



2008 ANNUAL REPORT

“There can be no purpose more inspiring than to begin the age of restoration, reweaving the wondrous diversity of life that still surrounds us.”

—E.O. Wilson

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[View from Chicken and New Deal Mining Claims](#)

YOU NOW OWN TWO RED MOUNTAIN MINING CLAIMS

Telluride Foundation Grant Aids Donation



View of Chicken and New Deal Mining Claims from US 550

RIDGWAY- The owners of two patented mining claims near Red Mountain Pass have donated the land to the Trust for Land Restoration. The deal closed December 29, 2008. The Chicken and New Deal claims total 20 acres of in-holdings within the National Forest. They are located in Ouray County, on the north side of Red Mountain Pass, west of US 550, in Commodore Gulch. TLR has retired the development rights from the property and will own and manage them as nature reserves within the National Forest. They are open to the public for passive recreation such as hiking, picnicking and skiing.

“We appreciate the generosity and foresightedness of the owners that made this project a reality for TLR.” added Willits. “Dave Kupperman, Fred Kabat, and Arthur Solomon were college buddies from Illinois when they found the property in the early 1970s. They kept up the taxes all these years, thinking they’d return and build a cabin. Recently they had a change of heart, deciding the property really was too beautiful and too unique to be built upon. What a great deal. The place and the public are the winners here.”

Thanks to a \$5,000 donation from the Telluride Foundation, an in-kind donation valued at \$3,000 by the Colorado Department of Public Health and Environment, over \$2,000 donated by TLR supporters, and \$500 donated by one of the owners, we were able to close and take title to the property. Now it’s all of ours to appreciate and enjoy. More importantly, the deer, elk, bear, bobcats, marmots, rodents and birds won’t ever have a road or a cabin messing up their home.

PROPERTY OWNERS DONATE LAND AS A MEMORIAL TO FALLEN SON

We would like to dedicate the donation of the Chicken and New Deal patented mining claims to the memory of Ethan Solomon. We would like to think that his love of the outdoors came in part from trips with his parents to this land. The current owners purchased this property while graduate students at the University of Illinois about 40 years ago. On a trip to Colorado Arthur Solomon learned that there were old mining claims for sale. Fran, the sales person and County Clerk, drove Arthur around in a 4-wheel drive jeep, showing him a number of claims. Nothing impressed him until he saw the Chicken and New Deal. What Arthur saw was breathtaking. These claims were right across the Commodore Gulch from the Barstow mine. The acreage was in the rough shape of a V, the vertex of which was at a relatively flat spot by a creek that marked the valley that contained the mines. Arthur was swept over with love for the land and convinced David Kupperman and Fred Kabat to join in the purchase.

The idea of owning this land served as a basis of many stories through the years. While we have all been there at least once, Arthur spent the most time there. Ethan was four years old when he first camped on the land. We all cannot think of a more fitting tribute than to conserve this beautiful site in memory of Ethan Solomon.

Arthur Solomon, Dave Kupperman, and Fred Kabat
January 2008



Ethan Solomon camping on the Chicken & New Deal Mining Claims 1968



WHO IS TLR AND WHAT DO WE DO?

TLR is a non-profit that works to cleanup and restore abandoned mines in the west. This is no small task, as there are literally hundreds of thousands of abandoned mines that are causing harm to the environment and often threaten human health as well, and usually there is no responsible party left to help pay for the cleanup. To make matters worse, when there is a community or group that has figured out how to come up with some money, well meaning but complicated environmental laws and the fear of perpetual liability stop the would-be Good Samaritans in their tracks. This is why nobody else from the non-profit side has chosen to step into the arena of cleaning up abandoned mines except TLR.

TLR is a team of dedicated professionals from environmental consulting, law, conservation, business, government relations, and public policy, who deeply care about the environment, and who have chosen to give back by donating time from their very busy lives to help the communities TLR serves. This is especially important because so many of the communities TLR works with are small, Western Slope towns with very limited financial resources.

