

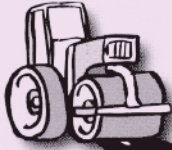


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Highlander Monthly

July 2022 #271

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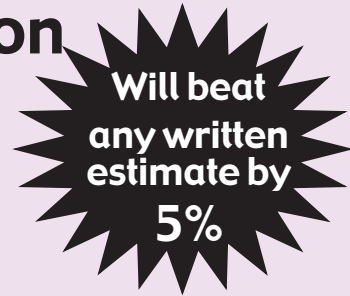
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About the Cover:
**Moose Cow with
 newborn calf from
 Daniel Kranhe.**



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Must-Know Moose Safety Information

By Diane Bergstrom

“We’d rather run into a bear on the trail than a mama moose,” Alaska friends informed me, “because a bear is more predictable.” Each friend had been in Alaska for over 30 years so they had impressive experiences to form this opinion. They also have worked for Alaska Fish and Game, Kenai Fjords National Park, and Alaska Sea Life Center, in addition to having hiked and camped all over the state. They know moose. In a state where you’re likely to encounter a moose in your front yard, you better know whom you’re dealing with.

Everyone had encounters of the moose kind and stories to share. A friend of theirs took her dogs along while cross-country skiing outside Seward. As she found her stride going down the closed Forest Service road, her eye caught movement in the trees as she passed. Scanning back without stopping, she saw a moose cow. She fervently hoped there wasn’t a calf too. There was, unfortunately on the other side of the road. She had unknowingly skied between them and knew that put her in danger. The cow ran after her, knocked her down and proceeded to trample her, which is their attack against presumed predators. It broke her femur among other injuries and would have finished her off if her dogs hadn’t distracted the moose and finally scared it off. Usually dogs would not have survived either. She was very fortunate the cow and calf left, enabling her to drag herself on her elbows the long mile back to her car with her dogs staying close.

The moose population is growing in Colorado and expanding their territory. Moose were living in Colorado in the mid

1800s but not thriving. A dozen moose from Wyoming/Utah were reintroduced in the 70’s. Colorado Parks and Wildlife now estimates there are 3,000 in the state and Rocky Mountain



National Park estimates there are 50 on the east side of the park with more on the west side. Because the west side of Rocky Mountain National Park has more riparian ecosystems, which provide moose habitat, moose were rarely seen on the east side. Over the past 10 years,

more moose have been migrating over the Continental Divide. The fires of 2020 might have influenced their migration and foraging patterns. The bulls might be displaying more tolerance of each other in closer proximity, as witnessed by bulls simultaneously feeding in adjacent ponds at Sheep Lakes. The park warns visitors to give elk, sheep, and deer at least a 75-foot distance (*think two bus lengths*) but puts moose into the category with bear and mountain lions, advising 125-foot distance (*think three bus lengths*). Bullwinkle was truly just a cartoon character. While riding their horses next to a creek just last

(Continued on next page.)



Highlander Wildlife

year, a couple of Coal Creek Canyon residents rode by a moose cow which had just given birth.

The calf was still wet. The riders quickly rode away. Luckily their story ended there, and one rider cautioned, “You’re not going to scare off a moose that doesn’t want to leave.”

Here are some moose encounter tips. First, be aware if moose are in the vicinity, whether you’re hiking or traveling or working in your yard. With the environmental impact of the Gross Dam reservoir expansion,

many displaced animals are moving away from the noise and disruption, toward residences and corrals. Though they won’t eat you, moose do consider themselves near the top of the food chain. Respect the position. Don’t be fooled by their docile demeanor. They sometimes bluff charge, which cannot be predicted. They are still unpredictable wild animals that weigh between 800-1,500 pounds, charge at 35 mph, and will knock down and trample any perceived threats. You won’t win. Greg, a former fishing guide was fishing solo in Wild Basin in the south area of Rocky Mountain National Park when a moose cow appeared at the river’s edge with a calf in tow. She saw Greg standing in the middle of the braided river, lowered her head and walked directly into the river towards him, pushing him back up river. He quickly broke down his rod while walking backwards in the river and kept an eye on her. As soon as he could access a clearing, he ran into willows and safely left the area. He kept calm and knew it could have gone another way.

Moose stress/aggression warning signs can include: lowered head, ears laid back, licking their lips, snorting, staring, grunting, tossing the head, raising neck top/hip top hairs, and pawing

the ground. Or none of these. If moose perceive you or your dog as a threat, they will protect



themselves and their young with or without warning. Back off and run. Alaska magazine printed a letter from someone who knew that moose have difficulty quickly changing directions and he escaped a pursuing moose by running away in a zigzag pattern. This has proven effective in repeated moose encounters, if you have the space and

ability to do so. In Colorado, a woman who was being chased by a moose ran around a large mature tree until they were both dizzy so she was finally able to escape. Getting behind a tree or a large rock is good advice but be prepared to keep moving. Getting to a car or building would be the best safe place, especially if you have dogs with you, according to a local retired wildlife biologist. Keep your dogs on a 6’ leash, quiet and under control. Dogs are seen as wolves, coyotes, or predators and as a RMNP interpreter said about defensive elk and coyote encounters, all that is left is coyote remains. If a moose, or any wildlife, changes its behavior because of your presence, or noise, or dog, you’re too close and should back away. If you encounter a moose while on a trail, turn around (*while keeping an eye on the moose*), change course, give them a lot of space and look around for your options.

If you are charged by a moose, and cannot get away or take shelter, and contact seems imminent, www.outdoors.org recommends curling up in a ball if a moose knocks you to the ground. Your vital organs will be better protected and cover your head with your arms and hands. The moose might continue running past you or it might start stomping and kicking you. Don’t get up until the moose moves a good distance away. Play dead. If you try to get up while it’s close, it

could attack again. The wildlife biologist suggested during a charge to raise your arms up and loudly yell, “STOP!” or whatever word comes out. Moose are near-sighted so whether this strategy is for startle effect or identification purposes, remember a moose is going to do what a moose wants to do. I took this photograph of the moose cow and calf on a local mountain highway. They ran out of the woods after being chased by photo seekers, traveled down the road and stopped near my parked car. The cow walked out into the oncoming lane and stared traffic to a stop so her calf could kneel and lick road salt. If you are in a vehicle near moose, move away. Don’t try to pass them, or honk the horn, or roll towards them to get them to move. They readily could attack your vehicle. Annoyed elk in RMNP have attacked trucks and shuttle buses in the past. Slow down and be watchful while traveling through known moose habitat.

