

Hermosa Creek Workgroup

Meeting #1 Summary

April 8, 2008

Facilitator Marsha Porter-Norton opened the kick-off meeting of the Hermosa Creek Workgroup ("Hermosa Workgroup") by stating that the turnout, approximately 50 people, and diversity of interests represented greatly exceeded expectations. She provided an introductory overview and background on the proposed outcomes for the meeting and the workgroup itself.

The River Protection Workgroup Steering Committee ("Steering Committee") has been meeting since the summer of 2006 to plan the process to be used for a number of public workgroups including the Hermosa Creek Workgroup, which is the first of six workgroups to be launched to analyze stream segments in Southwest Colorado. No public meetings are scheduled yet for the other streams. In the future, two workgroups may meet concurrently, but for now the Steering Committee would like to see how the Hermosa Creek Workgroup proceeds before beginning work on any other stream. In addition, analyzing more than one stream at a time might be burdensome for citizens who are interested in more than one particular stream and want to attend several workgroups.

The entire process of examining all six streams could take as long as four or five years.

The Hermosa Workgroup is about encouraging a diverse group of stakeholders to determine the important values of Hermosa Creek, whether environmental, recreational, economic, social or other, and how best to protect them. Participants will help decide which values "rise to the top" during the process, which is to be open-ended and fluid. There are no "done deals" and no pre-set outcomes. The process is about consensus, dialogue, and collaboration.

The Hermosa Workgroup will probably entail 10 to 12 two-hour meetings, which will take place every three to four weeks. Everyone who is interested and willing to come to the table is considered a stakeholder. It is not necessary to represent any particular group or interest. It is not necessary to attend every single meeting, but only to commit to the process.

Steering Committee's role: The Steering Committee will be a resource for the Hermosa Workgroup and other workgroups. Steering Committee members will not direct the public process but will be participants in and advocates for the process.

Proposed Hermosa Creek Wilderness Area: The Hermosa Workgroup will be considering issues separate and different from those in the San Juan Public Lands Center's ("SJPLC") Draft Management Plan ("Draft Plan"), which includes a proposal to designate part of the Hermosa Creek area as wilderness. Although the wilderness proposal may come up during Hermosa Workgroup discussions, this a separate process from the formal comment period on the Draft Plan.

Overview by Steering Committee

Chuck Wanner of the San Juan Citizens Alliance ("SJCA") and Steve Fearn, the San Juan County representative on the Southwestern Water Conservation District ("SWCD") Board of Directors ("Board"), both members of the Steering Committee, spoke about the workgroup process.

As part of the SJPLC's effort to create a revised Resource Management Plan for area Forest Service and Bureau of Land Management lands, the SJPLC was required to conduct a Section 5(d) study regarding potential Wild and Scenic Rivers ("WSR") on local public lands. The SJPLC developed a fairly extensive list of stream segments considered Eligible for WSR designation, which caused concern in the traditional water-user community. The SJCA approached the SWCD to open a discussion of protections for water resources in the upper San Juan Basin. The SWCD Board voted to proceed with such a discussion. Interested parties formed the Steering Committee, which met to develop a public process for deciding ways to best protect the values in six potential WSR stream segments. The Steering Committee developed background information for all six river drainages, including such information as potential dam sites, reaches with quality rafting, presence of endangered or threatened species, and existing water rights.

The entities and agencies involved in the Steering Committee include: the Colorado Department of Natural Resources (Divisions of Wildlife and Water Resources), Colorado Water Conservation Board (CWCB), SJCA, SJPLC, Southern Ute Indian Tribe, SWCD, The Nature Conservancy, Wilderness Support Center, and the local offices of U.S. Senator Ken Salazar, U.S. Senator Wayne Allard and U.S. Representative John Salazar.

Funding for the work of the Steering Committee and the six workgroups has come from the Southern Ute Indian Tribe, SWCD, CWCB, Colorado Trout Unlimited, SJCA and National Forest Foundation. If pending requests are approved, there is almost enough money now to proceed with workgroups for all six stream segments.

For a stream to receive WSR designation from Congress, there would first have to be a broad base of local support. For some stream segments, consensus may be reached to support such a designation, whereas for other segments there may be significant issues concerning a WSR designation because of the

potential for the preclusion of water development. Each Workgroup's goal will be to find a way to protect all values about one of the six segments and at the same time allow all important uses to continue.

The workgroups have been modeled somewhat on the Animas River Stakeholders Group, a collaborative effort that has continued for 14 years. It is hoped the RPW process will not take nearly so long.

The Forest Service and BLM have preliminarily selected the stream segments that meet the criteria for WSR designation in the Draft Plan. However, there may be factors about those segments that don't fit into that framework. The RPWs will provide a place where different protection possibilities can be fully discussed.

Proposed Hermosa Workgroup Process

Marsha outlined the proposed three phased process for the Hermosa Workgroup.

