

**DOLORES RIVER DIALOGUE  
STEERING COMMITTEE**

**March 6, 2013**

**4 pages**

**Present:** Don Schwindt, Dolores Water Conservancy District; Don Magnuson, Montezuma Valley Irrigation Company; Vern Harrell, Bureau of Reclamation; David Graf, Colorado Parks and Wildlife; Wendy McDermott, San Juan Citizens Alliance; Matt Clark, Trout Unlimited; Peter Mueller, The Nature Conservancy; Jerry Koskie, San Juan Farm Bureau. Guests: Mike Preston, DWCD; Amber Kelley, SJCA. Contract staff: Marsha Porter-Norton, facilitator; Ann Oliver and Jeff Kane, 319 Watershed Plan authors; Gail Binkly, recorder.

**Announcements:** Wendy said she is leaving her position with the SJCA to take another job. She said SJCA fully intends to continue its river program, and for the time being, Amber will take over Wendy's duties. Don S. said it has been a pleasure working with Wendy on the 319 Subcommittee and their efforts reflect the purpose of the DRD, which is to bring divergent viewpoints together and find common ground.

**Update on conversation with the Colorado Department of Public Health and Environment:** Mike, who has served as the fiscal agent for the 319 Watershed Plan, said he called Bonie Pate with the CDPHE and updated her on the progress of the plan. He told her the DRD intends to meet the state's deadline, but also needs some time afterward for community outreach and discussion. She agreed that the DRD will submit a draft at the end of March, but she will not forward it to the EPA and it will not have to be posted publicly until June 30. However, the contract can be closed and the grant paid out if she receives the deliverable by March 29. Then, by the end of June, the DRD could provide her an updated version of the plan, and that one would be forwarded to the EPA. As a community product, the 319 plan needs to be published, so at the end of June it can also be put on the web site.

**Background on 319 Watershed Plan:** Jeff and Ann, authors of the plan, reiterated that 319 plans deal with nonpoint-source pollution, and said dealing with nonpoint-source pollution requires careful coordination among stakeholders and government agencies. A typical 319 plan might focus on a smaller watershed with a specific source. This plan is a bit different, but it should prove to be a foundational document for identifying next steps to implement work on the ground and see where more data is needed on water quality.

Ann said she has worked on 319 plans for the Animas and Mancos rivers. They are non-regulatory and there is nothing binding in them. This plan will provide an opportunity to look at data and identify what might be the top concerns regarding water quality on the Dolores. She said identifying opportunities to reduce water-quality stressors to native fish is a good approach; water quality has not been specifically looked at related to native fish. She said Colorado's nonpoint-source program is fairly flexible.

Marsha said that actions listed under the different pollutants are a menu of possibilities, not a requirement for someone to do something.

Ann and Jeff agreed that the plan is not a commitment to take any specific action. It is a voluntary, stakeholder-drive process, so there is no regulatory requirement to update it at a certain time. Ann

suggested that at some point the group might want to look at a specific part of the watershed, e.g., Disappointment Creek, in the next phase.

Don S. said the 319 Subcommittee worked hard to create an outline for the plan, and when the original contractor, Chester Anderson, was unable to complete the plan, it was a bombshell. Now that Ann and Jeff have produced a draft, he and Wendy are relieved. The plan is much better than they thought it might be a month ago. They are grateful for Jeff and Ann's work and are really pleased.

Wendy said she recommends the DRD-SC focus on the 319 plan and meeting the minimum requirements to the state to fulfill the grant requirements rather than the appendices, which are not as important as the main plan.

Don M. asked how to deal with any comments that are received after the plan is declared final.

Matt asked whether a plan can be amended down the road. Ann said the EPA talks about the plans as a living document. There is no time frame delineated, but she thinks the DRD could apply for another grant to update or amend the plan. She said the 319 plan for the Animas River, which was done by Colorado and New Mexico jointly, is being updated.

**Feedback on the 319 plan:** Peter asked whether invasive species such as tamarisk and Russian knapweed could be brought into the plan as a water-quality threat. He said half of nutrients for aquatic life are terrestrial and that improving the terrestrial environment will improve the nutrients in the water.

Ann said that discussion would fit into the section on sources of salinity, but in terms of data it would be fairly limited. She would have to see what data exists.

