

River Protection Workgroup for Animas River
Meeting #3 Thursday August 25, 2011 5:30pm - 8:30pm
Kendall Mountain Recreation Center

MEETING SUMMARY

What happened in this meeting?

- * More orientation to the River Protection Workgroup process and model were discussed.
- * A list of values people care about was developed.
- * The Information Sheet was reviewed one more time and more information requested.
- * A schedule was approved for the next three meetings.

The River Protection Workgroup for the Animas River conducted their third meeting on Thursday, August 25th. Approximately 30 people were in attendance. Marsha Porter-Norton facilitated the meeting.

The meeting began with introductions of attendees. The agenda was explained and agreed to by those present. The agenda was followed by ground rules as previously determined by the group and they include:

- Only one person talks at a time
- No side conversations
- Turn off cell phones
- This group is issue focused, not people focused
- If you need to “catch up” from a missed meeting or missed portion of a meeting, please be responsible to “catch yourself up.” You are welcome to call, email, look on the RPW website, or arrive 10 minutes early to the next meeting to meet with Marsha, but please do not take time out of the meeting to “catch up.”

Marsha Porter-Norton again, as in the previous two meetings, explained the background of the RPW (River Protection Workgroup) for the Animas River as there were some new attendees. She encouraged everyone to read two handouts that describe this regional project and the process model being used. Find them at this link:

<http://ocs.fortlewis.edu/riverprotection/importantDocuments.htm>

The Workgroup received a handout that represents a graphic of the process. It will be emailed with the minutes and available on the Web site. Marsha stated that the graphic is an inverted triangle (or an upside down funnel) because the Workgroup is meant to start out broad and eventually get more and more into the details or “under the hood.” At the end, the Workgroup will come up with a report that details their recommendations and findings. It was again reiterated that anyone who has an interest in the Upper Animas and the area of focus, and who is willing to attend the meetings and participate including following the ground rules and principles – is more than welcome to attend.

The background of the RPW for the Animas River forming was the *USFS 2007 Draft Land Management Plan*. This plan determined that several segments of the Upper Animas are suitable for the Wild and Scenic River designation. See map at: <http://ocs.fortlewis.edu/riverprotection/animas/animasMaps.htm>

It was explained that the RPW for the Animas River is not funded, led or organized through the USFS. Rather, this regional project, in part, was formed because of the USFS findings in the Draft Plan. Steve Fearn discussed the issues that are of concern for the water development community in relation to the Wild and Scenic River (WSR) tool. He said that he thinks WSR, in some instances, may conflict with Colorado Water Law. He said that is why this community discussion is important and first should focus on values. Later, he said, the Workgroup can recommend the tools to protect values.

Chuck Wanner with Trout Unlimited noted that there is a lot to understand and learn about WSR. There is one in Colorado (the Cache La Poudre) and he does not feel that this tool conflicts with Colorado water law.

Marsha reminded the group that the specific selection of a recommended tool will come later in the process and she asked everyone to peruse and become familiar with the list of available water/stream protection tools. Find them at: <http://ocs.fortlewis.edu/riverprotection/importantDocuments.htm> under “River Protection Tools.”

Chuck Wanner reminded the group that the USFS had to do an inventory, under federal law, regarding which streams on the San Juan Public Lands are eligible for WSR (this is called a 5D study). Peter Butler asked “When did the USFS complete the study that concluded these upper Animas segments to be suitable?” It was noted that the fieldwork was done in 2005 and in 2007 the Draft Land Management Plan document was released by the USFS and then a public comment period ensued.

Steve Fearn reminded the group that the USFS is active with the RPW and that their local staff, through this Workgroup, can observe how a community might come up with creative tools to protect the values. The USFS will receive output from the group and take the group’s ideas into consideration.