A serviceman deployed to Eielson Air Force Base was shown a warning video from a store security camera upon arrival. It showed a local woman walking out of a 7-11, pausing to light a cigarette, then resumed walking. A moose charged her, kicked her down, and then stomped on her. The moose stood over her while she played dead or was dead. He was not informed. His sponsor concluded with, “If you see a moose in downtown, or anywhere else, you head the other way. Because a moose will stomp the life out of you and you’ll never know why. Welcome to Fairbanks.” In Alaska, more people are injured by moose than by bears. My moose immersion education exploded when I spent a summer in a dry cabin 18 miles north of Denali National Park. Though familiar with moose’ skittish behavior, I hadn’t fully understood their aggressive behavior. Delaying a trip to the outhouse due to the soaking rain, I looked out the back window and saw a moose cow with twin calves browsing in a willow stand 20 feet off the outhouse path. Thankful I’d seen them BEFORE exiting the cabin, I was thrilled to watch them from inside, and waited until they left the area. My presence might have scared them off OR my first trip to the outhouse could

have been my **Highlander Wildlife** last. Know before you go. A volunteer at RMNP was asked about moose sightings in the park from excited visitors on the lookout. During the conversation, the volunteer noted that there is no more dangerous animal in the park right now than a mama moose. The visitors looked wide-eyed as they absorbed the information. Education and awareness saves lives and keeps us and our wildlife safe. Please share this information with your summer visitors. Enjoy and give those wild animals rearing their young a lot of space, respect and consideration.

For more Colorado information, consult <https://cpw.state.co.us> and look for the moose link. Alaska also lists a great deal of moose info at www.adfg.alaska.gov

The Cover Photo and the one on page 5 are from Daniel Kranhe who shared: photos taken over four days from inside a barn at a distance of 40 plus yards.



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New Burn Bans - Stay Alert!

Boulder and Gilpin Counties have enacted Stage 1 fire restrictions

Boulder County, Colo. - Sheriff Joe Pelle has enacted Stage 1 Fire Restrictions, effective immediately, Wednesday, June 15, for unincorporated areas of western Boulder County. The fire restrictions are being implemented due to increasing fire danger, lack of moisture, and the forecast for hot temperatures. Competent evidence, including quantitative data produced by the National Fire Danger Rating System (NFDRS) and the National Weather Service, also used by our partners with the United States Forest Service, exists, which necessitates implementing Stage 1 Fire Restrictions.

The fire restrictions include any and all unincorporated areas of the county:

West of CO Highway 93 (CO-93), from its intersection with the southern boundary of Boulder County until, and including, its

intersection with CO Highway 119 (CO-119);

West of Broadway Avenue in the City of Boulder, from its intersection with CO-119 until, and including, its intersection with US Highway 36 (US-36);

West of US-36, from its intersection with Broadway Avenue until its intersection with the northern boundary of Boulder County;

West of the western boundary of the Rabbit Mountain Open Space until, and including, US-36; and; All of the Rabbit Mountain Open Space property.

The fire ban PROHIBITS:

Building, maintaining, attending, or using an open fire, campfire, or stove fire on public lands. This includes charcoal barbecues and grills;

Fireworks sales, use, and possession, including permissible fireworks;

Shooting or discharge of firearms for recreational purposes on public lands except for hunting with a valid and current hunting license on public lands;

Smoking, except in an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least 10 feet in diameter that is barren or cleared of all flammable materials;

Operating a chainsaw without a USDA or SAE approved spark arrester properly installed and in effective working order, a chemical pressurized fire extinguisher kept with the operator and one round point shovel with an overall length of at least 35 inches readily available for use;

Welding or operating acetylene or other torch with open flame except in cleared areas of at least 10 feet in diameter and in possession of a chemical pressurized fire extinguisher;

Using an explosive or doing any kind of blasting



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work; and Parking motorized vehicles in grass or vegetated area that can come in contact with the underside of the vehicle.

Stage 1 fire ban **ALLOWS:**

Building, maintaining, attending or using a fire in constructed, permanent fire pits or fire grates within developed recreation sites (listed below), and on private lands along with the use of portable stoves, lanterns using gas, jellied petroleum, pressurized liquid fuel or a fully enclosed (shepherd type) stove with a spark arrester type screen is permitted.

The following developed and hosted recreation sites allow fire in constructed, permanent fire pits or fire grates, in accordance with USFS policies and closures.

Kelly Dahl Campground, Rainbow Lakes Campground, Camp Dick Campground, Peaceful Valley Campground, Meeker Park Overflow Campground, Olive Ridge Campground, Brainard Lake Recreation Area (Includes Pawnee Campground).

Anyone found in violation of the fire ban may be convicted of a class two petty offense and may be subject to a \$500 fine, in addition to any possible civil penalties.

Higher fines may be imposed for subsequent offenses. The fire restrictions will be in effect until Sheriff Pelle finds that the hazardous conditions have subsided. Colorado state statutes authorize counties to impose fire restrictions, "to a degree and in a manner that the Board of County Commissioners deems necessary to reduce the danger of wildfires within those portions of the unincorporated areas of the county where the danger of forest or grass fires is found to be high based on competent evidence."

With continued high temperatures and/or high winds, Stage 2 Burn Bans may be enacted soon. Stay informed to Alerts.

Beware Stage 2 Restrictions Are:

Recreational fires and/or campfires are prohibited. DEFINITION:

Recreational Fire: An outdoor fire burning material other than rubbish or debris where the fuel being burned is not contained in a portable outdoor fireplace or barbeque grill and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth, or similar purposes. this includes fires in barrels and drums; fixed, permanent outdoor fireplaces; and barbeque pit fires.

With the Fourth of July Holiday comes added danger of Fireworks being used illegally, especially in the mountains. Residents and visitors should remain vigilant and aware of any activity that could ignite a fire.

Watch for smoke/fires after thunderstorms due to lightning strikes and report all smoke to the local fire departments or 911. Use caution with cigarettes and parking off road.

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Highlander Issues

Allocation Of \$5M Settlement Funds

On June 13th at 6pm the Boulder County Commissioners held a virtual meeting for community members surrounding the Gross Dam Expansion construction project. Barbara Halpin, the Project Manager for Boulder County presided over the meeting and the commissioners, a Dep. District Attorney for the county and a consultant with Pinyon Environmental all attended and spoke to folks that were watching. The purpose was Allocation of the \$5 Million from Denver Water’s settlement our county has taken instead of fighting to stop the expansion and construction at

Gross Reservoir in Coal Creek Canyon.

A few residents and concerned citizens had signed up to speak and to ask questions regarding the allocation of funds from Denver Water to individual residents in hopes 5 Million dollars can mitigate the issues residents now face since the construction project started mid-April.

