

DOLORES RIVER DIALOGUE
STEERING COMMITTEE
March 21, 2013
5 pages

Present: Don Schwindt, Dolores Water Conservancy District; Gerald Koppenhafer, Montezuma Valley Irrigation Company; David Graf, Colorado Parks and Wildlife (by phone); Amber Kelley, San Juan Citizens Alliance; Matt Clark, Trout Unlimited; Peter Mueller, The Nature Conservancy; Drew Gordanier, Southwestern Colorado Livestock Association; Phyllis Snyder, San Juan Farm Bureau (by phone). Guests: Don Magnuson, MVIC; Jerry Koskie, San Juan Farm Bureau (by phone); Mike Preston, DWCD. Contract staff: Marsha Porter-Norton, facilitator; Ann Oliver, 319 Watershed Plan author, and Jeff Kane, 319 author (by phone); Gail Binkly, recorder.

Review of 319 Watershed Plan

Uranium, salinity and nutrients: The group reviewed the sections of the plan that discuss uranium, salinity and nutrients and made changes as necessary.

Peter noted that at the DRD-SC's last meeting he said riparian restoration work such as treatments for tamarisk and knapweed could have a positive effect on water quality in the river, and he said he will research facts to help make that case.

Regarding the section on nutrients, David suggested clarifying the language to show that the nutrient spike below McPhee Dam has largely dissipated by Bradfield Bridge and the river returns to its ambient characteristics. Ann said she will try to incorporate that into the section if she can find evidence to support that statement. She and David will look for evidence.

Action plan: The DRD-SC reviewed Section 10, "Summary of potential solutions/actions and additional data/modeling/studies needed", also known as the action plan. Marsha explained that one of the ultimate questions involved with a 319 plan is what might be done about the contaminants that are discussed. Solutions might involve on-the-ground projects; in other cases more studies might be needed. So the question is how to decide what projects the DRD or other entities might take on.

Don said he would like Jeff and Ann to write some introductory language for this section to explain why these action steps are being discussed.

David raised a concern about the references to the Implementation Plan, considering that the plan is still undergoing review and will see major revisions. Peter suggested referring to the elements of the Implementation Plan that are being discussed rather than the plan itself. Ann said in some cases the "A Way Forward" document should be cited. Elements of the Implementation Plan that do not come from AWF could be referenced as the work of the Implementation Team.

Marsha said suggested actions around temperature in Section 10 were taken from the Implementation Plan. These items pose a minimal risk to water-users. The 319 subcommittee had talked about whether there would be a way to implement the actions the IT suggested that aren't controversial and don't involve putting more water down the river.

Matt said the Bureau of Reclamation already did a categorical exclusion to implement these changes to the spill regime; the question is whether that CE covers both temperature suppression and sediment flushing.

It was agreed to cite the specific strategy, not the Implementation Plan itself, when it comes to specifics about numbers, etc. However, the group agreed it is acceptable to mention the IT because it is a process happening in the watershed.

Next steps:

→ Peter will send the CE to Ann.

→ Jeff and Ann will rewrite as necessary.

→ Marsha said Jeff sent her a document on Friday that had some comments on some of his sections. She tried to clarify some points but her Track Changes were lost. She will send it back out with comments and changes. They are trying to show people's different comments in different colors.

Process piece: Don S. and Matt had created a draft of Section 11, "Next Steps," about the process for identifying 319 projects, prioritizing efforts, and approving requests for funding. Don said it is an outline only and that Jeff and Ann can flesh it out and format it.

Marsha said there will probably have to be a DRD meeting where this can be reviewed by the full group. It should happen as soon as possible so any concerns raised can be addressed. The entities/agencies represented by individuals also will need to review the 319 process piece.

Matt said the only way people can provide useful feedback is if they read the document before the meeting, so it should be emailed in advance. That way, feedback can be given via email as well as at the DRD meeting.

