

**San Juan National Forest/Public Land
Management Plan Revisions
Governmental Water Roundtable
<http://ocs.fortlewis.edu/forestplan/>
Meeting 3 – July 6, 2005**

Seated at the Roundtable:

Pat Schumacher, Bureau of Reclamation
Bruce Smart, City of Cortez
Ken Beegles, Colo. Div. Water Resources
David Graf, Division of Wildlife
Dan Merriman, Colo. Water Conserv.
Board
John Taylor, Hinsdale County
Gerald Koppenhafer, Montezuma County
Mark Braley, Rio Grande County
Steve Fearn, San Juan County
Mark Stiles, San Juan Public Lands Center
Kelly Palmer, SJPLC
Thurman Wilson, SJPLC
Chuck Lawler, Southern Ute Indian Tribe
Janice Sheftel, SW Water Conservation
Dist.
Carl Knight, Ute Mountain Ute Tribe
Michael Preston, Facilitator
Gail Binkly, Recorder

Interested Audience Participants:

Dave Gerhardt, SJPLC
Chuck Wanner, SJ Citizens Alliance
John Whitney, for U.S. Rep. Salazar
Bruce Whitehead, Colo. Div. Water
Resources (Alt.)
Mike Japhet, Division of Wildlife (Alt.)
Bill Simon, San Juan County (Alt.)
Brian Davis, SJPLC (Alt.)
Steve Harris, SW Water Conservation
Dist. (Alt.)

Facilitator Mike Preston discussed the topical sequence for this and future Water Roundtable meetings:

Topic Group 3: Fishery: Aquatic and Sensitive Species (July 6)

Topic Group 4: Water Facilities, Permitting Requirements, Options
Planning Regs. that will guide San Juan plans revisions
(August 3),

**Topic Group 5: Wild and Scenic Rivers, Wilderness, Federal Reserved
Water Rights** (September 7)

Once a topic has been discussed initially, there will still be other opportunities to discuss it, at subsequent meetings to allow participants time to think about topics and provide additional information.

Thurman Wilson of the San Juan Public Lands Center (SJPLC) said he believes a decision on which set of planning regulations are to be used for the San Juan National Forest Plan Revision will have been made and ready to discuss at the Meeting 4 on Aug. 3.

The Water Roundtable Web Site is up at <http://ocs.fortlewis.edu/forestplan/>. It includes Meeting Summaries, links to relevant documents, and Power Point presentations made during the Water Roundtables. Anyone planning to give a Power Point presentation at a roundtable is asked to put it onto a CD or e-mail it to Mike Preston so it can be put on the web. Additional documents can also be put on the web, with oral presentations to be summarized in the Meeting Summaries.

Carl Knight, Land Commissioner for the Ute Mountain Ute Tribe, brought copies of Executive Order 13084 of May 14, 1998 and Executive Order 13175 of November 6, 2000 pertaining to "Consultation and Coordination With Indian Tribal Governments" and a map depicting game management units in connection with the Brunot Hunting Agreement. The Executive Orders and the map, and a copy of the Congressional legislation regarding the Southern Ute Indian Tribe's reservation boundaries will be placed on the Roundtable website.

Mark Stiles, San Juan National Forest (SJNF) Supervisor, gave an overview of a Memorandum of Understanding (MOU), signed April 16, 2004, between the Colorado Department of Natural Resources (DNR), the Colorado Water Conservation Board and the U.S. Forest Service Region 2 that 1) establishes a framework for the Forest Service and the DNR to work together on the management of water and water uses on National Forest lands in Colorado; 2) acknowledges the relative roles of the Forest Service and the State in water and the management of water rights and includes as key points, an emphasis on collaboration and cooperation between the agencies, and the need to move forward relatively soon. Mark's power point presentation is on the website.

The MOU applies to both existing and new water uses, although it focuses more on existing ones. This is because, with new uses, there is more flexibility and there are more opportunities to work within federal and state law to develop the new uses. The groundwork for the MOU was laid by the four-year Pathfinder Project, which produced a Steering Committee Report as part of the Grand Mesa-Uncompahgre-Gunnison National Forest (GMUG) Plan Revision.

Mark Stiles said the MOU is being used a great deal by the Arapaho-Roosevelt National Forests one of their guiding approaches for that Forest's plan amendments. The other federal land-management agency that oversees 8.3 million acres in Colorado is also working with the State on a similar MOU.

