

Champs!



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Valley Courier

Local Produce Available



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**Have you
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**Office to
close for
funeral**
ALAMOSA — The Alamosa County Clerk & Recorder's office will be closed on Tuesday, Aug. 7, from 10 a.m. to 2 p.m. for Jeff Woodward's funeral.

**Refuge
meeting set**
CRESTONE — The Friends of the San Luis Valley National Wildlife Refuges will hold their regular monthly meeting on Wed., Aug. 8, at 7 p.m. at the office at the Baca National Wildlife Refuge. Contact Tim Armstrong at 852-2452.

**Farm park
market open**
ALAMOSA — The Rio Grande Farm Park market runs Wednesdays from 4:30-7 p.m. at the east entrance of Alamosa on Highway 17 just north of Highway 160. This is a food only market with shelf stable foods and produce. See www.alamosafarmersmarket.org

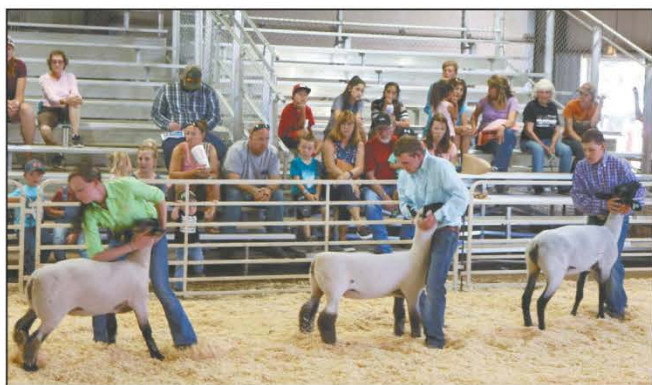
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SLV WEATHER


Partly cloudy

83/47

Wed: Cloudy 83/48



Courier photos by Kristin Hicks

SLV Fair is underway

The San Luis Valley Fair is underway at Ski Hi Park in Monte Vista. Events on Monday included the breeding sheep show, above, and breeding swine show with Mike Kelley Memorial Open Barrow Show, below. The results from the breeding sheep show were: Champion Ewe went to Colton Liddell, Reserve Ewe went to Sheridan Peterson. Champion Ram was awarded to Colton Liddell and Reserve Ram was awarded to Cheyenne Caldon. Breeding swine results were Champion Gilt to Skylar Montague and Reserve Gilt to Tucker Canty. The fair continues through Friday night.



Village at Wolf Creek answers opponents

STAFF REPORT
VALLEY — Previously remaining quiet at their attorneys' recommendation, representatives of the Village at Wolf Creek, proposed by Leavell-McCombs Joint Venture (LMJV) near the Wolf Creek Ski Area, stated they believed it was time to clear up some of the misconceptions about the village and address false statements made by opponents.

Begun in the mid 1980's, the development is proposed on 288 acres of private property near the Wolf Creek Ski Area. Property access has been a major obstacle to the development, since the property is surrounded by federal lands with no direct access to a roadway.

Various solutions have been proposed over the years including a land exchange, contested by conservation

groups, that would have provided Highway 160 access to the proposed development. Most recently, Rio Grande National Forest Supervisor Dan Dallas issued a new draft record of decision proposing a new 1,610-foot road across National Forest Service lands between Highway 160 on the north and the private land on the south. Dallas said the land exchange option also remained on the table.

(Comments on Dallas' most recent draft Record of Decision may be made through September 4. Visit <https://www.fs.usda.gov/project/?project=35945>.)

"By law he has to give us access," said Village at Wolf Creek Local Project Manager Dusty Hicks, a South Fork resident who said he wants to help bring economic devel-

■ See VILLAGE page 3



Courtesy artwork

Visual rendering from developers of what the Village at Wolf Creek is proposed to look like when it is built

City promotes safer biking

 By RUTH HEIDE
 Courier Editor

ALAMOSA — Acknowledging that more public education is needed, the Alamosa city council approved an ordinance designed to make bicycling safer in the city.