Don S. said in order to call this a DRD product, it must undergo whatever review is necessary. He suggested the word "draft" could be left on this portion of the 319 plan past June 30 if necessary, along with an explanation for the state. Don said he is not comfortable assuming that if someone doesn't send feedback, the product is OK with everyone. He doesn't like taking silence to mean consent. He said he would also like to have feedback from Nathan Fey.

Marsha said the expectation is that the 319 plan will be final by June 30. The final plan was supposed to be submitted by the end of March but the state granted a three-month extension.

Mike said he has been negotiating with the state's contract officer, Bonie Pate, and a draft of the core document is due April 1. The DRD will send its invoice April 1. The appendices do not have to be included then, but can be sent June 30. Bonie will try to get her comments back by April 15. By June 30 the final version must be ready. What is submitted June 30 will go to the EPA and it's expected it will be published on a local web site.

Peter said the language in the process piece seems to imply that the DRD is a point of approval or disapproval, but the DRD will not be making decisions about whether something receives funding. Matt said most of that should be clear in the "decision tree" section. If a proposal is not a DRD project or process it doesn't have to go before the DRD. There was discussion of including language to say that projects are "encouraged but not required" to acquire support of the DRD. However, Peter said if there

is a potentially controversial project, there may be no point for the proponent to bring it to the DRD if it may be “branded” by not receiving full consensus. He said the DRD seems to be shifting from a dialogue to a project-approval process.

Don S. said communication is the most critical thing. If the DRD generates understanding of the diverse viewpoints brought to the table, that is beneficial. He said it needs to be spelled out more clearly that understanding is something the DRD can offer. The DRD could suggest how to shape an idea without changing the underlying action. Don said it isn't the job of the DRD or Steering Committee to say something is not going to work.

Peter suggested making the language more explicit and saying that people with a project can seek guidance and feedback, or seek consensus, or that the DRD doesn't have to be consulted at all.

Next steps:

→Matt and Don will rewrite the process document with these edits and input.

Appendices: Peter expressed concern that the different appendices (Marsha's history of the DRD, Ken Curtis's history of the Dolores Project, the history of the environmental movement, and Gail's interviews with irrigators and rafters) would be confusing. He said the DRD is trying to solicit funding to tackle nonpoint-source pollution. He is concerned that the different histories show a lack of a cohesive message that would be detrimental to seeking funds and to the reader of the document at the State and EPA. In the same document the DRD is affirming and empowering the significance and importance of the irrigation community; then there is material about the environmental movement. He said this may give the impression of “talking out of both sides of our mouth” and it is unclear to him how this relates to improving water quality. He asked if there is a way to fold the stories together to create one story that shows a balance between ag, recreation, and human history. He worries that the appendices overshadow the document itself. He learned from them, but he wants to see them captured in a way that ennobles and supports the 319 plan.

Peter said the appendices should make sense of the differences between ag and the environment and show how the DRD is looking through both lenses to find common solutions. What is the connection between the whole history of the Dolores Project and nonpoint-source pollution? How does the history of development in the Montezuma Valley connect to trying to do something for salinity? He is struggling to see where these appendices fit in.

Don S. said water users have been forced into serious legal battles over environmental issues and things written in documents. The DRD's mission statement is to try to make the environment better but also honor water law. If the water users are going to help generate a watershed plan it's critical to include the caveat that it's voluntary and non-regulatory and will honor the mission statement. He said showing why the DRD tackled this effort is an integral part of drafting of the plan, laying the foundation so that those concerns of the water users are addressed. Don said the history doesn't belong in a 319 plan but it's integral to the plan, so it was included in appendices. Water users all over the West have seen environmental issues cause them grief so he wanted to emphasize the other side of the story.

Peter said he is concerned the histories and perspectives don't lend themselves to a community coming together to benefit water quality. He doesn't want to see the appendices used for positioning because that doesn't further the DRD's mission.

Don S. said understanding is generated when the whole story can be heard. The chronology is important. Don said agreeing on a common foundation of facts, not spin, can be helpful.

Peter said it doesn't make sense to have separate appendices telling separate stories. He said Gail's piece was more about the Montezuma Valley than the river itself. He said there is some good material in the appendices but he would like it all combined into a single story about the West and managing diverse interests in a productive way, to show this community cares about the environment and the river.