TLR's New Project Development Fund

We need seed money to launch new projects. We've proven that we can turn a few tens of thousands of dollars into many hundreds of thousands of dollars worth of work on the ground, but we need that project development money to incubate those projects. Our goal is to raise \$50,000 per year, each year, for the next 5 years. With that money, we can add to our staff by hiring Field Reps to develop bigger, better, more complicated cleanup projects, that, once launched can pay for themselves through grants and contracts. We've done it on a modest scale to date... now we are ready to go big time, and we need your help to do it.

TLR 2000-2008: \$ 3.2m leveraged to conserve 3670 acres; complete 300+ site assessments; cleanup of 3 sites.

- Twelve Conservation Easements totaling 3205 Acres; retiring 85 home sites; landing \$800k cash to landowner;
- 12 parcels totaling 485 acres into Public Ownership;
- \$200k GOCO funds & \$250k Colorado Natural Resource Damage Funds to TLR partner projects;
- Leveraged \$160k Summit County cash with \$195k EPA grant to cleanup Shoe Basin Mine (Summit County);
- Secured USFS commitment of \$600k for Carbonero Tailings Cleanup (Ophir Valley);
- Helped secure \$750k for USEPA cleanup of North Star Mill (Ophir Valley) to be conducted in 2009

IS IT TIME TO ADD A GOOD SAMARITAN PROVISION TO THE CLEAN WATER ACT?

I first became interested in abandoned mine cleanup in 1996 when, as an employee of the Nature Conservancy working in southwest Colorado, I became aware of a desert canyon & creek near the Utah border that was in need of conservation protection. Key to saving this wonderful slice of paradise was acquiring 160 acres of privately land sitting amongst 1500 acres of public land. Normally for the Nature Conservancy such would not be a difficult task. The only problem was that in the middle of those 160 acres of private land sat an abandoned mine, and although pro-bono consultants put together a straight forward and simple clean up plan, there was one obstacle we could not get over; water was flowing out of one of the shafts and into the creek. Tests showed the water to have slightly elevated levels of metal, but that was enough to stop the protection to that beautiful place, not from fear of damage to the watershed from the mine opening, that was minimal, but from a great fear of the liability of owning a site where water was impacted by past mining.

I learned then that the liability associated with owning or treating abandoned mine drainage (AMD) was potentially so onerous that it prevented well-meaning citizens from voluntarily taking steps to cleanup problem sites. I learned that the very well-meaning Clean Water Act had unintended consequences for would be Good Samaritans. I was also heartened to learn that some members of Congress had taken an interest in trying to fix the problem by introducing a Good Samaritan provision to the Clean Water Act.

Unfortunately, 14 years later, despite several attempts by different Senators and Congressmen, we still lack a Good Samaritan act, while hundreds upon hundreds of sites across the west continue to foul our clean waters, despite the fact that many citizen groups and non-profits, including TLR stand ready and willing to jump in.

Fortunately, there is a new opportunity for Good Sam. Colorado Senator Mark Udall has introduced a new Good Samaritan bill in the US Senate, and many grass routes organizations and at least one large national group, Trout Unlimited, are supporting the effort. Our friends in Silverton, the Animas River Stakeholders Group, of which TLR is a member, have put together a website, <http://goodsamaritaninfo.org/>, and a YouTube video <http://www.youtube.com/watch?v=3EFDxhyqomQ> to educate and promote the cause. Please take a look.