After hearing comments and suggestions from local bicyclists, the council unanimously approved an ordinance amending the city's code regarding bicycling.

No one is allowed to ride bicyclists on the sidewalk in the central business district (Ross to Denver and Fourth to Sixth), and that

Heather Brooks explained that the city council had received complaints from residents who were concerned about bicyclists riding on the sidewalks and the dangers to customers in the commercial area who might be exiting a business while a bicyclist was coming down the sidewalk. Staff looked into it and wanted something that the city could enforce. They proposed to expand the area where adults were not allowed to ride bikes on the sidewalks.

Resident Christine Newton shared her concerns and



Courier photos by Stephen Jiron

Beat the Heat draws crowds

Bluegrass band Ragged Union take the stage during the final day of the Beat the Heat Barbecue competition in Alamosa on Saturday.

Valley News

BIKING

■ Continued from Page 1

issued for cyclists willing to complete a safety course, and they could have a permit card they could then carry.

Newton said in areas where bicyclists do not feel safe riding in the street they could always get off their bikes and walk them on the sidewalk. Brooks said that was a good point, as that is permitted.

Newton also recommended that the city put the map in the paper outlining where bicycling on sidewalks is pro-

hibited and other changes in cycling downtown. She also suggested that the city wait to make a decision and hold another public hearing and invite more of the area bicyclists to comment.

Peter Wise also spoke during the public hearing preceding the ordinance approval. He commended the city for having so many bike lanes. He said he rides a bike to work most of the time, and he believes bicycle safety is a real problem in Alamosa. He said he has felt endangered riding his bicycle in the past. He said he knows there are also bicyclists breaking the rules by riding on the sidewalk

in downtown areas that are clearly marked to prohibit that activity. Cyclists also ride in the oncoming lane, rather than with traffic, which is also against the rules, he said.

He said public education would be important to improve safety for both cyclists and motorists.

"From a public safety perspective, we realize we need to do more public education," Brooks said. She said it is important for people to know the rules of the road and comply with them.

Councilman Jan Vigil said he takes his young daughter on her bike from their house to Cole Park and has felt

safer with her riding on the sidewalk than on the street.

Councilor Liz Hensley said education is important. She said when she attended school there was a lot of bike education, and she suggested the city look into providing more bicycle safety awareness and education.

Mayor Ty Coleman said perhaps that could be accomplished through the city recreation center.

Brooks said although city staff has not yet developed a bike safety program, it could be accomplished without reinventing the wheel since there are many public education programs available.



Courier photo by Ruth Heide

Alamosa offers many bicycle lanes and encourages both cyclists and motorists to obey the rules of the road.

VILLAGE

■ Continued from Page 1

opment and jobs to the area. Under terms of the Alaska National Interest Lands Conservation Act (ANILCA) private inholdings are due adequate access across public lands.

He explained that contrary to one of the misconceptions, the development has always been proposed for more than 2,000 units. Documentation for water rights in 1987, for example, showed 2,151 units for multi-family, single-family and duplex housing, hotels and commercial units. "We platted over 2,000. We had water rights for well over that in conjunction with the ski area," Hicks said.

In recent years developers voluntarily reduced the density to 1,711 units, according to Village spokespersons. The development would include a 70-room hotel, cabins overlooking a pond in the woods, areas for yurts and "glamping" (a comfortable style of camping that includes access

to utilities and prepared meals), condos and chalets.

"These are the types of structures people come to Colorado for," Hicks explained.

He and other representatives of the development addressed further statements from opponents:

1. No court has called the environmental impact statement performed in 2015 an "artful dodge." The court was critical of the land exchange concept for providing access to LMJV's private land. The current draft record of decision (ROD) has nothing to do with that decision and simply recognizes LMJV's legal right to access to its land.

