

Gregory O. Jones/University of Colorado

The University of Colorado's Boulder campus lies below the foothills known as the Flatirons

Essay by Ed Marston

Developers can terrorize and bully communities. Appearing swiftly and unannounced, like horse-mounted raiders from the desert, plans under their arms and lawyers in tow, they hold out the carrot of an increased tax base and the stick of a lawsuit. More often than not, they make a city or town feel as if it has no choice but to accept the subdivision, or mall, or golf course, or ski area, or gravel pit, or whatever they are offering.

But speed and surprise don't always win, as Boulder, a city of 86,000 on Colorado's Front Range, is showing. For the moment, Boulder has become the City from Hell as far as an energy developer named Peak Power Corp., based in San Francisco, is concerned.

In October 1992, Peak Power filed an application with the Federal Energy Regulatory Commission to build two reservoirs, a pumping station, some power lines and access roads on part of 270 acres of open space Boulder acquired, for \$740,000, to fill in the southern tier of its belt of open space.

Boulder learned of the filing on its Doudy Draw property by accident — a state employee who enjoys reading the *Federal Register* noticed the application, and told Boulder's Open Space/Real Estate department. At this initial stage, neither Peak Power nor FERC were required to notify the land owner or community, and neither did.

That's the last uncontested bit of information. Jim Crain, head of the city's Open Space department, says that when one of his employees called Rick Koebbe, Peak Power's vice president, Koebbe allegedly asked, "What is Boulder doing with open space in Jefferson County?" and allegedly said, "We'll see you in court." The "see you in court" could have to do with the fact that a FERC license to build the several hundred million dollar pumped storage hydroelectric project would carry condemnation power.

The "allegedlys" refer to the fact that Koebbe vigorously denies making the statements. Jim Crain made

them up, Koebbe said in a telephone interview. "I don't know what's with the guy."

Koebbe agreed he hadn't notified Boulder. For one thing, when Peak Power applied, the land was in private hands. Also, this initial application is in the nature of an exploration permit — it gives the applicant time to survey the project without worrying about claim jumpers. Later, Koebbe said, everyone would be notified.

Boulder isn't waiting for the next FERC step. So far as the Boulder City Council is concerned, a developer has come calling in a rude and unannounced way, and it will be met in just as rude a way.

First, the Boulder City Council appropriated up to \$40,000 to file a competing hydropower application for the

site. By law, FERC must give a city or county "municipal preference," so although Boulder is late, it's in the race.

How Boulder preserves its vision

Second, Boulder dug out of FERC files seven other projects Peak Power has filed on, and is notifying the local communities of those filings. Then, says Crain, "Those places can decide what they want to do." (See story below.)

Third, Boulder will approach the Colorado congressional delegation about changing the law, so that applicants have to inform property owners and local government that a project is entering the initial stage.

Boulder may also lobby the White House, so that the current four vacancies on FERC, out of five seats,

will be filled by people sympathetic to communities and the environment rather than to developers. Whether you think Boulder is overreacting will depend on your values. People who believe in the sanctity of private property, local control and hostility to the federal government may be torn in this case. Boulder is fighting for all three of those values. But in the West, such phrases as "local control" are usually used to push all-out development rather than environmental protection.

The reaction may also depend on how you view Boulder, which some in the West see as having an "attitude."

But one thing is clear: Boulder is acting as communities must act if they are to control their destinies. Boulder is determined to set its development agenda, rather than have that agenda set by a corporation.

Boulder's quick, decisive actions are based in a century of history. Starting in the late 19th century, Crain says, the town began to purchase its "backdrop" — the foothills of the Rockies west of Boulder. Over this century it has created a relatively dense urban core surrounded by open space.

The land Peak Power filed on without consulting Boulder is part of that century-long plan. Boulder bought the land in part to buffer itself against the 22,000-acre Jefferson Center Development planned for the City of Arvada.

Boulder's approach to urban planning has been rewarded economically. Because its citizens tax themselves to buy open space, its real estate values have boomed by comparison with communities that allow maximum sprawl and minimum open space.

What lesson does Boulder's long experiment hold for other Western communities? The primary lesson is that Boulder created a vision of itself — a vision backed by citizen groups such as Plan Boulder and by elected officials.

It is that long-held vision that allowed Boulder to react quickly to the raid on its open space by Peak Power.

Very few rural Western communities can afford

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Boulder's vision ...

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\$40,000 to challenge unwanted development. But that is because many Western places are today where Boulder was a century ago, when it began in practice self-determination. Moreover, towns in the rural West often have an advantage over Boulder, in that their open space may already exist, as surrounding federal land. The need is to help decide how that public land should be managed, and how to integrate the private land and the public land.

Boulder became an upscale community because land use and community planning are so unusual that it inadvertently created a rare commodity in the West — order in the midst of disorder. Small, rural towns today are being overrun because they have some of the same appeal as Boulder. They have a relatively small scale, they are surrounded by open space, and the very nature of small towns provides some of the appealing social life that Boulder has achieved in other, more formal, ways.

Boulder protects itself from development by its vision and activism. Small, rural communities have been protected from development until recently by their distance from jobs and markets, by poverty, schools that espouse rural rather than urban values, and by lack of other services.

For many reasons, those protective mechanisms are either gone (fax machines, Federal Express and the like destroy distance) or are no longer relevant. Therefore, if current national economic trends continue, many small places will be subdivided into large, unwieldy, undesirable places, just as has happened to hundreds of once livable villages within 100 miles or so of Los Angeles.

Other Peak Power Projects

Here is a list of other hydropower projects that Peak Power Corp. has filed on, according to the city of Boulder.

