rep. Joel Hefley had 10 areas in the district, and he could pick one to push forward as wilderness.

“I’m a real lover of the wilderness,” Hefley recently said. With his wife and children, Hefley was an avid outdoorsman who’d often pack into wilderness areas on horseback. They even rafted Browns Canyon. After having firsthand experience with the area, Hefley knew “it was worthy of protection.”

The area proposed for wilderness in Hefley’s bill, however, looked much closer to the boundaries today, as

opposed to DeGette’s 35,000-acre proposal. Even the Friends volunteers who’d been dedicating hundreds of hours in the field inventorying the land had to admit that lands in the south did not have wilderness characteristics.

And to the north, the DeGette proposal incorporated a well-established motorized trail, something that, if included, made it hard to argue for wilderness.

Hefley officially introduced the Browns Canyon Wilderness Act in Congress Nov. 4, 2005.

The Friends of Browns Canyon were riding high on Hefley’s proposal, said Pete Bond, a former Friends board member. “We thought with this Republican congressman on board that it would be a done deal.”

But their struggle was still far from over.

Lamb to appear in District Court

by Ryan Summerlin
Mail Staff Writer

Currently serving time in the Colorado Department of Corrections, Justin Lamb, 29, will appear in District Court in Salida for arraignment today.

He faces charges including six counts of aggravated motor vehicle theft with two priors, a Class 3 felony; theft of \$5,000 to \$20,000, a Class 5 felony; misdemeanor criminal mischief; and a habitual criminal sentence enhancer.

Those counts follow a Chaffee County Sheriff’s Office investigation while

Lamb was already locked up. The sheriff’s office investigated numerous thefts of motorcycles and all-terrain vehicles totaling more than \$29,000 in Salida and Poncha Springs, The Mail reported in August.

Six residents had reported break-ins and thefts of cargo trailers, motorcycles, ATVs and other items over the course of a week in April. Investigators eventually traced back to Lamb those items and vehicles that had been pawned.

Upon Lamb’s arrest May 1 in Parker, he attempted to flee in a vehicle, dragging a police officer along the way.

After wrecking the vehicle, he then fled on foot through a field but was later found up a tree by K-9 units.

A Douglas County jury convicted Lamb in January on 11 counts related to the May 1 incident.

At the time of his May arrest, he was already wanted by the Buena Vista Police Department for an April high-speed chase exceeding 130 mph. Lamb fled when police approached him in Buena Vista’s City Market on an unrelated matter, but police eventually broke off the chase due to the risk to other motorists.

Major projects get council nod

by Brian McCabe
Mail News Editor

Salida City Council will move forward with two major projects discussed during its Monday work session: modifications to roads based on a 2014 Colorado Department of Transportation safety study and the proposed sewer repair project.

Dan Osborn, community development director, recom-

mended changes to the Fifth Street, Teller Street and Park Avenue intersection by St. Joseph Catholic Church. It would be reconfigured into a T-intersection, with Park Avenue stop controlled.

Osborn said this configuration would be best for students walking to the Salida Boys & Girls Club.

The other intersection to be modified would be where Teller, Seventh and B streets come

together, which would be made into a roundabout.

The modifications would be made with temporary jersey barriers and restriping, to see how it affects traffic flow.

Council also supported Public Works Director Bob Salmi’s recommendations for repairs to the sewer system.

Council members also interviewed Rusty Granzella for the Salida National Resource Center Development Corp. board.

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Struggle for Browns Canyon

Process more complicated than initially expected

by Ryan Summerlin
 Mail Staff Writer

Editor's note: This is the second of a two-part series about Browns Canyon.

With a Republican congressman as an ally, the Friends of Browns Canyon thought their wilderness proposal for Browns Canyon was all but passed. But the legislative process in Washington would prove to be more complicated.

Before submitting his wilderness bill, Rep. Joel Hefley of the 5th Congressional District held a public meeting in 2005 at Chaffee County Fairgrounds. The majority of the 60-some people who showed up were in agreement.

Hefley said he was seeking unanimous support – not just the conservationists but the ranchers, hunters, rafters and county commissioners. “If everyone wasn’t on board, I didn’t want to force it,” he said.

Hefley said that in the beginning support was a mixed bag. “I didn’t want to impose it from on high,” he said. “These people lived there every day, and I didn’t. But we finally ended up with a pretty reasonable consensus.”

The bill was drafted, introduced to Congress in November and scheduled for a hearing in the Subcommittee on Forests and Forest Health, which falls under the House Committee on Natural Resources.

Dick Scar and Michael Kunkel testified before the subcommittee in July 2006, calling Browns Canyon an island of wilderness surrounded by higher-impact recreation. Mark Udall, who was then a congressman, and Hefley were present.

