

River Protection Workgroup for the Animas River

Meeting #1

June 23, 2011

Meeting Summary

<http://ocs.fortlewis.edu/riverprotection/> * find meeting agenda, handouts, summaries, key resource documents as well as maps, a glossary of terms, etc. at this site *

The River Protection Workgroup for the Animas River kicked off in Silverton on June 23rd. Thirty people were in attendance (who signed in). The meeting was kicked off by Marsha Porter-Norton, the facilitator.

The meeting started with a detailed overview of the River Protection Workgroup project and this new group, the River Protection Workgroup for the Animas River. It was stated by the facilitator, that this is a regional effort where public workgroups are formed on river and stream segments that were found to be suitable (or in some cases eligible) for the Wild and Scenic River (WSR) status by the USFS in their 2007 Draft Land Management Plan. When the Plan was released, the San Juan Citizens Alliance and the Southwestern Water Conservation District decided to form a collaborative project that would solicit broad input and recommendations from the communities, via forming public workgroups, about the values involved (economic, social and ecological) and level of protection desired for these segments while allowing suitable water development to continue. The segments being worked on include:

- Animas River above Baker's Bridge (the segment this Workgroup will focus on)
- Vallecito Creek/Pine River
- Hermosa Creek
- San Juan River - East and West Forks
- Piedra

Steve Fearn, who represents the Southwestern Water Conservation District on the River Protection Workgroup (RPW) steering committee said that in 2006, a steering committee formed to organize the project and design how the workgroup would be operated (see detailed information below in italics). He went on to say that the workgroups operate within a framework of protecting values on these river/stream segments while allowing suitable water development to continue. It was noted that this workgroup is not a special interest group that represents any one particular viewpoint (such as conservation, recreation, water development, mining, business, etc., etc.) but rather, this process is meant to be a place where **all interests can come together**, respect each others' view, and discuss what is important about this river segment. And, they can discuss values and determine the level of protection that should be recommended including determining if the current level of protection(s) is adequate. Three Workgroups have already concluded – Hermosa Creek, Vallecito Creek/Pine River and the San Juan East and West Forks. The facilitator noted that these Workgroups' reports are on the Web site (note: in the case of Vallecito Creek/Pine, it will be soon).

Chuck Wanner with the local chapter of Trout Unlimited and also an RPW steering committee member said the goal of the workgroup is to talk about what people value in this area of focus and then to see if there is consensus or a range of views about how to protect those values. The tool of WSR is just one tool to use. Those who attended were given a 14 pp. Tool Kit for River Protection that provides information about a number of ways to protect water and watersheds.

Marsha then went on to say that the process for this Workgroup is that everyone who attends is a member as there is no appointed membership. The method of decision making will be by consensus (see definition below) and the principles of the process are:

- Anyone with an interest is a stakeholder... has a seat at the table
- Respectful dialogue
- Solutions that meet the needs of a diversity of interests
- Everyone's opinion counts, even if you do not agree
- Use of accurate facts and information
- Lots of interaction – consensus – collaboration – possible negotiations
- Fair, open, transparent process
- Available tools and data

Marsha noted that to participate in this Workgroup, members will be asked to respect and use these principles. And, she said, the Workgroup also will establish ground rules at the next meeting. It is anticipated that the group will meet 12 or 13 times and field trips will be a part of the process.

After a question, it was relayed that the overall work product from this Workgroup will be a report that is widely disseminated both electronically and hard copy, and also given to the USFS/BLM and other land and water managers, local governments, interested coalitions and groups, and local, state and federal agencies, etc., etc. The report will reflect the Workgroup's proceedings and conclusions. Also, it will reflect what the Workgroup decides are the desired levels of protection to protect the values the Workgroup identifies. In some cases, a range of views might be expressed.

After the RPW model was explained, the facilitator asked if there was enough interest in continuing. There was.

