

RPW Steering Committee Meeting Minutes November 8th, 2013

Present: Bruce Whitehead, Darlene Marcus, Wanda Cason, John Taylor, Chuck Wanner, Steve Fearn, Jimbo Buickerood, Matt Thorpe, Suzanne Sellers (by phone), Ann Oliver, Jeff Widen, Chuck Lawler, with contract staff Tami Graham. Observers: Mely Whiting, Ty Churchwell, Emily Orbanek

Approval of Minutes

Minutes from the October 22, 2013 meeting were approved.

Observer Comments

None.

Hermosa legislation update

- Senate hearing postponed until November 20th. Only witnesses will be from the administration. Jeff Widen will be present at the hearing.
- Also, Jeff sent an email to the SC regarding an op-ed piece that ran in the Denver Post. Jeff reiterated that TWS is not advocating for a national monument at Hermosa Creek in any way. TWS is writing a response letter to the editor of the Denver Post, clarifying their position.
- Bruce distributed a handout from the Bureau of Reclamation (BOR). They were seeking comments on the Hermosa legislation, Section 7., which was the add-on requested by Durango and La Plata County regarding mineral withdrawal. Lake Nighthorse is included in that withdrawal.
- Chuck Lawler stated that the Southern Ute Tribe's perspective has always been that limiting mineral withdrawal was good for the reservoir, good for water quality. Shouldn't be a major issue but good to be aware that add-ons can come back and cause issues.

Next meetings

- Tuesday, December 17th, 10am-noon (followed by lunch at the Palace at 12:30, RSVP to Tami)
- Friday, January 10th, 10am-noon
- Friday, February 14th, 10am-noon.

All meetings will take place at La Plata Electric Association

Communication with workgroups

With Phase II/Regional Discussion having begun, the following was agreed to in relation to communicating with the individual workgroups:

- Tami will send out an email to all workgroups, letting them know that Phase II/Regional Discussion has commenced and that meeting dates will be posted on the website;
- Tami will capture the issues being discussed and under consideration in the meeting summaries;
- Once approved by the SC, meeting summaries will be placed on the website;

Regional Discussion

General summary of discussion:

- Question asked: "What is the driver for WSR?"
 - Durability and certainty, whether in regards to protection of values or water development options, is a key common interest and a driver for some for WSR.
 - Protects against whims of forest service management over time, among other things.
- Consider looking at protections provided by WSR and see if we can add those, without actual WSR designation.
- Explore if it's possible to have an WSR designation without a federally reserved water right.
- St. Vrain – need to look at language for protections of values.
- If WSR designation on any segment, water community would need to see removal of suitability on others.
- Is release of suitability on certain segments going to be replaced by enough protections to protect the ORV's?
- Do we leave suitability in place where it exists and leave WSR off table?

Animas discussion points/considerations:

(note: most of these issues were brought up at the workgroup level as well)

- Local economics are a value of Animas, as such, protection of those values is important i.e. the train
- How would WSR impact catastrophic things that happen on Animas which would impact the railroad? How much red tape would be involved administratively w/ WSR?
- ALP water rights are a major concern with WSR designation. Numerous complexities would make them administratively more difficult to manage.
- Water rights downstream protect values to large degree.
- Could argue that the FS and government are responsible for facilitating the protection of the ORV of the railroad.
- There was an agreement at the workgroup level for no new dams, in relation to protecting the ORV of recreation.
- WSR might increase usage on the railroad, but don't know how much, if any.
- Currently, there are good protections on each side of the river with Wilderness designation in the canyon. What can we do to insure that the character of the canyon is maintained?
- There are three Wilderness Study Areas (WSA's) in the canyon.
- South Mineral Creek – workgroup agreed to enhanced protections for the Swift and Iron Fens, which are ORV's there. Some concerns around interference with mining claims for those values.
- One approach to upper segments is to leave them suitable. Iron fens and swifts are a question of flow, which is a state issue and couldn't be put into a federal bill.

San Juan discussion points/considerations:

- E. Fork – entirety of segment is on private land under a conservation easement. Provides durable and certain protection for private land.

- Suitability was released on West Fork in the FS plan.
 - Consider looking at suitability above private property and not below.
- There are other interests above, which could be problematic.

Observer Comments

- Mely: appreciate frankness of discussion, getting to "what can we live with". Doesn't believe suitability is enough of a protection, more of a placeholder. If suitability removed, can't be added back in future. Can only support removal if suitability alternatives are found.
- Ty: request for deal breakers from water community, if Hermosa designated.

Meeting adjourned