2. The U.S. Forest Service has placed no limits on who can comment on the draft ROD. The Forest Service is consistently applying the law which provides that only those who commented on the draft EIS in 2012 are qualified to file a formal objection to the new draft ROD. That is because the 2014 FEIS fully analyzed both road access to LMJV's original private property and the land exchange.

Only the land exchange was challenged in the prior litigation and that decision is on appeal to the Tenth Circuit Court of Appeals which denied the plaintiffs' motion to dismiss or stop the appeal and required plaintiffs to brief the issue.

3. The federal court has never held that the environmental or other analysis for road access to the original inholding was flawed. That issue was not even presented to the district court.

4. There is no evidence to support the statement that the Village will irreparably harm any wildlife corridor. To the contrary, the only scientific evidence available is that the Village comprises an infinitely small portion of the alleged lynx range established following reintroduction of the Canada Lynx to Colorado. All available scientific evidence is that neither the road nor the village will jeopardize the Canada Lynx.

5. The majority of the written comments received during the administrative process for LMJV's access request have been in favor of, not opposed to, the project.

6. The new decision has never been determined to be illegal. That is a flatly false statement. The current draft ROD is for road access to LMJV's original inholding and has nothing to do with the land exchange. The court objected to the land exchange because the Forest Service, according to the court, misunderstood its rights in connection with the exchange. That decision by the trial court remains on appeal. However, regardless of whether that decision is correct, the new draft ROD approves a different form of access, relies on different legal concepts, and has never been determined to be illegal.

7. The new draft ROD has not been found to fail to protect the Lynx. The new draft ROD includes new conservation measures that have never been ruled on by any court. They call for increased spending, complete control over available funds by groups other than the developer, and even include a provision for replacement of any lynx injured or killed during the project.

8. There is no back-room deal. To allege otherwise is clearly defamatory and false. The new draft ROD is the result of the Forest Service's recognition that LMJV is legally entitled to access to its private property. LMJV's land was acquired at great cost. Millions of dollars were spent to acquire other land, which LMJV then conveyed to the federal government in order to acquire the land near the Wolf Creek Ski Area.

"Although the public has received the benefit of the land relinquished by LMJV for more than 30 years, LMJV has been deprived of the use of its land near Wolf Creek," representatives stated. "Because the so-called conservation groups sued to stop the land exchange, the public has been deprived of the land exchange alternative which was universally recognized as the more environmentally favorable alternative. Although LMJV continues to seek the appeals court's approval of the exchange for exactly this reason, it is legally entitled to begin accessing its core private land."

In addition, there is absolutely no evidence to suggest any improper influence or other agreements were made for this road access, proponents added. LMJV has rights as a private property owner of land surrounded by government land. Among those rights is the right to seek access to its land which it did through its January 2018 access request. Such access is often granted by specific legislation, which LMJV is free to pursue; by administrative action, which LMJV is free to pursue; or by court order, which LMJV would have pursued in the absence of prompt administrative action. To the contrary, it is the plaintiffs in the pending lawsuits who went to Washington D.C., and have lobbied and interfered

with this simple exercise of legal rights by LMJV.

"Moreover, LMJV has conducted itself completely in accord with a settlement agreement reached with the plaintiffs in 2010." Village spokespersons added. "That agreement set forth permissible communications and plaintiffs agreed to those protocols. To say that following those protocols constitutes anything improper is false and misleading."

LMJV has no interest in preventing any person from expressing a view on the draft ROD issued by the Forest Service, they added. Just as LMJV has the right to petition its government for action that favors its private property rights, the public has the right to free expression. However, it is not part of that right for third-party organizations, such as Friends of Wolf Creek, to solicit funding through false statements, to interfere with LMJV's lawful right of access to its property through false and fraudulent statements, or to seek to induce others to oppose LMJV's request, through the use of false and fraudulent statements.

