

**RPW Steering Committee Meeting Summary
August 28, 2014, 1-4pm**

FINAL

In Attendance

Ann Oliver, Bruce Whitehead, John Taylor, Preston Groetzke, Chuck Wanner, Steve Fearn, John Whitney, Darlene Marcus, Wanda Cason, Jimbo Buickerood, Suzanne Sellers, Tami Graham: Facilitator/Notetaker

Introductions

Approval of last meeting's summary

- Edits were agreed upon and incorporated into final summary.
- Need to clarify where language might come from for no new major impoundments, for potential federal legislation. Need to circle back to this in future.
- Steve would like to see the same language as in the Hermosa bill regarding concerns with patented claims.

Observer Input

- Ty let the SC know that following the last meeting he called Jimbo and apologized to him for personal comments he made at the end of the meeting.

Hermosa Legislation Update

- Congress is on recess right now, so no updates at this point. Will look for an opportunity in September to do mark-up and hopefully get a vote.
- A Durango Herald letter to the editor from James Hanks regarding the Hermosa legislation was circulated.
- Jimbo received a call from the Pew Charitable Trust. They are organizing to promote a dozen public lands bills in an effort to get them across the finish line this fall. Hermosa is included in those 12.

Phase II Budget Update, Process Check-In

- As of 8/20/14, expenses for Phase II are \$6,009.03. CWCB provided a \$40,000 grant and TU has contributed \$1,000 towards Phase II.
- Tami did a review of the process principles that the SC had developed for Phase II (the regional discussion). She encouraged the SC to keep them in mind, as well as to be thoughtful about comments, as we are in a critical stage in the process.
- It was agreed that Tami would explore finding a notetaker to support facilitation of Phase II meetings, as it has become challenging for her to both facilitate and notetake to the level that is being required. She will check with both Gail Binkly and Jim Mimiaga regarding their availability as they are both past notetakers from the workgroups and as such, have familiarity with the issues, landscape, etc. The same payment per hour including travel time will be offered as was offered for notetaking at the workgroup level.

Phase II/Regional Discussion

Grasshopper Creek & Tank Creek

- Ann consulted with Jim White, local Aquatic Biologist with CPW. Jim clarified that Grasshopper Creek is a Conservation Population of Colorado River cutthroat trout. The creek was barren of fish until 2006 and 2007 when the CRCT conservation population was founded by stocking. There are multiple natural barriers downstream of the stocking location (map of area distributed). It is a small population but they are self-sustaining at this point.
- Jimbo showed some slides of the Grasshopper and Tank Creek area.
- This area is about 8 miles past the Henderson Lake turn-off up on Lime Mesa
- Area is a Tier I roadless area.
- Location of area is east of Tall Timber parcels.
- The historic timber sale area is outside of the roadless area.
- Tank Creek drainage is not a conservation population area. Grasshopper Creek drainage is, according to Jim White with CPW.
- The road on the map does not enter the Grasshopper Creek drainage.
- Water rights are downstream of the barriers.
- TU and SJCA proposal includes adding approximately 5,000 acres to Wilderness.
- Jimbo will bring proposed boundaries for inclusion into Wilderness to the next meeting.
- Chuck asked that any private land be shown. Jimbo said the only private land is Tall Timbers.
- Bruce asked a clarifying question of the SC: if the proposed addition of Grasshopper and Tank Creek areas to Wilderness was not discussed with the Animas workgroup, would it not necessitate going back to the Animas workgroup for their input? The SC concurred that any tool or issue that was not discussed or agreed to by the workgroup would need to circle back to them.
- Ty asked if we have any idea why these areas weren't considered for Wilderness in the first place. Mark P. stated that there were 200+ miles of boundary that they were trying to legislate. The big controversies were around other areas, not this particular area. Mark didn't think there was that much focus on this area. Wilderness designation was in 1975.
- Jimbo would like info or maps that had to do with water rights and structures in Tank Creek area. Suzanne reminded everyone that they can be pulled up on GIS viewer on CWCB site.
- Mely asked if there were other concerns amongst the SC with Grasshopper & Tank Creeks being added to Wilderness other than circling back to the workgroup?
- Bruce said yes, it was brought up late in the game.
- Steve asked why it needed additional protections, as it has roadless protection now? Jimbo said it had to do with the durability of protection under wilderness vs. roadless.
- It was noted that CPW doesn't take a position on protection tools.
- Bruce: Hermosa is a good candidate for designation but it has to be a balanced package.
- Chuck stated that if we got back to Animas workgroup, we need a really good reason, and he feels that adding Grasshopper and Tank Creek isn't it. With the current TU proposal, he doesn't feel there's a need to go back to Workgroup.
- Suzanne: Some of the first minutes from the Animas demonstrated how contentious that group is.
- Tami asked if there were any other tools that provide durability for protection of values

on Grasshopper and Tank Creek?

- Chuck: another tool to consider on Grasshopper and Tank Creeks is Outstanding waters.