Chuck Wanner of the San Juan Citizens Alliance said he believes the MOU invites broad stakeholder representation. Therefore, the SJNF Plan Revision process, including the Water Roundtable meetings, should involve a broader spectrum of interests. Thurman Wilson will discuss some of the ways those concerns are being dealt with in other processes connected with the plan revision processes at the next Roundtable meeting.

Janice Sheftel, Southwestern Water Conservation District representative, requested that the letter dated January 19, 2005, from Mark Rey, Undersecretary of the U.S. Department of Agriculture, to Senator Wayne Allard, which addresses managing water resources on Federal land through cooperation with states, be placed on the website for consideration in future discussions. She will provide a legible copy for the website.

Participants discussed the Desired Outcomes Draft for the Water Roundtable meetings. The additions and changes suggested in this discussion are incorporated in a revised Outcomes draft on the website entitled “Desired Outcomes as of July 6, 2005. Below are discussion points from the “Desired Outcomes” discussion.

Desired Outcome #1 – The Agencies and Participating Organizations will develop a mutual understanding of key local issues related to water on Federal Lands.

Participants in the Water Roundtable meetings are already making progress toward this goal, as exemplified by: 1) the discussion on fisheries which occurred at the July Roundtable meeting. 2) Thurman Wilson’s upcoming presentation at the August Water Roundtable about which U.S. Forest Service planning rule has been selected, which presentation will also include discussion on how the work of the Roundtable will mesh with input from other Forest Plan Revision sources. 3) the attempt by the three Community Study Groups (CSG) that have been reviewing individual landscapes on the SJPL to articulate desired outcomes for the next 10-15 years, as refined during the August CSG wrap up meetings. Reconvened CSG meetings after the August wrap-up meetings will discuss how alternatives under consideration in the Plans revisions mesh with community input, including input from the Water Roundtables. 4) the joint work of SJNF and DOW to understand wildlife issues, such as big-game winter range, and 5) SJNF’s work with various recreational user groups.

1.a. Will, and if yes how will, the Plan Revision process address existing water facilities on Forest/Public Land, including those for both irrigation and other uses? This, as it relates to the permitting process will be discussed at Meeting #4 on August 4.

- Steve Harris said a more complete list of specific circumstances requiring permit renewals and their terms and conditions needs to be added under Outcome 1.c.. He will draft and circulate a list.
- Mark Braley, representing Rio Grande County, said water-quality issues raised by the land swap and proposed resort village on Wolf Creek Pass need to be addressed. The construction of the village’s parking lot, for example, will affect the entire South Fork of the Rio Grande River. Steve Harris added that water-quality issues also have to be addressed by the Colorado Department of Public Health and Environment.

- John Taylor, of Hinsdale County, said another item to be considered is how the SJNF Plan Revision will mesh with local land-use plans, such as Hinsdale County's, when SJPLC officials probably aren't even familiar with local plans.

1.d. How any operations and maintenance plans that may be required in relationship to Forest/Public Land permits for water facilities on Public Land will be administered. The phrase "and established" will be added at the end of the sentence.

1.e. How the Forest/Public Land plan revisions could incorporate Colorado's In-Stream Flow ("ISF") program, add: "and how the ISF can be utilized to meet other resources goals."

1.j. Whether there are locations on Federal land needing special emphasis for water-related issues. If special water emphasis areas are identified, are there any concerns about current and future land management practices. Examples of such special emphasis areas were suggested, such as municipal watersheds or areas with special fish species, gold medal water, special wildlife needs, or a water-quality emphasis.

- Mark Braley said the gold-medal fishery on the Rio Grande River needs to be protected.
- David Graf, DOW, said the revised plan should be flexible enough to adapt to the changing levels of scientific knowledge so that the Plan does not, for instance, state that only one specific watershed is important when new data could change that picture.

3. How revisions can be sensitive to and address any water compact issues identified by the State of Colorado. "Or others of interest" will be added at the end.

7. Clarification of language in existing plans: add: c. Water Quality.

Desired Outcome #2 – The Roundtable process will develop ideas that will be used in shaping the land management plans. The MOU between the USFS Region 2 and the Colorado DNR was cited as an example of a creative and collaborative idea that fits with this outcome.

8.a, b, and c. The documents cited here will be made available on the Water Roundtable website, with background information provided for each document.

