

LOWER DOLORES WORKING GROUP
Meeting 1 Summary
Dec. 15, 2008

Note: Presentations, documents, meeting summaries, agendas and other information related to the Lower Dolores Working Group process will be posted at <http://ocs.fortlewis.edu/drd/>. There will be a button on the left on the home page for the Lower Dolores Working Group.

Orientation to the working group: Facilitator Marsha-Porter Norton gave an overview of the purpose of the Lower Dolores River Management Plan Update Working Group (“Working Group”) and the process it will follow.

The Working Group’s purpose is to assist the San Juan Public Lands Center (“SJPLC”) in updating the current management plan for the Lower Dolores River. It will also talk about the current travel management plan for the San Juan National Forest (“SJNF”).

The Working Group was created by the Dolores River Dialogue (“DRD”) and is made up of approximately 40 people chosen by the DRD and its technical committee. Marsha asked if anyone could think of any other sector or interest that needed to be represented. One person suggested off-highway vehicle recreationists. Marsha said there is a member representing “other recreation” but that OHV enthusiasts could be added to the list.

Current plans and Forest Service/Bureau of Land Management (“BLM”)

Planning Processes: Steve Beverlin, manager of the Dolores Public Lands Office (“DPLO”) of the SJPLC, presented a PowerPoint summarizing key laws and documents affecting management of the Lower Dolores.

- *The Wild and Scenic Rivers Act (1968)*. The act allows for the preservation and protection of “certain selected rivers” that possess “outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values. . .” It has been amended three times, most recently in 1975. At that time, Congress identified the Dolores River for study for possible designation as a Wild and Scenic River (“WSR”). Twenty-nine other rivers nationwide were also identified, 12 of them in Colorado. The portion of the Dolores recommended for study was from McPhee Dam to the Colorado border, a total of 194 river miles.

- *Dolores River Wild and Scenic River Study Report (1976)*. This evaluated the river’s main stem from McPhee to Bedrock (105 miles). Segments were identified as either eligible or suitable for WSR designation under the following categories of WSR:

- McPhee to Bradfield Bridge — recreational
- Bradfield Bridge to Disappointment — scenic
- Disappointment to Little Gypsum — recreational
- Little Gypsum to 1 mile above Bedrock — wild

The study took place before the McPhee Dam was actually constructed, but its recommendations were based on the premise that McPhee would be built. The study's authors believed the dam would "enhance most wild and scenic values" of the Dolores River.

- *The BLM's San Juan/San Miguel Resource Management Plan (1985)*. The plan identified a multiple-use emphasis for the Dolores River corridor with uses to include recreation, aquatic and riparian management, uranium-leasing, and Wilderness Study Areas. The plan designated 28,539 acres as the Dolores River Wilderness Study Area. It also specified that the Dolores River should be managed as a special Recreation Management Area and should have a Recreation Area Management Plan. Such a plan was developed and became the Dolores River Corridor Management Plan.

- *The Dolores River Corridor Management Plan (1990)*. Its stated goals were to protect and enhance the natural and cultural resources of the corridor while allowing compatible uses. This is the plan the Working Group is to help update.

- *The San Juan Public Lands Draft Revised Resource Management Plan (RMP) (2007)*.

In preparing the revised RMP, officials with the SJPLC were required to follow a federally mandated WSR analysis. The steps in the process are:

1. Determine which streams are eligible for WSR consideration and whether they are wild, scenic or recreational.
2. Determine which streams are suitable.
3. Choose when to forward suitable streams for legislative consideration
4. Congress designates (or chooses not to designate) a WSR.

Eligible streams/rivers are defined as those that are free-flowing and possess one or more of the recognized Outstandingly Remarkable Values (ORVs). Suitable streams/rivers are those considered to be manageable as a WSR. Some factors in making that determination include ownership of lands along the stream corridor, use trade-offs and conflicts, and availability of other means of protecting the ORVs. Ultimately, Congress must then decide whether to designate any of the suitable streams as a WSR.

In the draft RMP, officials found the Dolores River from McPhee to Bedrock to be eligible for WSR listing. The draft plan also says a total of 109 miles of the Lower Dolores and some tributaries from McPhee to Bedrock is preliminarily suitable.

Steve explained that some of the reasons are: It has multiple ORVs and relatively few conflicts between uses, most of which involve mineral development. The finding of suitability was also consistent with previous findings of suitability going back to the 1976 report. Also, the river corridor includes mostly federal land.

However, the plan also stated, "Should the DRD make substantial progress in identifying and securing needed protections of the ORVs the recommendations of the group could be used to supplement or replace this finding of suitability."