A question was asked if this Workgroup would operate like the Hermosa Creek Workgroup did. The answer is "yes" in the sense that the process and the steps are the same (see below in blue). However, it was clarified that the Hermosa Creek Workgroup decided that federal legislation was their desired level of protection. This was crafted after many months of compromise among diverse interests, it was noted. This legislation, if it passes, will establish a Wilderness Area surrounded by a special management area – this is their desired level of protection for the watershed of Hermosa Creek. Marsha said, it is very important for all to understand that this group, the RPW for the Animas River, may arrive at entirely different conclusions and there are no up-front done deals or pre-set outcomes about what this Workgroup will conclude. Each community Workgroup in the RPW project will go through the process based on the uniqueness of each river and stream segment, the communities involved, the values, and the voices and opinions of those who participate. On this point, it was noted that a news article in the local paper advertising this meeting reported that this will be just like the Hermosa Creek and lead to federal legislation. That is not true, the facilitator emphasized.

The Workgroup then reviewed a detailed document called the "Initial Information Sheet for the Animas River." Marsha said that everyone was seeing it for the first time tonight and so this review is just an overview as the next meeting will be a time to go in-depth. This document, she noted, is produced by the RPW steering committee but it was presented very much in draft. The topics are: area of focus; values (both defined by the USFS in its Forest Plan and defined by the Workgroup); existing protections already in place; water information; other important information; and reasonably foreseeable economic development. Several questions were asked and feedback given and those changes, it was relayed, will be reflected in the next draft. Everyone was asked to study the information sheet carefully. The Workgroup will eventually finalize it after they are comfortable with all the information presented, Marsha noted. Several points were specifically made *(please refer to the Initial Information Sheet on the Web site to follow along regarding the changes made below)*.

- In the values section, add mining/minerals as well as the human rights value of people being able to live and work in the community.
- Add something about climate change and reference the CWCB report recently done (note: on the Web site there is a document that gives information on water terms and agencies and this handout was also available at the meeting).
- Some typos were noted.
- There are 146,000 train visitors according to recent numbers.
- Under recreation, add the train.
- In the table on in-stream flows, list the segments for the “Animas River” boxes to further clarify.
- Add Cement Creek’s stream flow gauge to a chart showing all the gauges.
- For the RICD (Recreational In-Channel Diversion) change “rafting” to “boating.”

The facilitator noted that anyone who does not understand a term being used should ask a question and again, handouts were made available of terms and agencies. This is a process, she said, that involves citizens and people who work on these technical issues for a living. Everyone is welcome and all questions are welcomed so everyone is operating from the same basis of information.

The group then moved on to concluding and a question was asked if anyone had other questions. One attendee asked if there could be a ground rule around not bringing guns to the meeting. It was noted by the facilitator that there are law enforcement personnel who carry guns. The facilitator said the group should bring this up at the next meeting but everyone should be aware there is a difference between law enforcement personnel carrying weapons and civilians carrying weapons. This will be brought up next time.

A concern was raised that this process is excluding working people such as those who have to work three jobs to make it in Silverton. The group talked a lot about this point. They decided to proceed because if the Workgroup kicked off in the fall or winter, others would be excluded because they leave town for the winter season. It was noted that in the fall when the summer season is over, a special new member orientation session can be held to integrate people, if this becomes necessary. Everyone was encouraged to invite people to attend and/or follow the process on-line.

An inquiry was made as to if these meetings could be taped and streamed live. The facilitator said that this can be researched but she noted it might be hard to tape a meeting and have it audible on air because there is so much back and forth in a Workgroup discussion. Someone suggested KSJD radio station be contacted to see if they would cover the meetings.