The hearing went well, Hefley said, and it was passed along favorably to the

full committee, where it would have to be voted out before seeing the House floor.

Though the legislative process had been rolling right along up to that point, that was where the bill died.

Much has been made over the National Rifle Association’s influence over the bill, Kunkel said, but more than the NRA was at work in the halls of Congress.

“Even though nobody had a problem with Browns, we got involved with politics that were totally out of our control,” he said.

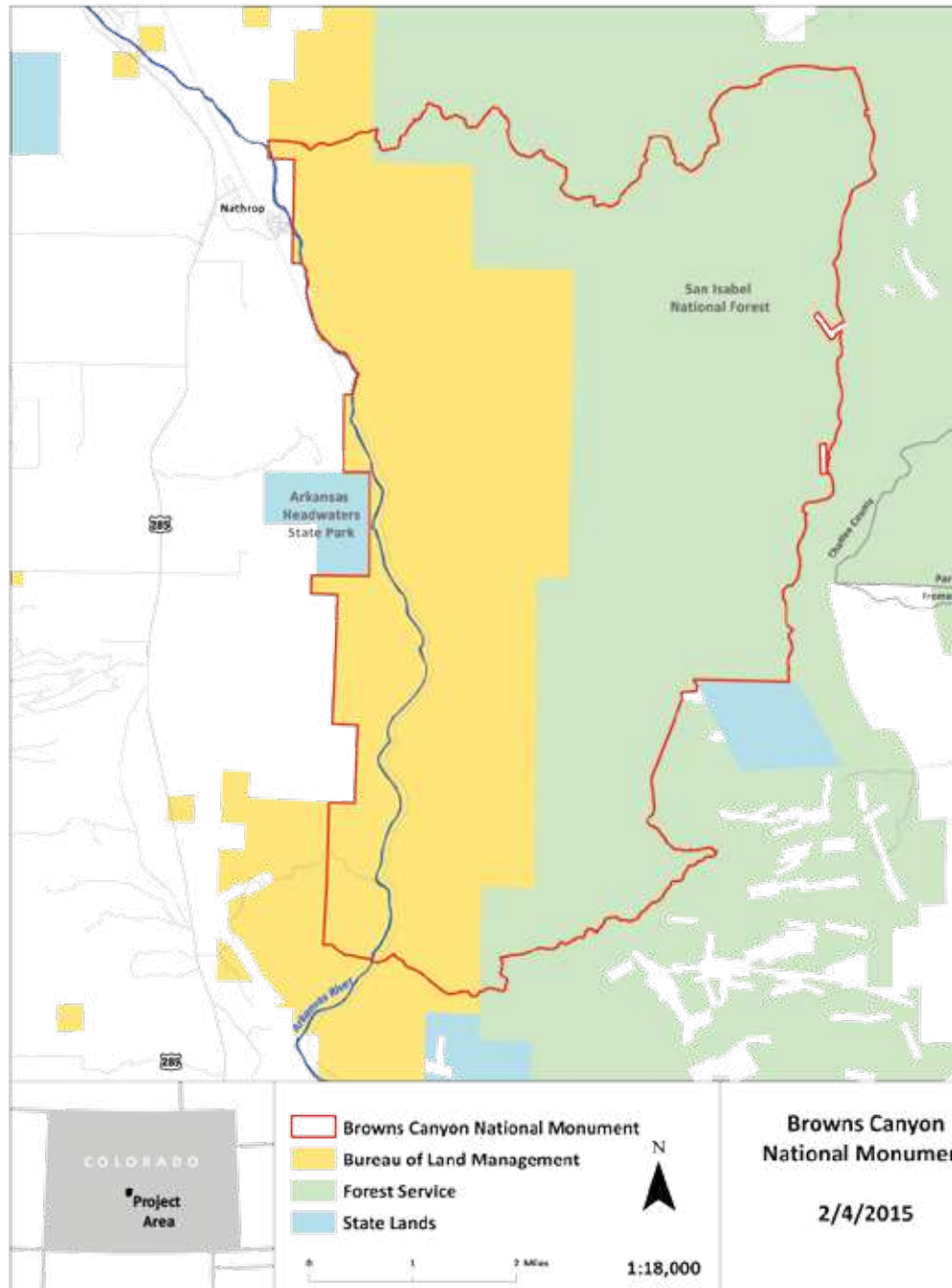
The NRA wanted Hefley to keep the Turret Trail open in his proposal – its objection aimed to maintain access for hunters. The NRA turned to Sen. Wayne Allard, saying it would oppose his coordinated Senate bill unless the trail remained open.

While reports at the time pointed only to the NRA’s opposition to the bill, Hefley recently spoke to The Mail about political elements that had nothing to do with Browns Canyon, but rather bad blood among lawmakers.

