

San Juan River Workgroup

Meeting #11 Summary

May 24, 2011

draft - 4 pages

NOTE: The Web site for the River Protection Workgroup, including the San Juan River Workgroup, is <http://ocs.fortlewis.edu/riverprotection>.

Meeting summary: The summary from the Feb. 24, 2011, meeting was approved with no changes.

Workgroup report: Facilitator Marsha-Porter Norton presented the first draft of the San Juan River Workgroup Report and asked for feedback. Comments were as follows:

- On Page 11, the term "Source Water Pollution Plan" should be changed to "Source Water *Protection* Plan."
- On Page 17, under "Protection of the Values", there is mention of the panel discussion in August of 2010 to answer questions about Wild and Scenic Rivers. This section should be moved to *after* discussion of the second "school of thought" about WSR because it relates to both the first and second schools of thought.
- On Page 17, when referring to the second "school of thought" about WSR, the phrase "on the public segments" should be inserted after, "The current level of protections may be adequate but WSR should be explored. . ."
- On Page 18, in Box 2 (West Fork-Public Land), the statement, "One group member stated that he cannot give final consensus. . ." should be changed to reflect that more than one person stated this.
- On Page 19, a separate row should be added for deed restrictions because they are separate from the zoning-district concept.
- On Pages 16, 18 and 19, there are several instances where the words "should" and "would" will be replaced by "could" or "would if used".
- On Page 21 under "C", the word "advisory" will be removed in relation to the local council.
- Marsha will check to make sure people don't mind their names being published in the list on Page 3.

All of the above changes were agreed to by those present.

A question was raised about whether there is a document available regarding the zoning-district concept that could be included among the attachments to the report. Marsha said there is a research handout about zoning districts that could be used. Jimbo Buickerood of the San Juan Citizens Alliance said he thought something such as this would be a good reference.

Bob Formwalt commented that if a zoning district is created, the landowners have to be the driving force. He said the large landowners in the area did not appear to be very amenable to the idea of a zoning district, so that is not really an issue right now.

John asked about the purpose of the report at this point in time. Marsha said it represents the output of the Workgroup. It will educate the community about what the Workgroup talked about for more than a year. A report like this will be produced by each of the five river RPW workgroups and these reports will guide the Regional Discussion. Marsha said the other key thing that came out of this group was some creative ideas for alternatives to WSR, such as the zoning overlay and deed restrictions, and the mineral withdrawal idea. She said this group did not merely say that they didn't want WSR, but offered interesting ideas for alternative protections and those can be discussed in the Regional Discussion. Marsha said this group has come up with new ideas and they will be brought to the other groups. She complimented the group for their hard work and respectful behavior toward people with other views.

David Smith of Boot Jack Ranch said the group had to do considerable work in response to some flawed assumptions made by the San Juan Public Lands Center (SJPLC) in its Forest Plan. He said the Plan stated that the San Juan West Fork was preliminarily suitable for Wild and Scenic River designation, while the East Fork was judged not suitable because it had multiple landowners. In fact, David said, the reverse is true. David also said that SJPLC Manager Mark Stiles didn't take into consideration whether the ranch he manages had provided any protection for the geology. David said the scenic bluffs are in fact protected by a conservation easement. David said this Workgroup had to work to come up with an alternative to WSR because of a flawed study that was not factual in the first place. He suggested this should be stated in the report.

Jimbo said the process that created the draft resource management plan is a public process into which citizens can provide input.

Chuck Wanner of Trout Unlimited said David's comments about the flawed study were true and they should have been talking about the East Fork all along, but this Workgroup process didn't take place just because of the SJPLC's analysis of Wild and Scenic Rivers. He said it started because some people believed the river-protection issues were worth discussing. Chuck said although he would agree that the error exists, he doesn't believe that error is the main reason for this whole discussion. He said even if none of the San Juan River had been found suitable or eligible for WSR designation, he would still have wanted to have a process like this. He said the group has not taken any action that requires anyone to do anything.

Marsha said David's perspective was raised at other meetings and is reflected in the minutes.

Ann said there might be room in the report to incorporate more information about the protections that are currently in place which are listed in the San Juan River – East and West Forks Information Sheet. She stated that it might be helpful to put them more upfront in the report vs. just attaching the Information Sheet in the appendices. Marsha said that would be easy to do.

Rusty Hinger said it would be good to include a list of the zoning restrictions in Mineral County. He said there may be more protection tools in place that aren't reported because representatives of Mineral County did not come to these meetings. Marsha said Mineral County

will be contacted regarding its regulations, and these can be referenced through a link or some other means.