Ron Renowden commented that all these planning processes are very confusing and asked how citizens are supposed to come up with any meaningful recommendations. Marsha said the RPW project staff will do a one-page document that describes the public lands/water process(es) either underway or completed. The RPW is just one process occurring. Links to Web sites will be provided and then anyone interested needs to take it from there. She also commented that this group is a citizen and community group. While there are some at the table that focus on water every day and are experts, everyone’s voice and ideas matter. She said the group can develop ideas and findings without having to be experts in forestry, public land planning and water. The idea is to work together, gain facts, and discuss options.

A question was asked if the USFS is really interested in taking the Workgroup's recommendations into consideration when the 2007 Draft Land Management Plan becomes final (which is expected to be next year). It was noted by the facilitator that the RPW does not control the USFS but if the Workgroup can indeed come up with ideas on how to protect the values, the USFS would be remiss not to listen to them.

Chuck Wanner responded that this group has as much or as little pull as we want it to have. The USFS is not required to do anything the RPW recommends but if we present decisions that the Workgroup makes by consensus, we may have influence. The power of the Workgroup is in the process itself.

John Taylor commented that the USFS is interested in what this Workgroup (and other RPW Workgroups) have to say because if solutions can be crafted, perhaps lawsuits can be avoided.

Another concern was raised by Kevin Baldwin about the stakeholder process being slanted. Bruce Whitehead reinforced that all the interests are invited and represented. Marsha noted that she was unclear how the Workgroup could be perceived as being slanted because it's just starting; everyone is welcome; it has been made clear that this is a community process; and the opportunity is there to do some good work. Marsha also noted that processes such as this one which deal with such complex issues can be overwhelming and there is a lot to think about and learn.

John Taylor said if the USFS goes ahead and implements the recommendations for this segment of the Animas in its Draft Plan when it becomes final, they will have to manage these segments as if they were Wild and Scenic and protect the values that made them eligible in the first place (read the Information Sheet for more information on the USFS-identified values). So, it's in everyone's best interest to address these issues, he said.

Commissioner Ernie Kuhlman, asked how much land was public in San Juan County. The group looked at the Information Sheet and it was noted that 86% of lands in the area of focus are public. Ty Churchwell reminded the group that the people of the USA own the land and the USFS and BLM manage these lands. He said this is a chance for democracy to work and that democracy isn't just about voting for someone – it's also about getting involved in what the government does. Marsha clarified that this Workgroup is not being asked to weigh in on the question of whether any of these lands should or should not be owned by the public.

Steve Fearn made the point that the USFS Draft Land Management Plan is driven by federal statutes, but there is administrative local discretion and what comes out of this can influence how we manage lands. For any action to be taken it has to have strong local support – including anything that requires Congressional action. The RPW process is an opportunity to shake out what we really think our core values are. Steve said, "If you are going to be against something, then you have to have an alternative plan, a better idea. Mark Stiles, Forest Supervisor, is interested in the RPW and will take our consensus into consideration.

Bob Cloud asked what protections are already in place and what do those protections mean. Marsha said this should be a question for the RPW staff to pose to the USFS because this area does have a lot of designations (read the Protections Currently in Place section of the Information Sheet).

Steve Fearn reminded the group that we need to decide as a group what section of river we are looking at. Marsha proposed that we look at maps during the break, brainstorm, and then decide which areas we want to consider (the peach areas will be considered at a future time). The question is whether the group wants to focus on just the segments that are suitable for Wild & Scenic or the whole watershed.

One person said that the name “protection” in the group’s name can cause concern. Various ideas were tossed around. There was no consensus for a name change but it could be discussed further.

Group began break at 7:15pm
Group resumed meeting at 7:30pm

Next, the group reviewed the Initial Information Sheet and discussed the changes made at the last meeting. A handout on water rights will be developed and distributed separately. Peter Butler asked, “What is the Animas diversion canal?” Bruce Whitehead said it is the original diversion for the Animas canal. Ann Oliver asked if Kendall Mountain, the snowcat operations, and Silverton Ski Area all have the potential to expand. Several participants said yes.