Pat Willits, TLR executive Director



US Forest Service Linda Lanham and TLR's Pat Willits on site in the Ophir Valley

Expanded Local/State/Federal Cooperation to Aids Howard Fork

Thanks To Telluride Foundation, Town of Ophir and San Miguel County for support

Thanks in large part to team building efforts led by TLR in the Ophir Valley along the Howard Fork for the past seven years, the US EPA Federal Facilities Program has begun cooperating with the United States Forest Service and TLR to identify “mixed-ownership” abandoned mine sites in the Howard Fork watershed that may qualify for special funding to characterize and cleanup sites that are impacting water quality to the Howard Fork. To get started, the US Forest Service and TLR entered into a participating agreement to fund TLR for new work in 2009 to plan and facilitate cleanup of several sites in the valley. Special thanks to the Telluride Foundation, the Town of Ophir and San Miguel County for providing the cash match for the agreement.

Mixed ownership sites are those sites which today are partially owned by private individuals and partially owned by the US Government. There are several such sites in the Ophir Valley, some with contamination emanating on public lands and flowing onto private property, and others with contamination emanating on private property and flowing onto public lands.

Jean Mackenzie, EPA Region 8 Denver Federal Facilities Coordinator and Mike Wireman, EPA Region 8 Denver Hydrologist brought a team of water quality specialists to the Howard Fork for site visits and water quality data gathering in August and October. TLR coordinated the visits with private property owners, state and local government officials. TLR met in Denver in November 2008 with EPA, Colorado Department of Reclamation Mining and Safety (DRMS) and Colorado Department of Public Health and Environment (CDPHE). As a result the EPA has agreed to budget up to \$150,000 for additional site assessment and cooperative projects in the Ophir Valley in 2009 and 2010, with the possibility that remediation funding can be brought to

cooperative projects in 2010 and 2011. The US Forest Service, CDPHE and DRMS are all cooperative partners, and each is bringing additional funding to the effort.

The Howard Fork of the San Miguel River, running through the Ophir Valley south of Telluride, has been a TLR priority since 2001. The Howard Fork had been the site of a productive mining boom that lasted from the late 1880s up to the early 1950s, leaving in its wake dozens of abandoned mining sites, several of which continue to degrade water quality to this day. The final report of a three-year study, the “San Miguel River Restoration Assessment”, identified the Howard Fork as the top restoration priority in the San Miguel River Watershed. In May of 2001 TLR convened and facilitated the “Howard Fork Roundtable”, bringing together landowners, local officials, state and federal regulators, and citizens to prioritize cleanup opportunities and identify information needs. All of TLR’s work in the Ophir Valley since 2001 has been to focus on furthering the implementation of the goals and objectives identified by the Howard Fork Roundtable.



A BIG THANKS to 2008 DONORS

2008 DONORS

Brownell Bailey
Canadian Land Reclamation Association
Robert M. Clark
Charlotte Fox
Chris Haaland
Barbara Hawke
Geoff & Christy Hoyl
David Kupperman
John Metcalf
Celie Matteson
April Montgomery
Rosemary Reed
Deborah Wheeler
Anonymous Donors

2008 Grants

The Telluride Foundation
The Town of Ophir
San Miguel County

2008 In –Kind

Dave Folkes @ EnviroGroup
Lofton Henderson
Zach Miller @ Davis Graham and Stubbs
Paul Phillips @ Holland and Hart
Bobbi Stewart @ WebDesign Farm

2008 Contracts

The Trust for Public Lands
United States Forest Service



The Trust for Land Restoration
Financial Statement Balance Sheet
 As of December 31, 2008

	<u>Dec 31, 08</u>
ASSETS	
Current Assets	
Checking/Savings	
Alpine Bank Operating Account	14,378.21
Total Checking/Savings	<u>14,378.21</u>
Other Current Assets	
Dedicated Stewardship Funds	143,666.22
Total Dedicated Stewardship Funds	<u>143,666.22</u>
Total Other Current Assets	<u>143,666.22</u>
Total Current Assets	158,044.43
Fixed Assets	
Accumulated Depreciation	-1,975.40
Furniture & Fixtures	455.46
Office Equipment	1,982.04
Total Fixed Assets	<u>462.10</u>
TOTAL ASSETS	<u><u>158,506.53</u></u>