Issues that were raised started with questions about Fire Protection and concerns that Denver Water does not have a Fire Protection Plan in place now nor prior to the massive construction that could start forest or wildland fires around the Dam directly caused by the project.

The next speaker asked about being reimbursed should they decide to purchase an air conditioner due to the excessive heat inside their home caused from having to keep all windows closed for noise mitigation. The commissioners basically said: not at this time - without actually addressing the Allocation of Funds issue being raised numerous times. A Timeline to analyze and prioritize allocation of funds was asked about by speakers and the

answer was that the consulting firm’s Impacts Analysis Study would help to disclose details once it has been done.

The consulting firm work is being paid for with Boulder County funds and is not part of the 5 Million Dollars earmarked for residents’ mitigation efforts. Barbara Halpin, BoCo Project Mgr. stated that Boulder County staff has been in contact with Denver Water about some of these issues. She also intimated that residents could be asked to prove impacts by being visited by BoCo staff at



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individual homes to assess amounts for the allocation of funds.

Another speaker told of observing construction vehicles using Flagstaff Road and an increase in tourist vehicles parking in grassy areas along the roadway. Commissioners responded by suggesting residents contact Denver Water and apply pressure to keep construction vehicles off Flagstaff Road and insist Denver Water maintain Flagstaff Road better, when that route is supposed to be off limits to construction traffic. One speaker insisted that County Road 68J not be improved for the construction project or it will cause an increase of traffic and be detrimental for residents using that road regularly.

Chris Passarelli asked about loss of revenues for the CCCIA once the intersection in front of the Hall goes under construction later this year. Commissioners said they would look into allocating funds to non-profits. Richard Meyers spoke about the lack of communication from the Commissioners to residents with construction concerns. Saying he had never experienced such blatant disregard from any elected officials in all his years of professionally working with such people.

Most speakers mentioned noise from the construction site: backup beeping and blasting being most disruptive into the wee hours of the morning 4AM. Complaints that the beeping being louder than is allowed decibel wise and unnatural to the mountain backdrop with considerations about how noise travels different on mountain topography than anyone can imagine. Commissioner Levy cited the fact that the Army Corps of Engineers dictated the construction permit that had no care for residents when they did so, i.e. regulations allowing work to go on until 4AM. But that did not stop commissioners from encouraging residents to apply pressure on Denver Water about their concerns individually too.

A couple of speakers living on the North Shore of the reservoir voiced concerns that the settlement monies could be spent too soon to mitigate for them from future tree removal

activities. Commissioners tried to assure them some funds will be held back for issues in the years to come for the five-year construction project. Again the Timeline for Allocation of Funds was sidestepped in favor of determining the results of the consultants' Impacts Analysis

(Continued on next page.)



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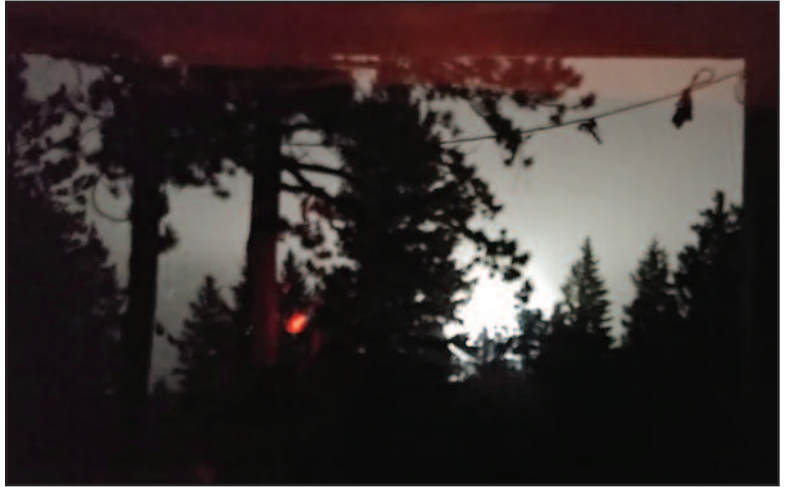
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Highlander Issues

Study, which were never identified with proposed or expected dates for completion.

A big topic of discussion was concerning the light pollution at night from stadium lights used for the construction. It was said the lights are pointed downward towards the ground and several speakers refuted that fact as it is not just vehicle lights shining into their homes all night long but the stadium lighting could be the only cause for it to look like daytime all around the construction site at night. The photo here demonstrates how it looks from one residence on Tunnel 19 road at 2AM inside their bedroom windows.

It is crystal clear that no one will see any mitigation funds until Boulder County Commissioners are satisfied the modeling done by consultants is analyzed for consideration is completed, which no timeline was disclosed. More virtual meetings are planned, again with no timeline discussed. The commissioners were still in their 'Oh woe is me' mindset stating they



never thought they would be burdened with this accountability just to allocate the 5M dollars. Seriously inappropriate in the face of resident's suffering from a lack of sleep or proper air circulation and constant noise nearly 24 hours at a time, six days and nights out of seven.

Only the beginning comments by the Dep. D.A. mentioned why we are all in this mess: because Boulder County didn't feel it was possible to fight a pre-emption issue in the courts with Denver Water's legal team. A good county legal Dept. could have found the pre-emption issue null and void (*there is no hydro power at*

Gross Dam, thus no Federal permit) and stopped this greedy, corrupt and environmentally bankrupt utility from damaging our local canyon environment. We all know Denver Water will not address our concerns about noise, light, or air pollution. What traffic?

It is my hope BoCo Proj. Mgr. Barbara Halpin will be better at communicating with residents. But if past inaction is any marker for future actions, Mr. Meyers is probably correct in that the disrespect for county residents the Commissioner's office has shown will continue. *By A.M. Wilks*



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Yellowstone Park Status: S. Loop Open

Northern portion of Yellowstone National Park likely to remain closed for a substantial length of time due to severely damaged, impacted infrastructure; Visitors traveling to the park in coming weeks must stay informed about current situations, roads and weather conditions.

Aerial assessments (*pictured here*) conducted Monday, June 13, by Yellowstone National Park show major damage to multiple sections of road between the North Entrance (Gardiner, MT), Mammoth Hot Springs, Lamar Valley and Cooke City, Montana, near the Northeast Entrance.

Many sections of road in these areas are completely gone and will require substantial time and effort to reconstruct. The National Park Service will make every effort to repair these roads as soon as possible; however, it is probable that road sections in northern Yellowstone will not reopen this season due to the time required for repairs.