10. How could Plan revisions incorporate the following concepts identified in Colorado's Statewide Water Supply Initiative designed to identify and meet Colorado's water needs for 2030 and beyond, as developed by the various SWSI basin roundtables including the SWSI San Juan Basin Roundtable. Add item 10.g. Identify SWSI projects that may need to be addressed in the Plan Revisions.

It was noted that the next round of SWSI meetings starts in August and will follow an aggressive timetable. SWSI, convened by the State, has multiple stakeholders, and can move information and issues from the Roundtable into a multi-stakeholder framework. .

11. Review the “Pathfinder Project Steering Committee Report” (Report), which was prepared as part of the Grande Mesa-Uncompahgre-Gunnison (GMUG) Forest Plan Revision Process. How could the Plan revisions incorporate those elements which are determined appropriate for the Revisions? It was suggested that a link be provided to the Report. Someone from the GMUG/Pathfinder effort may be invited to speak to the Water Roundtable when the Report fits into the agenda.

Desired Outcome #3 – The roundtable process will help the Agencies produce land management plans and other products that are understandable and organized in a manner that makes finding water-related information relatively easy. The process should outline procedures to follow to obtain or renew permits or reference documents where such procedures may be found.

Desired Outcome #4 – The Roundtable process will identify issues of concern that are outside the scope of the plan revision process that might be addressed through ongoing dialogue in another forum. Before it is determined that an issue will not be addressed in the Forest Plan Revisions, the Roundtable needs to study the issue because it may be instrumental to the functioning of the SJPL water policies, requirements and opportunities. Mike Preston said this will be a challenge because while many issues can be addressed within the Forest Plan Revisions, others are not within its scope. The Water Roundtable can consider the means by which additional issues can be addressed.

Dave Gerhardt, fishery biologist for the San Juan National Forest, gave a Power Point presentation on Aquatic Species and Ecosystem Management which is on the Roundtable website.

He discussed 2005 U.S. Forest Service (USFS) Planning Regulations in relationship to the four Colorado River fish listed under the Endangered Species Act, and the four USFS Region 2 Sensitive Species. The four federally listed endangered species (the razorback sucker, humpback chub, Colorado pikeminnow and bonytail chub) are not found on the Forest, but a Section 7 consultation must take place when actions on the Forest could affect such species downstream. Sensitive species, on the other hand, are not yet federally listed as threatened or endangered, but are recognized as in decline. The four fish designated as sensitive species in USFS Region 2 : the native cold water Colorado River cutthroat trout, and the warm water roundtail chub, flannelmouth sucker and bluehead sucker, are of particular interest to Southwest Colorado.

Steve Harris, Southwestern Water Conservation District, said that bluehead and flannelmouth suckers are the most prevalent fish on the lower San Juan River, but Dave Gerhardt referenced Region 2 studies that indicate that the overall trend for these fish species is downward, and that populations of these fish are scarce on tributaries to the San Juan River, such as the Mancos and the Dolores Rivers.

Pat Schumacher, USBOR, said that one of the toughest issues is how far up or down stream the status of such fish should be evaluated when making a decision about a particular federal action.

Mike Japhet, aquatic biologist, Division of Wildlife (DOW), Durango, gave an overview of Conservation Strategies for Cutthroat Trout and warm water Sensitive Species. He said the DOW has a long history of working proactively with the public-lands agencies on Colorado cutthroat conservation strategies, and the efforts have begun to pay off.

A 1999 tri-state agreement among Colorado, Utah and Wyoming outlines strategies for recovering the native trout and preventing their federal listing. The main threat to the Colorado River cutthroat, a headwaters species, is hybridization with stocked trout. After approximately 10 years of searching, biologists have identified about a dozen remote waters where genetically pure Colorado River cutthroat trout still exist. In the last three years, historic low flows allowed researchers to collect spawn from these wild populations, and rear three consecutive year classes of the trout from two genetic strains – the Navajo and the Weeminuche – at the native-species hatchery in Alamosa. Biologists are identifying barren streams where the native trout can be restocked.

The picture for the other three sensitive fish species, which are found in the lower reaches of river systems in Southwest Colorado, is not so bright according to Mike Japhet. A conservation agreement for the three species was adopted by five states in the Colorado River Basin, including Colorado. These three species are found on SJPL. The Roundtail's habitat is below McPhee Dam in the Dolores River and the two suckers may be found in sites along the San Juan, Piedra, Animas and Dolores Rivers. The suckers are very common in the lower San Juan River, but not in its tributaries, Mike stated.