Kevin asked what the circled area on page 7 of the Information Sheet means and what the travel plans are for the USFS. It was explained that the USFS is doing travel planning across all forests in the country. Locally, the San Juan Public Lands are being divided into “landscapes” (meaning sub-areas of the forested lands) and travel plans will be developed for each that will define motorized and non motorized areas. The RPW’s focus is not on travel planning, it was noted. The specific travel planning process, which will include public comment and input for this area of focus, will be sometime in the next four to five years. Ann Oliver said it will be based on information received from the Columbine District Ranger. Ty Churchwell said that such planning is coming up for Ophir Pass and Black Bear and he encouraged everyone to get involved.

Note: Some additional clarifications and questions were asked about the Information Sheet and the changes are shown on the tracked version sent out in September. Ann Oliver was thanked for her work.

The Workgroup specifically asked for more information as follows:

- Is there a way to gauge or measure the state or health of the entire watershed?
- A map that overlays all the protections on the map we’re currently using.
- A map of the County Roads.

- A description of what each of the following protections does (meaning what is allowed, not allowed, relevant regulations, etc.):
 - Scenic, Historic and Backcountry Byways
 - National Recreation and Scenic Trails, and National Historic Trails
 - Special Recreation Management Area
 - The RAMP for the Project Area; the Alpine Triangle Cultural Resource Management Plan; and the Scenic Byway Corridor Management Plan.

Values:

The Workgroup brainstormed a list of values which included:

- a desire to keep things as they are
- private land and water rights
- fewer regulations
- the terrain
- freedom
- tourism
- ability to make a livelihood in this community
- the train
- fall colors changing (scenery)
- mines, mining, mineral development (economic angle)
- equal access for motorized
- cultural tours
- picnicking in cars
- camping
- hunting
- wilderness – wild places where man leaves no influence and no human influence is evident
- general winter activities: ice skating, sledding, ice climbing, snow ball throwing, snowshoeing
- motorized recreation – backcountry loop
- scenic byway
- sheep grazing
- four wheeling with all type of vehicles
- outfitting
- heritage tourism
- alternative energies
- historical sites
- clean water
- horseback riding
- water sports: boating, tubing
- building a vibrant community for those who live here
- preserving a special community for grandchildren
- develop a capacity to deal with very hard community issues (presented the term “black swans”) – value of community being responsive to unexpected community problems

- timber harvesting
- educational opportunities
- outdoor education, research & tourism (the links between these)
- unusual things such as the iron fens, etc.
- community sustainability
- wildlife
- health and safety
- public lands access
- transportation
- rallies/competitions/iron horse/jamboree/community events/hard rock 100 (events that capitalize on the uniqueness of the area)
- healthy forest management
- transportation and future transportation – US Hwy 550, county roads need thought and protection
- federal/state cooperation to help with livelihoods & cooperative federal/state participation in general
- access to forests for fire protection
- rescue services including ambulance
- invasive species knowledge and protection against
- healthy ecosystems
- rock climbing
- mountain biking
- water for sustaining life along the river (human and other), flows still driven by snow melt
- value local revenues to pay for services (i.e., retain adequate mill levy)
- the Animas as an undammed river
- local decision-making
- San Juan County is truly unique from any other county in state
- sense of place is unique
- water and various uses of it (including water produced from mineral development)
- value for understanding that water contamination is complex and can be from natural sources

This values list will be developed into a values statement for review at the next meeting. The next step in the process, after the field trip and fall educational sessions, will be to discuss how the values should be protected.

Peter Butler mentioned that the Animas River Stakeholders Group (ARSG) periodically does tours of remediated areas and that the next tour is the 16th of September at 8:30 a.m. Anyone wishing to go is invited and encouraged to talk to Peter for details.

Marsha asked if the following schedule was ok with the group and they agreed it was. She said it was devised based on questions and input from the Workgroup:

- 9/22 Field Trip and presentation on water quality by the Animas River Stakeholders Group and review of values statement (to be developed)
- 10/27 “Water 101” presentation by Bruce Whitehead with the Southwestern Water Conservation District
- 11/17 (**one week early due to Thanksgiving**) – a panel on water/stream protection tools

Meeting adjourned 8:45pm