To prevent visitors from being stranded in the park if conditions worsen, the park in coordination with Yellowstone National Park Lodges made the decision to have all visitors move out of overnight accommodations (lodging and campgrounds) and exit the park. *At presstime:* All entrances to Yellowstone National Park remain temporarily CLOSED while the park waits for flood waters to recede and can conduct evaluations on roads, bridges and wastewater treatment facilities to ensure visitor and employee safety.

There will be no inbound visitor traffic at any of the five entrances into the park, including visitors with lodging and camping reservations, until conditions improve and park infrastructure is evaluated. The park's southern loop appears to be less impacted than the northern roads and teams will assess damage to determine when opening of the southern loop is feasible. This closure will extend minimally through (June 19).

Due to the northern loop being unavailable for visitors, the park is analyzing how many



visitors can safely visit the southern loop once it's safe to reopen. This will likely mean implementation of some type of temporary

(Continued on next page.)

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Highlander Issues reservation system to prevent gridlock and reduce impacts on park infrastructure. At this time, there are no known injuries or deaths to have occurred in the park as a result of the unprecedented flooding.

Yellowstone's backcountry is temporarily closed while crews assist campers (five known groups in the northern range) and assess damage to backcountry campsites, trails and bridges.



The National Park Service, surrounding counties and states of Montana and Wyoming are working with the park's gateway communities to evaluate flooding impacts and provide immediate support to residents and visitors.

Known damage (at this time) to some park roads includes: North Entrance (Gardiner, Montana) to Mammoth Hot Springs: road washed out in multiple places, significant rockslide at Gardner Canyon. Tower Junction to Northeast Entrance: segment of road washed out near Soda Butte Picnic Area, mudslides, downed trees. Tower-Roosevelt to Canyon Junction (Dunraven Pass): mudslide on road Canyon Junction to Fishing Bridge: Segment of road just south of Canyon Junction potentially compromised and closed for evaluation. The power continues to be out in multiple locations in the park. Water and wastewater systems at Canyon Village and Mammoth Hot Springs are being impacted by flooding conditions and are being monitored.

Buffalo Field Campaign volunteers survived and will issue an Update asap. *Above photo of bison with calves next to the flooded river.*

At presstime: The Southern Loop is to reopen June 22nd. To balance the demand for visitor access, park resource protection and economic interests of the communities, the park will institute an interim visitor access plan - alternating license plate system implemented by the National Park Service.

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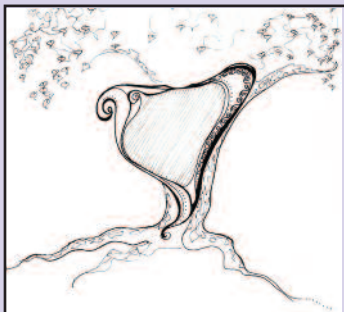
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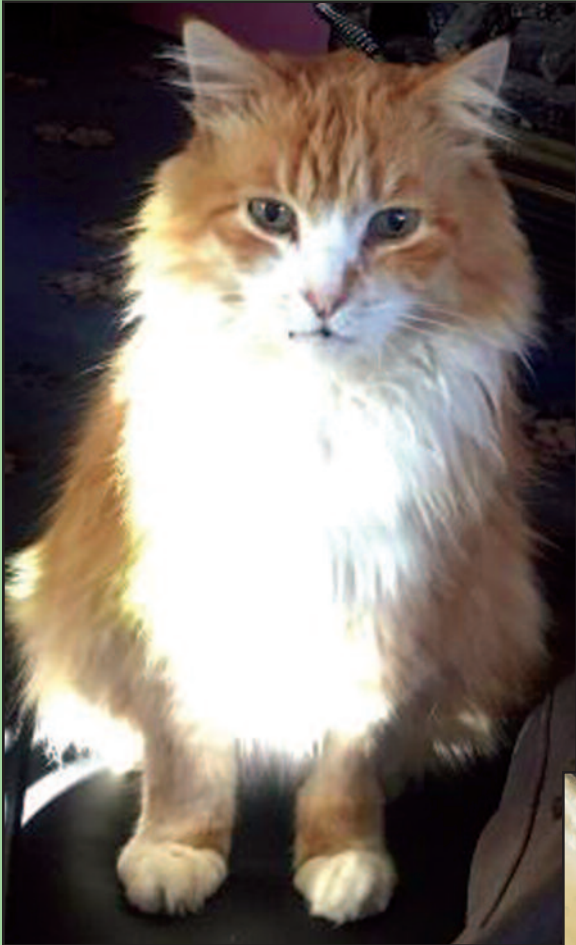
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Potable Reuse - A Widespread Practice

From E - The Environmental Magazine



wastewater treatment plant damage downstream users or ecosystems that previously depended on that water? And what are the implications for climate change? These questions are answered by delving into the history of major water recycling projects from California to Virginia, each with a unique story of what led them to develop potable reuse, as well as the challenges they had to overcome.

Additional concerns addressed include pathogens, contaminants of emerging concern, achieving acceptable risk, onsite and decentralized reuse systems, and direct potable reuse. Recycling wastewater can make for a bright future in the fight against climate change, and this book is a valuable resource to convince readers.

Move past the “yuck factor” by learning the benefits and science behind recycling wastewater to beat climate change.

In recent years, humans have begun to turn the age-old taboo against mixing sewage and drinking water on its head by using advanced treated wastewater to supplement a city’s drinking water supply. This increasingly widespread practice, known as potable reuse, qualifies as nothing less than a drinking water revolution. Water reuse offers a renewable, locally managed, and drought resistant water supply. *The Water Recycling Revolution* tracks the story of this development, examines the pros and cons, and explores its future potential.

In this book, William M. Alley and Rosemarie Alley answer our most pressing questions: How do you get people to overcome the visceral reaction known as the “Yuck Factor” and not only drink, but appreciate, recycled water? What about all those pharmaceuticals and personal care products that people casually flush down the drain? Will diverting discharges from a

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Highlander Wildlife

Wildlife Statistics - Good & Bad

By Jonathan Thompson June 1, 2022 HCN

On April 7, Interior Secretary Deb Haaland announced that her department would “advance its work on wildlife corridors” by focusing on “conservation and restoration of wildlife corridors and habitat connectivity in a way that supports conservation outcomes.”

The federal initiative includes \$2.5 million in grants for seven states and three tribal nations to fund 13 projects, from increasing climate-resilient habitat for big game on a New Mexico ranch, to doing post-fire restoration work in California. There’s also \$250,000 to establish a conservation easement on the Twin Eagle Ranch in western Wyoming to avert potential residential development and protect the so-called Path of the Pronghorn, which runs through the area.