Mineral Creek

- Questions from last meeting were addressed regarding the scenic byway and mineral withdrawal.
- The FS plan defers to the corridor management plan document (developed in 2008), as well as the local management plan. Ann will forward the corridor management plan to Tami, who will forward it to the SC.
- A question was raised regarding the corridor boundary and the status of current minerals in relation to the boundary. Ann found two conflicting maps. The most recent map, which is in the FS plan, shows the scenic byway as a management 4 area with a buffer around it. May have some restrictions for locatable minerals and saleable minerals, as is the case within management four areas. South Mineral and Mineral are both management 4 areas.
- According to the mineral maps, there is no surface occupancy for oil and gas development.
- Upon further review, it was found that locatable is allowable but could be restricted. Has to preserve the character of the area, according to management four restrictions.
- In corridor management plan, it also mentions that San Juan County has enacted code to protect the scenic values.
- The Federal Highway Administration administers scenic byways.
- Jimbo pulled up the FS plan. Map appears to show a ¼ mile boundary. The San Juan Skyway corridor management plan shows a wider boundary that appears to go to the ridgeline. Context for conversation is that the SJCA/WS proposal calls for a ¼ mile mineral withdrawal. Certain restrictions are in place but with some allowable mineral development.
- Steve stated that there are some protections to protect the character of the area.
- Chuck reflected that if the map is correct, there's not a lot of mineral claims but there are a few.
- Of note is that the scenic byway does not include South Mineral Creek but the corridor management plan does.
- Scenic skyways are a State tool and scenic byways or federally managed tool.

South Mineral Creek

- Chuck doesn't think that South Mineral Creek would have a chance at Outstanding water designation. Water quality is not there.
- Tami asked if status quo would be an option (leaving suitability in place), given that the two current proposals are very far apart right now? Jimbo said he would need to confer with Jeff on this.
- Steve said SW would be ok with leaving it alone.

Next Steps/General Comments

- General agreement that new ideas or tools could come out of regional discussion but if

so, would need to go back to the workgroups.

- Steve's concerns, as voiced in the past, is around exclusion of private lands in Weminuche Contiguous and Whitehead Gulch (carve out access to private lands in northern section of Whitehead Gulch and Weminuche Contiguous). Both TU and SJCA/WS proposals are ok with this. Any private land or access to private land should be included.
- Weminuche Contiguous has a lot of mineralized outcrops, according to Steve. Potential for mineral development.
- If the West Needles portion that is in the Hermosa bill got dropped off bill, Steve would be ok adding that back in.
- John T commented that he doesn't see a lot of support for additional wilderness, as so much has been lost to fire and beetle kill. Hinsdale County has a lot of headwaters in the County. Not much income for the County. Not much logging allowed, not a lot of permittee's. Wilderness doesn't do much for the County.

Next meeting

- Need to have full compliment of participation. Doodle poll will go out via Tami
- Will look at last two weeks of September and the first week of October. 3 hours.

Observer input

Ty:

Regarding Hermosa, there are areas included in legislation that were not discussed in Herosa process. What if Jimbo and Jeff were to pursue their own independent campaign and run it as it's own separate proposal, apart from RPW. If out of this process a legislation is agreed upon and we have legislative sponsors, the Grasshopper and Tank Creek piece could be included as an add-on. That proposal could be presented as an addition to the legislation, not that dissimilar to what County and City councilors did with Perins Peak, Horse Gulch, etc.

Mark Pearson:

Historical perspective on Grasshopper – 15-20 years ago there was a timber sale in a roadless area....old growth timber. The FS supervisor said no at the time. That's when the FS here started shifting focus away from logging in roadless areas. Have been through a fight once on Grasshopper. Harder to undue wilderness than a roadless rule, which is the rationale for wilderness as a permanent tool. At some point this package will need to be sold to other entities. Release of suitability is going to be an immense push. Dubious that it can be sold. Release for wilderness or roadless areas has never been supported from national groups. That being said, doesn't see the package that's been put out there for a WSR on Hermosa in exchange for release on Animas – as sellable. It is a great river but not threatened. Have been a lot of attempts to get flow protections on the Piedra. Suitability gives that protection. May not be very compelling to say we won't build dams on some tributaries.

Mely:

Always uncomfortable with conversation of adding WSR on areas where there are

already good protections. Piedra is a good package. Suitability isn't a terribly strong protection. In other areas, agencies have done things upstream from WSR. Doesn't feel it's very lasting, as a tool, as conditions can change and WSR suitability can be removed. Battling over the last few drops of the Colorado River Water Compact. Conditions will change in the next few years. On the one hand, water community isn't going to give up any water, if they don't have to. Have to sell this back to the Animas workgroup. At some point we need to run a scenario of going back to Animas and what that might look like. Must have some flexibility with each other. Somebody has to yield a little bit.

South Mineral and Grasshopper and Tank Creek are up in the air. The major objection to Grasshopper is that it hasn't been proposed in a timely way. Propose that suitability be left in place on South Mineral and add Grasshopper and Tank Creek to wilderness. Lets have a conversation about what that might look like.

Meeting adjourned at 4:10pm