- **Phase I** – See if there is agreement on the process; decide whether to proceed; provide information and facts important to the process. No protection mechanism decisions will be made at this stage.
- **Phase II** – Discuss the important values of Hermosa Creek; generate options from the many tools available for river protection; discuss the pros and cons of the options.
- **Phase III** – Bring the process to a conclusion through consensus and/or negotiations and develop the next step(s).

Principles of the process:

- Everyone who comes to the table is a stakeholder.
- Dialogue must be respectful. While there will be disagreements, dialogue should be collaborative. Listen to other points of view even if you don't agree with them.
- Solutions will be sought that meet the needs of the greatest number of people and greatest diversity of interests, but no votes will be taken.
- Everyone's opinion counts.
- Accurate facts and information are key to the process. Providing them is part of the Steering Committee's role.
- The process will be fair, open, and transparent.
- More tools and stream data can be developed as needed.

Because consensus is key to the workgroup process, it needs to be defined. Consensus is not only a product but also a process. The process includes steps where all views are heard and considered. It recognizes that differences of opinion are natural and expected. A good-faith effort will be made to reach a decision everyone can support. Consensus does not mean everyone agrees with the decision or solution, but only that they can support it.

In response to questions, Marsha and members of the Steering Committee provided further information:

The area that will be studied by the Hermosa Workgroup includes Hermosa Creek and its tributaries to the Forest Service/private land boundary line. Dots on the Hermosa Creek map posted on the walls and provided to participants indicate decreed water rights in the Hermosa Creek drainage.

The Hermosa Workgroup process is not geared toward reaching any set conclusion. It could result in a recommendation to take to the local congressional delegation, or input to be provided to the Forest Service and the BLM. There may be two recommendations, rather than just one. The Workgroup will produce a report to document the ideas and issues that came forward, as well as potential solutions.

There is no particular agenda “driving” the process or overarching legal or administrative framework behind the process and no mandate for it. Some members of the Steering Committee, realizing that the issue of river protection would involve some contentiousness, voluntarily organized the RPW process to help bring forth the best ways to protect the selected stream segments. The process is something of a “town meeting” about protecting rivers and their values.

Although most of the Hermosa Creek drainage is on San Juan National Forest land, the Forest Service is not driving the process. The Forest Service has essentially no direct control over the water in streams within its boundaries, only over land uses. The other five stream segments to be considered by future workgroups involve more private land, whereas Hermosa Creek involves more public land.

Decision to proceed: Marsha asked whether the group wanted to proceed with the RPW process and the meeting participants agreed that they did.

Introduction to Hermosa Creek

Marsha reviewed the initial Hermosa Creek information sheet and asked for comments. Suggestions and corrections included:

- A statement on Page 1 under Recreational Use that the Hermosa Creek area is open to various uses but not to ATVs is incorrect. It *is* open to ATVs, but has limited use due to trail conditions. The San Juan Trail Riders have adopted this area and will be involved if there is talk about limiting motorized use.

- Under “Reasonably Foreseeable Economic Development,” it should be noted that the number of commercial permits to be issued by SJPLC is essentially capped. As a result of capacity analysis done about 10 years ago, it is not anticipated the number of existing permits will be expanded.
- A map showing some terrain outside the boundaries of the Hermosa Creek watershed could provide Workgroup participants more context and show potential uses and factors that could influence the area being considered.
- The information sheet should elaborate on legal protections and delineate legal impediments to various protections, including existing rights, outstanding contracts such as those for timber sales, and roadless areas. Ideally, these would be incorporated into the map. It was noted that most water rights in the Hermosa Creek area are for CWCB in-stream flows. There are not a lot of other water rights in this area.

Other parties to bring to the table: Suggestions for other potential stakeholders who may wish to participate in the Hermosa Workgroup include logging and mining interests, the U.S. Environmental Protection Agency, the U.S. Bureau of Reclamation, the U.S. Army Corps of Engineers, the Colorado Department of Public Health and Environment, Durango Mountain Resort, and Tamarron, the owners of a 160-acre in-holding that may be involved in a land swap for 265 acres of the San Juan National Forest land next to the Glacier Club north of Durango.

It was noted that anyone interested in observing a Steering Committee meeting should let Committee members know.

Next meeting: The next meeting of the Hermosa Workgroup will be Tuesday, May 6, from 6:30 to 8:30 p.m., at a location to be announced. The agenda will include discussing more information about Hermosa Creek and possibly starting to work on values.

Information: The Web site for the RPW is ocs.fortlewis.edu/riverprotection. Hermosa Workgroup members will be kept informed via e-mail or snail mail. If people have input before the next meeting they should go to the Web site and contact Steering Committee members Bruce Whitehead or Chuck Wanner, whose e-mails and phone numbers are listed.

It was suggested that a draft agenda for the next meeting be posted on the Web site prior to the meeting.

Submitted by Gail Binkly

[May 16, 2008](#)

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