The Path of the Pronghorn is a 6,000-year-old, 150-mile-long migration corridor in northwest Wyoming that the iconic ungulates follow north

every spring to higher grazing ground in the Tetons and then retrace southward in the fall. The Twin Eagle (née Carney) Ranch sits right in the middle of it, making its conservation a victory for the pronghorn.

Just two days prior to Haaland’s announcement, however, the corridor suffered a major blow when, as first reported by WyoFile, a federal judge cleared the way for Jonah Energy’s 3,500-well Normally Pressured Lance Field natural gas drilling project to advance on 140,000 acres of mostly public land — smack-dab in the Path of the Pronghorn. When the Bureau of Land Management OK’d the project in 2018, conservation groups sued, saying the agency didn’t properly consider impacts to the pronghorn and greater sage grouse. But on April 5th, U.S. District Judge Scott Skavdahl rejected their challenge. Now it appears that even as the pronghorn were guaranteed clear passage through

the Twin Eagle Ranch, the groundwork was being laid for an industrialized obstacle course that they’ll have to navigate one day. The entire back-and-forth epitomizes the ugly state of wildlife in the West in the spring of 2022, as setbacks are followed by breakthroughs.

MONARCH MAKES A COMEBACK: In spring 2021, it seemed as if the monarch butterfly was doomed. The Xerces Society, which conducts an annual California-centered count, documented a 99% decline in monarch populations since the 1980s, possibly caused by climate change, increased use of the herbicide glyphosate (brand name RoundUp), industrialization and the residential development of farmland. So it was a bit of a welcome surprise this winter when California’s skies fluttered with orange and black wings: Xerces’ Thanksgiving count tallied 250,000 monarchs, compared to just 2,000 previously.

PUPFISH RETURN: Fish biologists were swigging the bubbly (figuratively) after counting a whopping 175 Devils Hole pupfish this spring. That may not sound like much, especially since it constitutes the species’ entire wild population. But it’s the most

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seen in 22 years at the tiny fish's tiny habitat, which comprises the upper 80 feet of a water-filled cavern in a detached unit of Death Valley National Park in Nevada.

Each year, the U.S. Dept. of Agriculture's Wildlife Services agency disperses, kills or relocates millions of animals considered a threat to livestock, property, human health and safety (including aviation) and other wildlife. Red-winged blackbirds, for example, are slaughtered by the score because they eat sunflower seeds, corn and other crops: bobcats are killed because they dine on wild turkeys (naturally); and wolves and bears are killed because they feast on beef cattle and other livestock - which the government reimburses the rancher for with money from taxpayers. Number of **animals killed by the USDA's Wildlife Services in 2021: 227 Badgers, 421 Black bear, 24,683 Beavers, 15,096 Red-winged blackbirds, 595 Bobcats, 549 Feral cats, 63,965 Coyotes, 143,903 Feral swine, 324 Wolves, 10,775 Black-tailed prairie dogs.**

WIND POWER VS. BIRDS: ESI Energy, a subsidiary of renewable energy giant NextEra, has killed at least 150 golden and bald eagles at its wind power facilities in eight states since 2012 without applying for an incidental take — or accidental killing — permit, according to federal prosecutors. The company was fined over \$8 million and sentenced to five years' probation after pleading guilty to nine of those killings in Wyoming and New Mexico.

Meanwhile, the Los Angeles Water and Power Department has applied for a permit from the U.S. Fish and Wildlife Service to cover the incidental take of up to two free-flying California condors and two associated eggs or chicks over 30 years at its Pine Tree Wind Farm in the Tehachapi Mountains. The utility is breeding birds in captivity in hopes of replacing the slain vultures. The California condor is North America's largest land bird, and though it has been brought back from the brink of extinction, it remains imperiled. The first study of population-level lead poisoning in bald and golden eagles was published this winter. The news was not good: Of the more than 1,200 eagles sampled, (Continued on next page.)

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Highlander Wildlife almost half showed evidence of repeated exposure to lead, most likely from ammunition fragments ingested after hunters dress game in the field. Bald eagles are not affected as much because their numbers are climbing at a rapid rate, researchers say. “In contrast, the golden eagle’s population is not as stable, and any additional mortality could tip it towards a decline,” said Brian Millsap, U.S. Fish and Wildlife Service national raptor coordinator and co-author of the study.

PAUCITY OF PINYON JAYS: Pinyon jays — social corvids often called camp robbers, owing to their tendency to snatch campers’ snacks — are critical components of the Southwest’s piñon-juniper woodlands: They harvest piñon nuts and bury them for later eating, leaving some of the buried seeds to germinate and grow into new piñon trees. Now the birds are disappearing at an alarming rate; over the last five decades, the population has declined by as much as 85%. Suspected culprits include thinning or clearing of piñon woodlands and climate change’s impact on habitat. In April, Defenders of Wildlife petitioned

the Biden administration to protect the bird under the Endangered Species Act.

WRANGLING OVER WOLVES: Following the colonial-settler invasion of the Western U.S., local and state governments, ranchers and individuals set out to exterminate the gray wolf. They nearly succeeded, virtually extirpating it from the Lower 48. But federal Endangered Species Act protections helped bring it back, enough to result in the lifting of federal protections in Idaho, Montana and Wyoming, in 2011. Now wolves are being hunted in the Northern Rockies as avidly as they were in the 1800s. The previous administration delisted gray wolves in the remaining states, potentially opening those sparser populations to the same treatment. But a federal judge reversed that decision earlier this year. Mexican wolves have remained protected, and in March, the U.S. Fish and Wildlife Service reported that the population grew by 5% last year, to reach a total of 196 animals. *SOURCES: U.S. Department of Interior, Jonah Energy, Bureau of Land Management, National Park Service, U.S. Fish and Wildlife Service, USDA, WildEarth Guardians, Xerces Society, U.S. Justice Department, Defenders of Wildlife*

Jonathan Thompson is a contributing editor at HCN.

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Reconsidering Wilma Mankiller

By Alaina E. Roberts June 6, 2022 HCN

On June 6, the United States Mint released a limited number of quarters commemorating Wilma Mankiller, part of its American Woman Quarters program, which was created to celebrate the “accomplishments and contributions made by women to the development and history of our country.” Mankiller, the Cherokee Nation’s first female chief, is one of the most well-known and widely respected Native American figures in the country.

But, like all human beings, she’s complicated: She was also an architect of the mass disenrollment of the Black members of her tribe (also known as “Freedmen”) a position she regretted later in life, and an injustice that has only just been fully remedied under the current Cherokee principal chief, Chuck Hoskin, Jr.