The Workgroup brainstormed additional stakeholders: (note: In many cases, these individuals or groups were invited but couldn’t or did not attend and in other cases, additional outreach needs to be done):

- Motorized (Blue Ribbon Coalition and COHVCO)
- San Juan Historical Society
- MSI
- Coalition to Keep the San Juans as the Area
- Rep. J Paul Brown and Sen. Roberts
- Economically affected
- DSNRR
- Historical Society
- Chamber
- ALP Water Rights Holders
- Tall Timbers
- Eureka
- DMR
- Tribe

- KSJC
- Town of Silverton
- San Juan County
- City of Durango
- La Plata County
- Tacoma
- Xcel Energy
- Grazers/CCA
- Silverton Mtn. School and Ski Area
- MSI
- SJMA Rail Rangers

It was agreed the group would meet the 4th Thursday of each month and the next meeting was set for July 28th at 5:30 p.m.

River Protection Workgroup Community Involvement Framework for Public Workgroups

The five Public Workgroups organized through the River Protection Workgroup (RPW) project engage any and all interested community members in a collaborative process that examines ways to protect important values on selected rivers and streams in the region while allowing water development to continue. The five rivers and streams include: Hermosa Creek; San Juan River – West and East Forks; Vallecito Creek/Pine River; and the Animas and Piedra Rivers. Public Workgroup members are asked to attend approximately 10 to 12 meetings (more meetings might be held if the group decides it is necessary).

The process generally follows a three-phased framework:

- o Phase I: Background information is shared about the RPW project and the community is asked if they want a Public Workgroup to form. If so, the group process is fully discussed and agreed upon, and ground rules are defined. Then, basic information about the river or stream is shared including details in an “*Initial Information Sheet.*”
- o Phase II: Values on the river are discussed, including natural, social, cultural and/or economic values, addressing any protections already in place. A values statement is developed. Participants then consider a range of options for protecting important values and they address the issue of whether or not the current protections are adequate. No decisions are made in this phase.
- o Phase III: The Workgroup then looks to the future and at the end, develops a report. In this phase, options and ideas generated by the Workgroup are discussed in-depth with maps, facts, and information brought to the group. Through consensus-building and other decision-making tools, the Workgroup’s aim is to reach conclusions and develop recommendations and/or action plans. If consensus is not reached, the group’s final report can reflect the range of ideas generated throughout the process.

In this phase, the Workgroup also identifies areas that will be part of a “Regional Discussion” conducted once each of the five public Workgroups conclude. The Regional Discussion will specifically focus on developing a regional approach(es) using the outputs and ideas of the five Public Workgroups as a basis. The approaches will be related to Wild and Scenic Rivers issues and other potential federal or state tools that may require legislation. The Public Workgroups will have representation in the Regional Discussion and their consensus recommendations cannot be reversed by the Regional Discussions which, like the Public Workgroups, will operate by consensus. Mechanisms will be put in place to include the full Workgroups at key points in the process. The RWP Steering Committee will develop the specific process model for how the Regional Discussion will be conducted by December, 2012. (over)

The River Protection Workgroup Steering Committee, formed in 2006, acts as a resource for each Public Workgroup and guides the overall project but does not direct the Public Workgroup to any particular set of

recommendations or outcomes. Note: There is a separate information sheet on the RPW project.

The River Protection Workgroup Steering Committee carefully developed a set of principles that each participant is asked to use:

River Protection Workgroup Process Principles

- Anyone who has an interest and attends Workgroup meetings has a seat at the table and is considered a stakeholder in the process.
- Through respectful dialogue, the process aims to design future actions that meet the interests and needs of a diversity of stakeholders and water users.
- Participants will be asked to be respectful of all opinions, even if they do not agree with them.
- Using all available resources, accurate facts are brought to the group for discussion and development of common understandings.
- Meetings are highly interactive using collaborative and consensus approaches. During the process, negotiations among stakeholders with various viewpoints may occur in order to move forward.
- The process will be transparent and open, and everyone will be heard.
- The group will be given the tools needed to engage in discussion and creative problem-solving. Information will be available to the participants, including fact sheet(s), meeting minutes, a glossary of terms, available river protection tools, and other information as requested.