It was asked where the Forest Service's planning process stands. Kevin Khung of the San Juan National Forest said the WSR study stemmed from the forest-plan revision. The Forest Plan's release date in final was placed on hold because the SJPLC had to prepare a supplement on oil and gas. That amendment will probably be released in July, after which the Forest Service/BLM will gear up for the final Environmental Impact Statement and the ensuing comment period. The record of decision is anticipated in 2012. Kevin said the input from this group will be included and considered. Once the pre-decisional EIS comes out analyzing the effects of the plan, there will be a public-comment period on the entire plan, including the WSR portion. Kevin said he hopes this Workgroup's recommendations will be reflected in the final plan's preferred alternative. He said the signing authority is with the regional office in Denver. Mark Stiles will be making the recommendations and the final preferred alternative will come from the regional office.

Marsha said somewhere in the plan revision is a "placeholder" that states there could be incorporation of the San Juan River Workgroup's recommendations and findings in the SJPLC's final plan if the values are protected through such recommendations.

Ann said everyone interested should remember that the EIS for the plan revision requires a public-comment period and that is when the public can review and comment on the document.

Jimbo said it should be noted that the supplemental EIS was supposed to be out a year ago. Kevin said because the SJPLC is a Service First agency and manages both Forest Service and BLM lands, some delays can ensue because the office is dealing with both the Department of Interior and Department of Agriculture.

Consensus on report: Marsha asked whether there was consensus to preliminarily accept the report. The answer was yes. She said people can continue to e-mail her with any concerns they may have about the report.

Distribution of the report: The San Juan River Workgroup Report will be distributed on the e-mail tree and will be available on the Web site and at Forest Service offices. Other ideas for distribution were:

- Libraries
- Affected ditch companies
- The Pagosa Area Water and Sanitation District
- The San Juan Water Conservancy District

Anyone with ideas about other places where the report should be available should contact Marsha.

Future workgroups: Marsha said the RPW – Animas River Workgroup will be meeting in Silverton starting on June 23rd, 2011. She said the Piedra River Workgroup will commence work in August, and asked for suggestions where it should meet. Some ideas and comments were:

- At least one meeting should be a tour.
- The Chimney Rock restaurant or the Baptist Church on the west edge of Pagosa Springs are possible meeting places. Pete Kaspar will check into their availability.
- Many felt it is probably more convenient to meet in Pagosa Springs because it is more centrally located than the lower or upper ends of the Piedra.

Regional Discussion: The River Protection Workgroup Steering Committee is currently refining the process steps and model for how the Regional Discussion will take place. Marsha said it definitely will not be an overarching committee that “undoes” what the working groups have done. The Steering Committee will not know exactly what is “in the bucket” to talk about for the Regional Discussion until each of the five public Workgroups have finished their work (the remaining ones to complete are the Animas and Piedra).

Marsha said the current thinking is that each individual workgroup will meet and nominate two representatives to the regional process. The RPW Steering Committee has talked about providing an opportunity for all of the workgroups to get together, and there will probably be a couple of such meetings at key times during the Regional Discussion. People can also follow the process online. By the end of this year a more definitive schedule and process should be in place.

Ann said the discussion has been about balancing the need for a small, workable group while remaining true to the sense of the regional workgroups. She said if an idea comes forward that wasn’t discussed by this workgroup or ran contrary to its recommendations, the Regional Discussion group will have to come back to the original workgroup for feedback to see if it can support the new idea. Jimbo agreed and explained that another group might come up with a new tool, so this workgroup’s representatives would come back to this group to see what they think about it. That is a role the representatives will play.

Marsha said examples of key questions for the Regional Discussion are:

- Where, if anywhere, should there be a WSR in Southwest Colorado (in the area the RPW covers)?
- Where might it make sense to remove WSR suitability permanently?

Rusty asked whether WSR eligibility and suitability for local rivers and streams will have to be re-analyzed in a certain number of years. Marsha and Kevin said it will, unless legislation is passed that permanently removes a stream from WSR consideration.

Pete said people should be thinking about who will represent this group in the Regional Discussion.

Picnic: Marsha asked if there was interest in a picnic to celebrate the completion of the workgroup and reward the members. There was some comment that a picnic would be nice, but it is difficult for people to find the time to attend. Marsha said she will put the question out via email. She thanked everyone on the San Juan River Workgroup for their work and also thanked the USFS staff for their help.