Peter suggested putting a placeholder into the document for that argument to be made in the future. He said riparian health matters to aquatic life and terrestrial life. More than \$2.5 million has been spent on the Dolores River Restoration Partnership. It's important to note that it's part of what is going on to rehabilitate the health of the Dolores River.

Jeff agreed there is no reason not to mention it. Peter said he can provide background on what DRRP is doing and what it has done, and on linking terrestrial to water quality. David noted that the Implementation Plan talks about nutrients being a possible limiting factor for the fishery.

Mike said the plan should be framed broadly enough that when someone proposes a project, they can find it in the plan. He said Bonie understands there's not a lot of data on some of these issues.

The Steering Committee provided more feedback on specific aspects of the plan. Some comments included:

- There was consensus to include more maps, including one focused on hydrology and tributaries, and a soils map. It was suggested that, since there will be a table listing sampling points, a map could be included to show those points. Wendy there could be a map in each section about the different pollutants to show where the points mentioned are. Don M. said MVIC is working on a

map of the lands in its system that could be completed in two weeks and if it is, they will send it to Ann and Jeff.

- Don S. said more needs to be written about the process and next steps for projects that might be proposed under the plan. He and Matt will work on some of this.
- Vern said it should be made clear that management of the dam is not driven by this plan or the Implementation Plan, because that is not the case. They are just recommendations. BOR fully intends to follow them but if the comfort level is not there, BOR does not have to follow the recommendations. This should be made clear in the introduction.
- There was agreement that any discussion of base flows, hydrology, spills, and fish flows should be handled with sensitivity to both the water users' and environmental perspectives. The language should reflect the nuances involved.

Wendy said Tom Rice, assistant manager for the BLM Tres Rios Field Office, is very interested in this document and could be a resource. He could give feedback on the plan and help with public outreach later.

David agreed and said the BLM is a critical part of handling the sediment issue and the plan could mention things they are doing already. Hydrologist Shauna Jensen could also help.

**Future of the 319 Subcommittee:** There was discussion of how to replace Wendy on the 319 subcommittee. Wendy said the subcommittee has in many ways fulfilled its purpose, but on the other hand, one appendix is still to be written and the other appendices will need review.

Matt volunteered to serve on the subcommittee and there was consensus to have him do so.

**Writing of Appendix IV (on environmental consciousness and the native fishery):** Matt said he would write this section. He will look at past synopses of the environmental movement and apply that information to the Dolores community. Wendy said she has seven pages written that she can send to Matt.

David said he is willing to review this appendix when written, and to write a paragraph on the Three Species Agreement regarding native fish.

Marsha said the plan won't be final by March 29. There is another deadline at the end of June. Don M. said the EPA considers this a living document, so it won't be final in June either. It might need to be redone in a few years.

Don S. said he is not comfortable with the term "living document". He wants it to be reviewed, approved and accepted.

Don M. said he does not disagree. But for DWCD and MVIC to be able to review this in detail by spring will be difficult, given how busy people are in the spring.

Amber said the appendices will need considerable discussion. She is not sure if they can be submitted at all by March 29, especially if one isn't even written.

Wendy said she never intended to have the appendices submitted to the state by March 31.

Don S. said he believes the subcommittee is very positive about the appendices as drafted and he doesn't want to force the authors to make substantial changes to the documents.

Wendy said she had only skimmed the appendices and though she didn't see any red flags she has not examined the documents in detail.

Marsha said the appendices are not required as part of the minimum that needs to be sent to the state by March 29. Anyone who has comments on the appendices may send them by March 11, but if you want to wait, that is also fine.

**Next steps:**

→ The draft 319 plan must be sent to the state by March 29. More feedback is needed on the document before then. Everyone should continue to send comments on the 319 plan and its appendices by email. They can be sent to Marsha or to the entire group by hitting "Reply All". Comments on the plan itself are needed by Monday, March 11.

→ Ann will try to have a redraft written by Monday, March 18. She can send it out with "Track Changes" showing.

→ Don S. will meet with Matt to discuss the fourth appendix and the DRD process and outreach.

→ Anyone with suggested criteria for maps should email that to Mike and he will try to have DWCD staff work on it.

**Next meeting:** The DRD-SC will meet Thursday, March 21, from 9 to 11:30 a.m., to discuss the plan further. Anyone who can't attend can call in.