Definition of Consensus

- ✓ Includes steps so that all views are heard and considered
- ✓ Recognizes that differences of opinion are natural/expected
- ✓ Group makes a good faith effort to reach a decision that everyone can support
- ✓ Consensus does not mean everyone agrees with the decision but... they can support it

River Protection Workgroup Information Sheet

Background, Membership and Funding: Organized in late 2006 by the Southwestern Water Conservation District and the San Juan Citizens Alliance, a River Protection Workgroup Steering Committee planned a community process to involve the public in developing measures to protect the natural values of selected streams in the region while allowing water development to continue. Entities participating in the River Protection Workgroup Steering Committee include:

- Colorado Department of Natural Resources (Divisions of Wildlife and Water Resources, and the Colorado Water Conservation Board (CWCB))
- San Juan Citizens Alliance (SJCA)
- San Juan Public Lands Center (USFS/BLM)
- Southern Ute Indian Tribe
- Southwestern Water Conservation District (SWCD)
- Staff from the local offices of U.S. Senator Michael Bennet, U.S. Senator Mark Udall and U.S. Representative Scott Tipton (invited)
- The Nature Conservancy
- The Wilderness Society - Wilderness Support Center
- Trout Unlimited – Five Rivers Chapter

The River Protection Workgroup Steering Committee was formed as an outgrowth of discussions among various regional water planning and resource-protection organizations where a need became apparent for a collaborative process to select long-term, reliable, federal & state and/or other measures to protect the identified values of regional streams. A wide range of “tools” was considered including, but not limited to, the federal Wild and Scenic Rivers Act (“WSR”). Funding is from in-kind donations from many of the entities involved as well as grants from SJCA, SWCD, Trout Unlimited, CWCB, the Southern Ute Indian Tribe, The Wilderness Society, and the National Forest Foundation. Other grants are pending.

Activities: The River Protection Steering Committee has designed a public process for forming Local Workgroups on these streams: Hermosa Creek; the San Juan River - East and West Forks; portions of the upper Animas River; Piedra River - Middle and East Forks; the Pine River; and Vallecito Creek. Each local Workgroup is open to all interested persons

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Local Workgroup participants are asked to attend and contribute to a minimum of 10 to 12 facilitated meetings to share information, including stream protections already in place. They are asked to reach an understanding of available protection “tools” and develop

plans for the future through consensus and/or negotiations. The goal of the local Workgroup process is to engage a diversity of people in collaboratively striking a balance between the protection of natural resources and water development. The success for each Workgroup is defined as: a) implementation and completion of a collaborative community process that includes diverse stakeholders; and b) establishment of agreements regarding future action(s) or a determination that current stream protections are adequate to protect priority values.

The Hermosa Creek Workgroup submitted their report in February of 2010 (find their report on the Web site under the Hermosa Creek Workgroup button); the San Juan River – East and West Forks and Vallecito Creek/Pine River Workgroups will conclude in summer 2011; and the Piedra and Animas River Workgroups will start in 2011. After each of the five Workgroups finish this phase, there will be a “Regional Discussion” led by the RPW Steering Committee. This Regional Discussion will specifically focus on developing a regional approach(es) using the outputs and ideas of the five Public Workgroups as a basis. The approaches will be related to Wild and Scenic Rivers issues and other potential federal or state tools that may require legislation. The Public Workgroups will have representation in the Regional Discussion and their consensus recommendations cannot be reversed by the Regional Discussions which, like the Public Workgroups, will operate by consensus. Mechanisms will be put in place to include the full Workgroups at key points in the process. The RWP Steering Committee will develop the specific process model for how the Regional Discussion will be conducted by December, 2012.

Contacts: *For more information: SWCD (970-247-1302 or water@frontier.net) or Dan Randolph, interim executive director for SJCA (970-259-3583 or dan@sanjuancitizens.org). A Web site with fact sheets, maps, contacts, documents, meeting schedules and information can be found at: <http://ocs.fortlewis.edu/riverprotection>*