Mankiller’s election in 1983 will be remembered as the first in which a woman was elected deputy chief. It was also the first election since 1866 when the Cherokee Nation, in a treaty with the United States, acknowledged its former slaves as citizens in which Black Cherokees were not allowed to vote. Two watershed events, one of them an uplifting sign of progress and a return to Cherokee ideals of matrilineal power, and the other, a reversal of

century-old tribal policy that left a lingering “shadow” on the nation, as Mankiller herself later put it in her autobiography.

As we celebrate the release of this quarter and honor Mankiller herself, what can we learn from her initial decision about Cherokee Freedmen, her later change of heart, and her life as a whole?

Mankiller was born on Nov. 18, 1945, in the Cherokee Nation capital

of Tahlequah, to a Cherokee father and a white mother. Her early childhood was spent in Adair County, where her family grew some of their own food but contended with extreme poverty. When the Indian Relocation Act of 1956 pushed Native people to move to urban areas, promising them assistance finding jobs and homes, Mankiller’s family was one of the thousands who thought the risk might prove worthwhile. They moved hundreds of miles away, ultimately settling in San Francisco, where their maternal relatives lived.

The move was hard on Mankiller and her siblings, who found it difficult to make friends and adjust to school. Mankiller found some solace in local pan-Indian community organizations, and as time went by, she absorbed the activist atmosphere of the Bay Area and became active in the American Indian Movement. Mankiller didn’t easily fall into her life’s work. Rather, she followed a meandering path through legal work with California tribes and Native youth in Oakland, as well as community development in various Cherokee Nation positions. Along the way, she suffered a devastating car crash and a lengthy recovery. All these experiences *(Continued on next page.)*

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Highlander Issues diversified her skill set and eventually brought her into politics. When Ross Swimmer, the incumbent Cherokee principal chief, asked Mankiller to be his running mate in his bid for a third term, Mankiller accepted. Despite a vicious onslaught of gendered harassment she received death threats and had her tires slashed she and Swimmer triumphed, and she went on to become a national and international icon of female political power and Native American representation. Behind the scenes, though, the election that brought her to prominence revealed a deeply divided citizenry. Schisms had long been a part of Cherokee society, but during the lead-up to this election, tribal citizens argued about the correct place of mixed-race versus non-mixed-race Cherokees, United Keetoowah Band membership and the general direction of the nation. In the 1970s, as the Cherokees regained the power to elect their own tribal leaders and amend political documents, including the Cherokee Constitution, they began to ponder the social and economic directions the tribe should take. Today, tribes across the country have wrestled with the wealth question. Many have responded by enforcing the strategic exclusion of certain members in order to economically benefit

the citizens who remain. For Ross Swimmer in the early 1980s, the choice of which group to exclude was clear: the historically oppressed Black members of the tribe, who descended from people who were once enslaved by Cherokees and who generally share Cherokee ancestry.

At Swimmer's urging, the Cherokee Tribal Council modified the Cherokee Nation Tribal Code to stipulate that tribal membership required proof of Cherokee blood. Freedmen who attempted to vote in 1983 suffered the pain and embarrassment of being turned away at the polls.

The experience Mankiller had had with Native people from many backgrounds and tribes, and her own experience as a mixed-race person and a woman who'd faced discrimination, should have led her to see this for what it was: a prejudiced, and purely political, attack. Instead, she was willing to accept a distorted version of Cherokee identity and disenfranchise thousands of people. And for what? To consolidate power? To strengthen a handpicked portion of the Cherokee Nation?

When Ross Swimmer was appointed assistant secretary of the Bureau of Indian Affairs, he resigned his tribal position, and Wilma Mankiller was sworn in, becoming the first female principal chief of the Cherokee Nation. In 1987,

she ran for the position and won, serving two terms in office — terms that were largely defined by her attention to improving access to such essential programs as Head Start. She also helped to establish the U.S. Department of Justice's Office of Tribal Justice.

Black Cherokees continued to be excluded until 2017, when, again, the United States sought to pressure the Cherokee Nation into abiding by its treaty provisions concerning Freedmen.

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Finally, the Cherokee Nation, under the Hoskin Jr. administration, accepted that allowing the political inclusion of Freedmen was right. Later in life, after her career in politics was over, when Mankiller spoke about the problems some Native people had with the Black members of various tribes, she never truly acknowledged her part in her own nation's racial issues. In 2001, she spoke at a session of the National Congress of American Indians titled "Exploring the Legacy and Future of Black/Indian Relations." She pointed out that Native people with white ancestry were more readily accepted than those with Black ancestry and noted that the Seminole Nation had recently expelled its own Freedmen from tribal membership. Mankiller died from pancreatic cancer in 2010. In the past two years, the Cherokee Nation has become a trailblazer when it comes to the full inclusion of Black Indians, incorporating the Freedmen's history

into its museums and **Highlander Issues** soliciting their participation in elections and tribal culture. But this outreach to Black Indians would never have been necessary if not for the actions that occurred decades ago. So, what can we take from this as Native people? We should refrain from ever using hate or fearmongering to obtain political power. We should be willing to learn and evolve, as Mankiller did, but we shouldn't wait until we're no longer in office to call out the wrongs within our nations.

And so I ask us to reconsider Wilma Mankiller and see her in her full but flawed humanity, not just as a symbol on a pedestal, but as an imperfect person who ultimately realized that her beloved Cherokee Nation got it wrong.

*Alaina E. Roberts is an Assistant Professor of History at the University of Pittsburgh, and the author of **I've Been Here All the While: Black Freedom on Native Land.***



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Canal To Nowhere

By Jake Bittle June 7, 2022 HCN

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Earlier this spring, Nebraska lawmakers passed a bill authorizing construction of a canal that would siphon water from neighboring Colorado, igniting a war of words between the two states' leaders. Nebraska's governor, Republican Pete Ricketts, says that the canal will "protect Nebraska's water rights for our kids, grandkids, and generations beyond." Colorado's Democratic governor, Jared Polis, calls the scheme a "canal to nowhere" that is "unlikely to ever be built."

The two states share rights to water from the South Platte River, and Republican politicians in Nebraska say that a new canal is necessary to guard the state's water supply from encroachment by its fast-growing neighbor to the west.

The strange thing about the political firestorm, according to water experts, is that the canal

wouldn't really do anything. The water Nebraska wants to protect doesn't face an immediate threat from Colorado, and in any case it's not clear the canal would provide Nebraska any additional water beyond what it already receives. The total amount of water that could flow through the planned \$500-million-dollar canal is unlikely to change the course of either state's future.