Jeff said the conservation ethos evolved over time. The meaning of conservation has changed. His intent in the appendix about the environmental movement was to describe that arc. Part of why the appendices seem piecemeal is that Ken Curtis wrote the Dolores Project history first but Ken has not sat in the same meetings with the DRD-SC. Wendy McDermott was going to work on the environmental history but wasn't able to finish it before she left, so that piece is not complete. Jeff said Ken has substantially revised the Project history and cut out portions that weren't relevant to the 319 plan so there is a Draft 2 of Ken's work that is forthcoming. Part of the intent of the Project history was to provide understanding of contracts, legalities, etc.

Don S. said Chester helped generate the outline for the 319 plan and was going to be the writer but wasn't able to complete the work. He had planned to do interviews with water users but wasn't able to, so the subcommittee assigned that to Gail. Chester thought telling the different stories and the trans-basin story was important.

Marsha said Chester had set up a web site to gather stories but no one used it.

Matt said at present the appendices are set up to make sure every camp is included, but the DRD-SC is trying to tell a story of the history that is relevant to a 319 plan. He said there is some overlap and duplication in the appendices, and it would make more sense to try to tell a DRD story that is cohesive.

Jeff suggested integrating the Project history with Gail's piece, with Marsha's history of the DRD included at the end. Peter said there is a place for quotations that resonate, but he wants to go back to the "shared vision" idea of a human, economic and environmental history that holds together.

Marsha suggested a redrafting Ken's piece, integrating a few of Gail's quotes where there is context and a description of conservation mileposts. The DRD history would be either at the end or separate. Amber suggested also integrating a history of the native fish, since that is the focus of the 319 plan. There was agreement on this approach.

Jeff said he wants this to be completely factual, so the SC would need to provide feedback to remove bias.

It was agreed that a single appendix could include:

- Ken's Dolores Project history
- Native fish history
- A few quotes from Gail's piece
- Overlay with and integration of conservation pieces as the story "unfolds"

- DRD history

Peter said the appendix should be smaller and less technical, with an eye toward making the language accessible for a layperson, not just the DWCD/MVI constituents. Don said there are two audiences and some “DWCD/MVI speak” may be necessary. Peter agreed but said to look for opportunities to make it accessible to the average person.

Marsha said Jeff can think about where a conservation angle can be inserted, maybe through text boxes on the Wild and Scenic Rivers Act, etc.

There was consensus to have Jeff and Ann try to integrate the appendices into a whole.

Don S. said he would like the draft appendices to be sent to the state with the draft 319 plan at the end of March because they are an integral part of the whole plan. Amber said she was not comfortable with that because there has not been time for the SC to have a thorough discussion of the appendices’ content. Peter agreed and said it didn’t make sense to send pieces that are going to be significantly restructured.

David said he likes the idea of telling a single arc of a story in the appendices and suggested submitting an outline of the appendices with the 319 draft on April 1.

Don S. said the first 15 pages of the 319 plan make reference to the appendices, which is part of the reason he thought they should be included. If those 15 pages can be redrafted to accurately describe the appendices, it would be all right to submit the draft plan without the appendices.

It was noted that Ann and Jeff will run over budget for their work on the plan.

The group again discussed a vetting process and what that might entail. After discussion, it was decided that the full DRD should see the document at some point in May 2013 ~ in time to make changes before the June deadline. Don emphasized that if the document was brought to the full DRD will full approval and acceptance by the DRD-SC, then, that would carry a powerful message. Also, vetting will occur by all the organizations that sit on the DRD-SC (e.g. boards).

Next steps:

- Matt and Don S. will figure out when they can meet as the 319 subcommittee.
- Jeff will redraft the first 15 pages and send them out before the end of March.
- Jeff and Ann will try to have the plan in a version with which everyone is comfortable by April 1.
- Marsha will send Mike the 3/31/13 version of the plan and he will send to Bonie with the state.

Next meeting: The DRD-SC will meet Tuesday, April 2, from 9 to 11 a.m.