Texas Republican Tom DeLay was House majority leader when Hefley chaired the House Ethics Committee in 2004.

Though they were both Republicans, Hefley came down hard on DeLay when allegations arose of misuse of his office. The Ethics Committee launched a formal investigation into the allegations, which included DeLay’s participation at a fundraiser for an energy company with much at stake in upcoming House decisions.

Regardless of party affiliation, Hefley said he was going to “let the chips fall where they may.”



Courtesy map
Soon after Browns Canyon was designated a national monument, the U.S. Forest Service published a Q&A sheet with this map of the national monument’s official boundaries. It follows closely the boundaries of the 2005 Browns Canyon Wilderness Act sponsored by former 5th Congressional District Rep. Joel Hefley. However, where Hefley’s boundary followed the Arkansas River on its western edge, the national monument extends across and west of the river for its southwest boundary.



Photo by Jeffrey Mitton

The Arkansas River flows through Browns Canyon with the Union Pacific Railroad on one side.

The inquiry resulted only in a formal reprimand, but it also stirred up resentment.

“DeLay liked to surround himself with supporters,” Hefley said. And when it came time for the chair of the House Committee on Resources to be selected, DeLay selected California Rep. Richard Pombo, a supporter of his. In doing so, DeLay jumped him over several congressmen with seniority over Pombo, including Hefley.

“I wasn’t happy with that, and obviously (DeLay) wasn’t happy with me,” Hefley said.

Hefley said it was his sense that DeLay had control over the chairman, and he wasn’t going to let the Browns Wilderness bill pass because of his resentment against Hefley.

Hefley said he never could get the

Resource Committee chairman, Pombo, to schedule the bill for introduction with the full committee. The bill would not take another legislative step forward.

At the 11th hour Jerry Mallett negotiated an agreement with the NRA to remove the road. “But we ran out of time; Hefley wasn’t running for re-election,” Kunkel said.

“Hefley was retiring, and the Congress we were trying to deal with met 50 days less than the do-nothing Congress of Harry Truman,” Mallett said.

But Mallett, a Chaffee County commissioner at the time, was still hopeful that they would be working with a more sympathetic Congress the next year.

However, Republican Doug Lamborn was elected in 2006 to fill Hefley’s posi-

Bad blood forms between Hefley, Lamborn

Continued from FRONT page

tion following a bitter primary fight in which Hefley backed Lamborn opponent Jeff Crank. That resulted in bad blood between Hefley and Lamborn. Hefley would call Lamborn's campaign "sleazy."

The Denver Post reported in 2012 that Hefley called Lamborn a "knucklehead," when hearing that Lamborn said he'd gone beyond Hefley's legacy.

Upon election, one of Lamborn's first statements was that he would not support a Browns Canyon Wilderness. From the beginning, Lamborn claimed he objected to the lack of consensus on Browns Canyon and the restriction of access to hunters.

In 2007 all three Chaffee commissioners supported Browns. Lamborn held separate public meetings in Salida with the proponents and then opponents of the Browns Canyon Wilderness. Between meetings he met with county commissioners and Salida city officials.

Opponents even asked Lamborn to pass legislation to rescind the Browns Canyon Wilderness Study Area, so motorized use could again penetrate the area, said Kunkel.

"In 2008 we were still carrying a torch of hope," Kunkel said. "Mallett was still a county commissioner, the Democrats had both the House and Senate in D.C., and (John) Salazar was still our U.S. senator."

Democratic Sen. John Salazar held a meeting in Buena Vista Aug. 13, 2008 — at the same time as a Leadville off-road rally.

"The rally brought all these people from outside the area," said Kunkel.

"We'd always taken every meeting by storm, and suddenly they truckloaded them in," said Pete Bond. "The off-roaders started to sense a slam dunk coming at them."

With a huge number of opposition voices showing up out of the blue, The Mountain Mail then reported there was no consensus on Browns.

At 2008's end, Salazar became secretary of the interior, and Mallett lost his county commissioner race. That, along with Lamborn's opposition to wilderness in the area, made the canyon's future look bleak.

Kunkel called 2009 "the doldrums" for the Friends of Browns Canyon. "The national and state environmental groups considered us dead in the water."

Even getting volunteers was difficult. When the Friends went to Environment Colorado, the organization wanted them to come to a camp to recruit volunteers. "We couldn't even get volunteers to come to us; we had to go to them," said Kunkel.

"But we didn't give up," he said. They started a years-long effort to build a business supporter list, which would later play an important role.

During that year Mark Udall, who was now a U.S. senator, presented them a glimmer of hope in the form of a bill. He introduced what he titled the Joel Hefley Browns Canyon Wilderness Bill, calling it a tribute to Hefley's service in office.