Even if the canal doesn't alter the balance of water between the two states, however, it does help Nebraska lawmakers spend down federal funding they received from the \$1.9 trillion stimulus package passed by Congressional Democrats last year. It might also allow them to score political points by antagonizing the Democrats who govern Colorado. The episode comes as other parts of the western U.S. really do face wrenching, zero-sum tradeoffs in allocating water during an ongoing megadrought that has been exacerbated by climate change — and it may be a preview of how anxieties around those issues can be mobilized for partisan warfare.

The history behind the canal project is a curious footnote in the larger story of western water. Way back in 1923, Colorado and Nebraska signed a treaty that governed the use of one segment of the South Platte River, which flows from the Colorado Rockies through Denver and into Nebraska. The treaty required Colorado to send 150 cubic feet of water per second to Nebraska for the duration of the irrigation season—in other words, it prevented Colorado from drying up the river before Nebraska farmers could use it. The treaty also gave Nebraska the right to build a canal large enough to divert an additional 500 cubic feet of water per second during the irrigation offseason, but the project never came to fruition: Engineers had already tried and failed to build a canal through the rocky territory connecting the states in the late 1800s, and no one ever revived the idea.

For about a century, the treaty collected dust. Nebraska has perhaps the largest groundwater resources of any state, not to mention



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thousands of miles of rivers, so water wasn't a huge issue. Plus, Colorado often exceeded its treaty obligations on the South Platte: From 1996 through 2015, the state delivered Nebraska almost 8 million more acre feet than it was required to deliver under the treaty. Around the same time, however, Colorado began drawing more from the South Platte to support booming population growth, primarily in the Denver area. In January of this year, Colorado officials released an updated plan for the South Platte, outlining almost 300 possible water diversion projects along the river. This list of projects was just hypothetical, but it caught the attention of Nebraska lawmakers. Governor Ricketts released a statement saying he was "vigilantly watching" the construction of new water infrastructure in Colorado, and he told the legislature "they are trying to take our water." Even though water from the South Platte is far from essential to the survival of Nebraskan agriculture, and even though Colorado already delivered far more to Nebraska than it needed to under the treaty, Ricketts insisted the state needed to protect its water rights from the growing liberal metropolis to the west.

"It's a bit of a straw man," Schutz, the University of Nebraska water law expert, said of Nebraska's concern about the Colorado projects. "A lot of those projects that [Colorado] is proposing wouldn't actually decrease the availability of water."

Even so, the century-old treaty gave Nebraska the theoretical rights to build a canal of its own, and the state had plenty of money to pursue such a project. That was thanks to President Biden's American Rescue Plan, which doled out billions of dollars of pandemic recovery aid to Nebraska and left the state with a significant budget surplus. The state's unicameral legislature has spent most of this year's session trying to find ways to spend down that surplus, and the \$500 million

canal project was a perfect candidate.

The legislature passed a bill in April that allocated \$50 million to start canal construction, enough to start purchasing land in Colorado and conduct preliminary designs.

The legislature's sudden move on the bill came as a shock to water experts. As one Colorado water manager put it, "the water world was rocked" when the bill passed. That's because, according to Schutz, the very premise of the canal project is flawed. Ricketts argued that the canal would avert a "decrease [in] agricultural water supplies and [increased] pumping costs," but neither scenario is in the cards, even if Colorado's population keeps growing. Nebraska relies on

Highlander Issues

(Continued on page 29.)

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groundwater for more than 80% of its farming irrigation, and the water that comes from the hypothetical canal would only arrive during the offseason anyway, so it wouldn't help the state's farmers. Meanwhile, the state's water rights only cover one section of the South Platte, and Colorado has unlimited rights over a section of the river farther upstream, meaning the Centennial State can sustain future growth even without encroaching on Nebraska's water. Furthermore, Schutz says, it isn't clear that there's even enough water in the river to fill the canal, should it ever be built.

"If you look at the amount that's coming in right now, that's probably the maximum amount of water that we would ever get in the canal," he told Grist. "And that is not a lot of water." Not only that, but the treaty also only gives Nebraska the right to build a canal that can divert 500 cubic feet of water per second. It doesn't actually give the state the right to that much water.

Colorado and Nebraska have sued each other in the past over water, and indeed Colorado reached a settlement with Nebraska just a few years ago over claims that Colorado violated a water-sharing compact on a different river. Colorado probably wouldn't sue Nebraska until the latter actually began to build the canal, but if it did sue, the dispute would go straight to the U.S. Supreme Court.

The fact that such a minor water project can generate so much controversy is a sign that water security is becoming a key political issue even in places where the drought situation is not yet catastrophic. The century-old compact between Nebraska and Colorado, like the treaties that anchor the use of the Colorado River farther to the west, was designed in an era of cooperation and compromise between the states.

Jake Bittle is a contributing writer at Grist and freelance reporter who lives in Brooklyn, New York.

Highlander Issues

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ART

The Silver Horse - pg 19 303.279.6313
The Rustic Moose - pg 19 303.258.3225

AUTOMOBILE

Kysar's Place pg 17 303.582.3566
Mountain Muffler pg 20 303.278.2043

BUILDING/CONSTRUCTION

ACE Indian Peaks Hardware pg 14 303.258.3132
Arrow Drilling-pg 21 303.421.8766
Caribou Painting pg 15 303-641-7964
EDISON Builders pg 13 512.775.5800
Golden Gate Electric, LLC pg 10 303.520.0966
Grate Contracting pg 28 303.579.9519
Peter Palombo, Surveyor-pg 27 720.849.7509
RedPoint Construction pg 26 303.642.3691
Steel Structures America ins cover 970.420.7100

BUSINESS SERVICES

Graphics Galore 303.642.0362
Karen Schwimmer, CPA pg 11 303.642.0628
Wondervu Consulting Serv. pg 29 303.642.0433

CHIMNEY SWEEPS

Chimney Service of CO pg 11 720.515.0416
MidTown Chimney pg 12 303.670.7785

CIGARS

Foss Company pg 3 303.963.5693

CLOTHING

The Rustic Moose - pg 19 303.258.3225
The Silver Horse - pg 19 303.279.6313

COMPUTER SERVICE & REPAIR

Wondervu Consulting Serv. pg 29 303.642.0433

DRIVEWAYS/ GRADING SERVICES

Benchmark Land Care pg 16 303.485.1001
B & H Asphalt Paving ins cover 303.810.0531
Rock Creek Civil, LLC pg 10 720.583.4555

ELECTRIC

United Power - Inside back Cover 303.642.7921

FARRIER

Forbes Farrier Service pg 26 303.642.7437

FIREWOOD & FOREST MANAGEMENT

High Timber Mtn Tree Serv. pg 27 303.258.7942
Lumber Jacks - pg 14 720.212.1875
Pruins Pruning/Tree Care pg 23 303.653.7967
Rock Creek Civil, LLC pg 29 720.583.4555