The DOW will assess the fish populations on the rivers and consider possible management actions. Biologists have transplanted native suckers from the San Juan River to the Mancos River. Roundtail chubs captured in a dwindling pool on the Mancos River during the 2002 drought were taken to the hatchery in Alamosa, then restocked into the Mancos beginning last year, as water levels rose. A similar rescue effort was performed on the Dolores River.

Coming out of a 500-year drought in Southwest Colorado, the flannelmouth sucker, bluehead sucker, and roundtail chub are probably at an all-time low on the Dolores River, Mike said. Electro-fishing on 19 miles of the Dolores from the Bradfield Bridge to the Pump Station did not find any sucker and only half a dozen roundtail chubs. Although biologists hope the high flows in the Dolores this year will induce some of the fish to move back upstream, the trend is not good, according to Mike.

Preservation of the aquatic ecosystem on the lower Dolores should be a high priority, because the Dolores River is a unique ecosystem that is currently having problems. If the fish are federally listed as endangered, a complicated and expensive set of regulations will have to be followed under the Endangered Species Act.

Steve Harris gave a presentation on the San Juan Basin Recovery Implementation Program (SJRIP), which has the dual goals of recovering endangered fish and allowing water development to proceed. The SJRIP, formalized in 1995, does not include the Dolores River, which comes under the Upper Colorado River Basin RIP. Endangered fish covered under the SJRIP are the Colorado pikeminnow and razorback sucker. Steve said the San Juan River is basically a native-fish river: Flannelmouth suckers constitute 70 percent of its fish, with bluehead suckers at 10 or 15 percent and catfish only 10 percent.

Twelve entities participate in the SJRIP, each having a representative on each of the three SJRIP committees: Coordination, Biology and Hydrology committees. SJRIP's budget is approximately \$2.2 million per year, most of which goes for data collection. There are also capital-construction funds of up to \$18 million for removal of diversion dams, etc. The SJRIP covers both depletions, which were occurring prior to 1992, which represent baseline depletions and new depletions. For small depletions, Section 7 consultations under the Endangered Species Act are handled in a more streamlined manner than large depletions. SJRIP has spent more than \$26 million on research, recovery, and capital improvements since its inception. Data collection is beginning to show that recovery actions are proving effective. *[Steve's outline is available on the Roundtable website.]*

Discussion: Janice Sheftel asked whether information is available on-line about which native fish species have existed historically on which streams and in what number, so that anyone planning for water development can take that into account. Dave Gerhardt said data on numbers and trends for various fish species have been documented, but the information isn't on-line, though it is available to the public upon request. Mike Japhet explained that entering 25 years of fish data onto a website is not a DOW high priority, but the information will probably be on-line within five years. Mike suggested that in the meantime, the Roundtable should decide where transparency of data and analysis is essential and make that critical information available without overwhelming the Roundtable with information that is not directly pertinent.

Steve Harris said discussion of water management in the Forest Plan Revision should consider only streams actually within Forest boundaries, not on state or private land, except when federal threatened or endangered species are involved. Mark Stiles said officials with the SJNF will not make decisions about waters outside forest boundaries, but will evaluate what effects the federal action could have downstream.

Plan for Meeting 4: Water Facilities, Permitting Requirements, Options.

Participants fleshed out the agenda for the next meeting. **The next Water Roundtable Meeting will be on Wednesday, Aug. 3, at 10 a.m., at the San Juan Public Lands Center, 15 Burnett Court, Durango.**

The August 3 Meeting Plan developed by the Roundtable is outlined below:

1. The primary focus will be Permitting Steps which will be presented in a case study framework set up by Cindy Hockleberg involving:
 - a. Types of permits and authorizations
 - b. Steps in the process
 - c. Required analysis
 - d. Decisions (including USFS decision-making latitude and balance)
 - e. Types of facilities contemplated by SWSI (Steve, Janice)
 - f. Tension Points
 - g. Opportunities for Collaboration
2. Another focal point will be Thurman Wilson's discussion about the Planning Rules, to be used in formulating the San Juan Plan Revisions, together with the ramifications of the Rules selected for water issues and also the interface of other public involvement forums in the planning process with Roundtable input.