Butte Project, Butte, Mont. This is a 100 megawatt project that proposes to use the Berkeley Pit Superfund site as one reservoir. It would use mine effluent. FERC project number 11201.

Tropicana Project, Las Vegas, Nev. The upper reservoir of this 100 megawatt project would be the Blue Diamond Mine. FERC number 11221.

West Mesa Project is proposed for Bureau of Land Management lands 23 miles northwest of El Centro, Calif. FERC number 11299.

Salt Lake Project, proposed for Ogden, Box Elder County, Utah. This is a 200 megawatt project. FERC number 11353.

Pokes Point Project, also proposed for Ogden, Box Elder County, Utah. It is a 200 megawatt project. FERC number 11354.

Hell's Kitchen Project is proposed for Utah County, near Provo, Utah. It would generate 200 megawatts. FERC number 11355.

The Eldorado Project is proposed for a wilderness study area located 15 miles south of Las Vegas. FERC number 11371.

The Federal Energy Regulatory Commission's address is: FERC, Office of External Affairs, 825 N. Capitol St., N.E., Washington, DC 20426.

Peak Power's address is: 10 Lombard St., Ste. 410, San Francisco, CA 94111.

The question is: Can some of the West's small, rural communities figure out how to keep themselves livable in the face of present development pressures? And can enough of them figure it out so that those that do preserve their appeal aren't overwhelmed, as Boulder has been, because they have created attractive islands in seas of sloppy development?

There is no one prescription for success. But at the base of any vision will be the surrounding public lands. A ski resort will mean one kind of community; an attempt to continue mining, logging and grazing will mean another kind; wilderness will be a third kind.

Areas fear glitzification

Accelerating growth in Wyoming's Upper Wind River Valley has Dubois planners worried that the area's rural heritage is becoming "Jacksonized."

As evidence, they point to a doubling of rural sewer applications in the last year, a 10 percent increase in phone hook-up requests, and a tripling of land values, reports AP in the *Casper Star-Tribune*.

Fremont County Economic Development Director Pat Neary says Dubois will never be as populated

as nearby Jackson, Wyo., but he worries that the subdivision of ranches will blight the landscape with "rural sprawl."

"We value the feeling of open space, rangelands and the cowboy life," says Neary. "It's this whole feeling of openness and the West that is threatened."

Neary also has no kind words for the growth that has transformed Jackson.

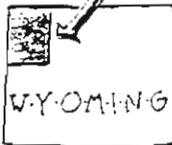
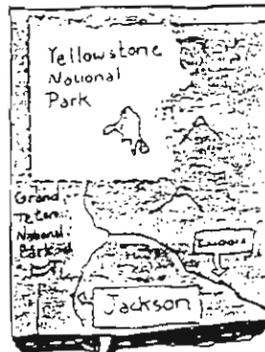
"When people look at Jackson, they see crowds and plastic and glitz," he says. "They don't like it because it's not Wyoming." Neary says Dubois is also threatened by an infusion of wealthy people "who can skew the entire community." Rural Dubois has a development permit system that places some restrictions on development, but Neary says it doesn't go far enough.

— Paul Larmer

Boulder tells us that planning can lead to high real estate prices and a tendency toward an upper-middle class or wealthy community, as in Aspen, Sun Valley and other places.

But planning can also be used to create other kinds of communities. A logging or mining town that wishes to keep its way of life, even if its economic base has changed, would have a different vision of its future, and a different set of tactics than, for example, a bustling town that has already been taken over by newcomers from cities.

Unfortunately, the one approach that won't work is the one that comes most naturally to Westerners: the "you can't tell a man what to do with our land" approach. What that passive attitude really means is: "only developers wielding outside money can tell us what to do with our land." ■



When Aspen boomed even bigger during the 1980s, workers that made the town run were forced downvalley in search of affordable housing. For a while they were safe. They found homes to buy or rent in El Jebel, Basalt, Carbondale and Glenwood Springs.

But recently, spurred by soaring property prices in town, developers have also shifted downvalley in search of the next real estate bonanza, reports the March 22 *Aspen Times*. This could force office, restaurant and ski-resort workers to move yet again — this time to Silt or Rifle, 60 miles away.

A development planned near Basalt, for example, expects to sell \$300,000 houses on two-acre lots. More high-end subdivisions are under way outside Aspen, and all feature luxury homes on large lots.

"You're not seeing proposals for affordable housing," said Michael McVoy, president of a down-valley citizens group that advocates slow growth. "It's going to be a perpetuation of the situation that drove everybody downvalley in the first place."

Aspen Times reporter Scott Condon warns that "glitzification" of towns "will take place if Aspen developers have their way with local authorities." He says that was the political pattern years ago in Pitkin County, home of Aspen.

The *Aspen Times* is published at 310 E. Main St., Aspen, CO 81611.

— Adam Duerk



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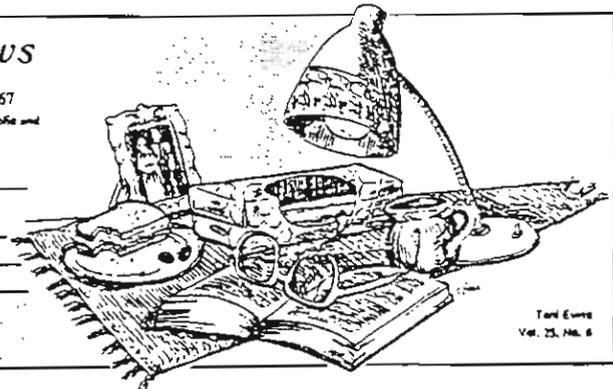
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