GIFTS

The Silver Horse - pg 19 303.279.6313
The Rustic Moose - pg 19 303.258.3225

GROCERIES

B & F Moutain Market pg 24 303.258.3105
Golden Farmer's Markets pg 7 June 4th to Oct 8th

HOME IMPROVEMENT

Benchmark Land Care pg 16 303.485.1001
B & H Asphalt Paving ins cover 303.810.0531
Caribou Painting pg 15 303-641-7964
EDISON Builders pg 13 512.775.5800
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Rock Creek Civil, LLC pg 10 720.583.4555

HORSE BOARDING

Rudolph Ranch, Inc. pg 18 303.570.2013

INSURANCE

Jim Plane-State Farm- pg 8 720.890.5916

LIQUOR

Foss Company pg 3 303.963.5693
Mid-County Liquors pg 15 303.642.7686
Underground Liquor pg 18 303.582.6034

MUSIC LESSONS

Piano & Harp in CCC pg 15 303.642.8423

REAL ESTATE

Byers-Sellers Mtn Properties pg 22 303.642.7951
Mock Group-Kathy Keating -Back cover 303.642.1133

RESTAURANT

Wondervu Cafe pg 25 303.642.7197

RETAIL

ACE Indian Peaks Hardware pg 14 303.258.3132
B & F Moutain Market pg 24 303.258.3105
The Silver Horse - pg 19 303.279.6313
The Rustic Moose - pg 19 303.258.3225

REVERSE MORTGAGES

Universal Lending Corp. pg 20 303.791.4786

ROOFING

Independence Roofing pg 3 720.399.0355

STEEL STRUCTURES

Steel Structures America ins cover 970.420.7100

TAXES

Karen Schwimmer, CPA pg 11 303.642.0628

WATER & WELL

Arrow Drilling pg 21 303.421.8766

Safe Tree Trimming

Observe Ten-Foot Rule to Safely Trim Trees Near Power Lines

Summer is in full swing, and as trees begin to grow and bud, they may get close enough to come into contact with power lines. While the fires and damage from 2020 are still fresh on everyone's minds, we want to remind members that trees near power lines can cause potential hazards, tree-related power outages and increase the risk of fire.

To protect your power and your community, United Power will be concentrating significant resources on clearing vegetation from power lines this summer – especially in portions of our mountain territory that are heavily forested. United Power adheres to industry best practices and will trim away any vegetation within ten feet of power lines. You can help protect your community from power outages, damaged utility equipment and fires by observing the ten-foot rule between trees and power lines.

If you encounter a tree in the vicinity of a primary line, immediately contact United Power. These are the high-voltage lines running from pole to pole, and they require specially trained tree-trimming

crews. You can report tree hazards online at www.unitedpower.com/vegetation.

Members are responsible for trimming vegetation away from secondary lines – the lines that stretch beyond your electric meter to your service location. For your safety, United Power will disconnect secondary lines for tree trimming activity at no cost to the member. Avoid trimming when you encounter the following: tree limbs in direct contact with a power line, dead tree limbs hanging near power lines, tree limbs growing toward power lines.

Remember to trim only from a steady, level surface, removing small, easy to manage sections. Large tree/branch sections may call unexpectedly and take down power lines and cause potential injury. If this is not possible, contact a professional tree trimmer.

When in doubt about safety or responsibility, please contact United Power at 303-637-1300. We'll be happy to assess the situation and keep you safe.



Who's Responsible for Trimming Trees?

United Power has an aggressive tree trimming program to reduce the number of tree-related outages. However, in some cases, the homeowner may be responsible for keeping the line to their home clear of trees. Here's how it works:

- **United Power is responsible for trimming around primary lines.** These are lines running from pole to pole. United Power maintains these lines because they are higher voltage and require special handling from a qualified tree trimming crew.
- **Members are responsible for obstructions in secondary lines.** These are typically single lines stretching from our pole to a member's home – often seen in backyards, crossing from the main electric line to the home.

Member-Exclusive Rebate on Outdoor Power Equipment



Take advantage of rebates on select power equipment to electrify and beautify your outdoor spaces this summer. This rebate program was a limited-time offer last summer, but returns this year as a permanent rebate opportunity for members. **United Power must receive applications, along with proof of purchase, within 90 days of purchase.**

To learn more about rebates available to United Power members, go to www.unitedpower.com/rebates.

United Power Coal Creek Office
5 Gross Dam Road | Golden, CO 80403

Member Services: 303-637-1300
Coal Creek Office: 303-642-7921



Payment Kiosk Location



EV Charging Site (CHAdcMO, CCS/SAE)



www.unitedpower.com

**UNITED
POWER**
Your Touchstone Energy® Cooperative

CCCIA 4th of July Celebration

Pancake Breakfast, Parade, Festivities

Monday July 4th - Starting at 7am CCCIA HALL 31258 Hwy 72



NEW LISTING

44 Linn Lane

Magical Timber Frame Home- 2 Car Gar
3 BD/ 4 BA 2,243 sq.ft. **\$910,000**



33492 Coal Creek Canyon Drive

Wondervu Cafe - Canyon's Favorite
Mexican Restaurant



NEW LISTING

9818 Cheewall Lane - Parker

Great Ranch Style w/Walk-Out
4 BD/ 3 BA 2,683 sq.ft. **\$645,000**



261 Evergreen Road

Beautifully Updated Mtn Home
3 BD/ 4 BA 2,792 sq.ft. **\$876,000**



NEW LISTING

30052 Seaver Drive

Great End of Road Location - 3.75 Acres
3 BD/ 2 BA 3,298 sq.ft. **\$849,000**



7971 Towhee Road - Parker

The Timbers at the Pinery - 4 Car Gar
5 BD/ 5 BA .51 Ac 4,984 sq.ft. **\$1,532,000**



11965 Vonnie Claire

Gorgeous Log Home, Views, Solar
3 BD/ 3 BA 1,808 sq.ft. **\$876,000**



NEW LISTING

33950 Skyline Drive

Gorgeous Mtn Home w/Outstanding Views
4 BD/ 3 BA 2,556 sq.ft. 2.54 Acs **\$899,900**



NEW LISTING

17268 Hwy 119

Roy's Last Shot - Black Hawk's Favorite
Saloon & Restaurant **\$3,500,000**



14251 W. 91st, Arvada

Elegant Home w/Flatiron Views
5 BD/ 3 BA 4,786 sq.ft. **\$920,000**

**Call for a
Market Valuation
GREAT TIME
TO SELL!**

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