"But it died as soon as he printed it," said Kunkel.

During that time the Friends were confronting groups claiming the area was littered with mines. "We went out and looked at every supposed mine site, took pictures of the mines outside of the proposed wilderness area. Tom Sobal in particular put in hundreds of hours of work in the field."

The Friends presented their findings, that the mines in the area lay outside the proposed boundary, to Lamborn, to The Mail, in public meetings. "There were no mines in the area that had been closed by the state of Colorado, which indicate a horizontal or vertical shaft of 13 or more feet, nor were there any patented mining claims or private claims," said Kunkel.

In September 2010 Fremont County commissioners held a public meeting on Browns Canyon with Democratic Rep. Diana DeGette and Lamborn. The commissioners supported DeGette's latest wilderness bill, and unlike previous DeGette wilderness bills, this one involved a real coordinated effort with the Friends on its Browns Canyon section.

The next day Lamborn and DeGette visited Browns Canyon via the Turret Trail. "This was a first, and with the U.S. Senate and House controlled by Democrats, with all of DeGette's land selections in Democrats' districts with the exception of Lamborn, things looked promising for the first time in years," Kunkel said.

However, the Upper Arkansas Water Conservancy District vehemently opposed other areas in the bill, such as Badger Creek, Grape Creek and Beaver Creek, he said.

The water conservancy district voted unanimously to oppose the bill, which effectively killed the bill as multiple members live in Fremont County and have tremendous clout, said Kunkel.

In 2011, Sobal took their growing business supporter list to a public lands conference in California, and that started drawing attention — and funding. The Friends were at a turning point.

The Friends of Browns Canyon became an official 501(c)(3) nonprofit and created a board of directors for the first time in 2012 and hired their first executive director.

That year, Udall proposed taking a different approach by pursuing a national monument for Browns Canyon. It would designate 22,000 acres for the national monument, 10,500 of which would be wilderness.

Udall even led a hike in the canyon on the Catkin Gulch Trail and later that day held a public meeting at Mount Princeton Hot Springs.

In April 2013, Udall and Lamborn held a public meeting at Noah's Ark Whitewater Rafting in Nathrop, drawing more than 220 residents to discuss Udall's proposal for Browns Canyon.

After the national monument designation, Lamborn would say there was not enough public involvement in the process.

At the end of 2013 Udall introduced the Browns Canyon National Monument and Wilderness Act of 2013 in the Sen-

ate. In mid-2014 the U.S. Senate National Parks Subcommittee held a hearing on the bill.

But the bill went no further in the Senate, and in the 2014 election Udall was defeated by Republican Cory Gardner.

Along with Sen. Michael Bennet, who co-sponsored Udall's bill, Udall urged President Barack Obama to consider using the Antiquities Act to designate Browns Canyon a national monument, sidestepping the congressional route that had failed for the last decade to bring the project full circle.

Udall and Bennet appeared with top land management officials at a public meeting Dec. 6 before a packed house at Salida SteamPlant. An audience of 500 people largely voiced support for the national monument.

Lamborn sent a message to the meeting with concerns that Congress would be bypassed with the Antiquities Act and voices from both sides of the issue wouldn't be heard. Udall countered that every president but one since the act's inception had used it to create national monuments.

White House officials reported Feb. 18 the president would use the Antiquities Act to declare Browns Canyon a national monument.

Kunkel said there were some clues leading up to the announcement. The Dec. 6 meeting had gone so "swimmingly well," he said. And the Forest Service was soon calling him for information on the canyon's history, how boundaries were determined and for photos of the area.

"They were playing it close to the chest," he said, "but there was speculation."

The next day Obama signed the proclamation officially making Browns Canyon a national monument.

"I think it's going to be a really good thing for Chaffee County and the state," Hefley said. "The fact that Udall followed through with it, that he didn't rush into it, I appreciate him doing that," he said.

"Browns Canyon has a rugged and unique beauty that attracts outdoor enthusiasts from around the world," said Bennet, "and it will now be protected so people can enjoy hiking, climbing, camping and rafting in the heart of the Rockies for years to come. Susan and I hope to bring the girls in the near future."

When asked if the Friends would continue, even after the national monument designation, to pursue wilderness protection for Browns Canyon, the advocates glanced at each other before answering.

They responded that the Browns Canyon WSA was created because there are recognized wilderness characteristics in the area. As long as it's a Wilderness Study Area, it's supposed to be managed as a wilderness, they said.

It's tough to get wilderness designation through Congress, but that's the only way to do it, they said. The president can't do anything when it comes to "the big W."

But later Kunkel conceded: "Wilderness was always the goal. It's still the goal. We'd like to see this through to that end."



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