WSR designation may or may not be the right tool for the Lower Dolores. The door is open for the group to do whatever it finds appropriate.

The revised RMP should be finalized in 2010. It has been postponed because of the need to write a supplement regarding oil and gas development.

Shauna Jensen, hydrologist with the DPLO, presented a PowerPoint explaining the NEPA process the DPLO will follow after the Working Group's report and recommendations are completed. NEPA, the National Environmental Policy Act, is the law that requires the federal government to analyze potential environmental impacts of proposed actions. Updating the corridor management plan must comply with NEPA. The NEPA process has several phases, with public comment and appeal:

- *Plan-to-Project Period (December 2008 – October 2009)*

This involves proposing an action and discussing it in generalities, along with possible alternatives. For this group, the "action" will be to consider how best to protect the ORVs of the Lower Dolores. The group will be most heavily involved during 2009. The remainder of the Plan-to-Project process involves primarily the DPLO.

- *Project Initiation (1 month)*

This includes initiating scoping through news releases, public meetings and letters to interested parties.

- *NEPA Analysis (3-12 months)*

This is often the longest phase for the agency. Specialists conduct analyses, go on field trips, and prepare a preliminary environmental assessment (EA).

- *30-Day Comment Period on Preliminary EA*

There is a comment period of at least 30 days following the release of the preliminary document.

- *Evaluation of Comments (1-3 months)*

Comments received are evaluated. Some of them will likely result in modifications to the EA.

- *Decision (1-2 weeks)*

The decision is written and signed by the district manager.

- *Appeal Period (30 days)*

If there is an appeal it goes to a government solicitor for a review. If there are no appeals, the decision is final.

Dolores River Dialogue History and Role in Lower Dolores River

Management Plan Update: Mike Preston, manager of the Dolores Water Conservancy District (“DWCD”), gave an overview of the history and accomplishments of the DRD, which convened for the first time in January 2004 through the efforts of the DWCD and SJCA.

The DRD, a collaborative group involved in finding management opportunities for McPhee Reservoir, tries to have one meeting every winter before the active part of the year begins for McPhee and the Dolores River. The group tries to have another meeting after the summer ends.

The DRD learned about the possibility of the Dolores River being listed as a WSR through meetings of the Governmental Water Roundtable, a group up of local-government representatives involved in giving input to the SJPLC regarding water issues for the revised RMP. The WSR issue was a concern for many in the roundtable, especially because of the likelihood that such a designation would carry a federal reserved water right. The DRD was also concerned and formed a subgroup that met in June 2006 to review and formulate comments about all Dolores District streams on the draft WSR eligibility list prepared by the SJPLC.

Steve Beverlin informed the DRD that there was a management plan already in existence for the Lower Dolores and suggested the plan-revision process as a formal way to evaluate alternative protection for the river.

In February 2008, the DRD decided to move forward with the update of the Dolores River Corridor Management Plan and to form a separate group for that process, then selected members for the Working Group. The CWCB made an appropriation of \$99,980 to support the Working Group’s efforts to study all options and deliver to the SJPLC a proposed action or actions.

The Working Group has the opportunity to flesh out management options for the Dolores River in an open fashion. The group will try to come up with a proposed action that most people can support. In addition to monthly meetings there will be some field trips. The Dolores Working Group is set to conclude its work in September 2009.

DRD past and current science efforts: This agenda item was moved to the January meeting because it was snowing heavily and the Working Group felt it would be best to adjourn early.

However, Jim Siscoe, director of the Montezuma Valley Irrigation Company and co-coordinator of the DRD Science Committee, gave a very brief overview of the DRD's science and research efforts. He explained that science does not make policy but provides information for the decision-making. His job is to make sure the science is accurate and transparent and is not affected by politics. The DRD has an outstanding science team that includes people from various backgrounds. Jim works with professors at Northern Arizona University, Fort Lewis College and the University of Colorado.

Identification of process topics: Marsha said the Working Group will focus on two values per meeting through April. The Working Group will discuss how oil and gas development, livestock-grazing, and other multiple uses affect those values. The values are ecology (riparian and otherwise), fish, wildlife, recreation, scenery, geology, and archaeology. These are values, not issues. It was suggested that the concept of "sense of place" or solitude be added to the list.

An audience member asked how the Dolores River was defined in terms of width: from rim to rim, or otherwise. Steve Beverlin said the width is up to the group to decide, but the length cannot be extended because the San Juan Public Lands jurisdiction ends at Coyote Wash.

Next meeting: The next meeting will be Monday, Jan. 19, from 5:30 to 8:30 p.m. The location will be posted on the web site, as a larger room may be needed. The audience comment period will be moved to near the beginning of the meeting.