"The public deserves truth and transparency from all parties. False, fraudulent, defamatory, and misleading statements are a disservice to the public and fail to provide accurate and truthful information," Village representatives concluded.

Colorado DUI offenses report shared

STATEWIDE – The Colorado Division of Criminal Justice has published a report analyzing more than 27,000 Driving Under the Influence (DUI) cases that were filed in Colorado in 2016. It is the first report of its kind in the nation to make such a robust and thorough examination of DUI offenses.

"Driving Under the Influence of Drugs and Alcohol, A Report Pursuant to House Bill 17-1315," tracks Colorado DUI offenses in 2016 from arrest through final court outcome, and also examines data from probation.

In 2017, the Colorado legislature passed HB 17-1315 directing the Colorado Division of Criminal Justice within the Department of Public Safety to analyze the types of DUI offenses being committed by offenders and issue an annual report. This is the first annual report issued pursuant to that legislation. The data has a one-year lag in order to allow enough time to follow most cases from their initial filing through final court disposition.

Analysts with the Division of Criminal Justice Office of Research and Statistics reviewed more than 27,000 case filings with at least one DUI charge and nearly

ated with these cases in order to examine data such as:

- Offender demographics
- Toxicology results, including type of impairing substance and amount detected in the breath and/or blood stream
- Time elapsed from traffic stop to biological sample
- Charges, final dispositions, and associated traffic charges

Whether the incident resulted in fatalities or injuries. The publication also provides an overview of Colorado's laws, enforcement and detection methods, court processes, and challenges in regards to data. For example, it's important to note that drug-related impairment is likely under-represented in the data compared to alcohol. This is due to the fact that alcohol is faster, easier and cheaper to screen for than other drugs. Once alcohol is detected, agencies have enough evidence to reliably achieve a conviction. Therefore, agencies have not consistently spent the additional money and time to request blood testing for substances beyond alcohol.

The full study can be found online at Colorado.gov/dcj-ors. Later this month, DCJ will publish interactive

able visualizations of various data sets.

DATA HIGHLIGHTS: Impaired driving is a disproportionately male offense. Nearly 75% of defendants were males; men in their 20s represented the largest group (8,011, or more than 30%).

Males accounted for nearly 88% of felony cases and were more likely to have prior DUI offenses. Of those defendants with three or more prior offenses, 86% were male. People in their 20s had the highest rate of offenses, with rate of impaired driving offenses peaking at age 24 for women and age 25 for men.

DUI charges result in high conviction rates: 88% of DUI cases resulted in the defendant being found guilty via a "Guilty," "Deferred," or "Deferred Dismissed" disposition. Meanwhile, fewer than 10% of cases were dismissed outright, and fewer than 1% of defendants were found not guilty.

Nearly 38% of defendants had prior DUI convictions. About 26% of defendants were involved in a crash.

An overwhelming 86.4% of suspects who had a toxicology screen were found to have one impairing substance

driving, lane usage violation, and failure to display proof of insurance.

Contrary to popular belief, speeding was in the top 5 most common non-drug charges associated with marijuana-impaired drivers.

Not surprisingly, large metropolitan districts with large populations had the greatest number of impaired driving case filings.

The top three arresting agencies were the Colorado State Patrol (statewide highway jurisdiction), Denver Police and Aurora Police.

"The outcomes of the court cases show that our community takes DUI crimes seriously, and that there are serious consequences for driving under the influence," said Stan Hilkey, executive director of the Department of Public Safety. "Yet despite these consequences, it is concerning that nearly 38 percent of defendants had prior DUI convictions."

According to CDOT, almost a third of Colorado's traffic fatalities involve drugs or alcohol. "That is why efforts by law enforcement to enforce our state's DUI laws is so critical to safety on our roadways," said Darrell Ling, Director of the Office of Transportation Safety

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If You're One of Us, Come Find Us. PG-13

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ROTTEN TOMATOES
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Tues - Thurs: 5:20, 8:10
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