

Slate River Working Group: Meeting 5

Meeting Minutes

August 22, 2018

Crested Butte Depot

Stakeholders Present: Illene Roggensack (Facilitator), Bruce Allen (Allen Ranches), Michael Yerman (Town of Crested Butte), Chris Parmeter (CPW), Tom Barry (Rec representative), Ashley Bembenek (UGRWCD), Stuart Schneider (BLM), Travis Tucker (Irwin Guides), Billy Rankin (Irwin Guides), Tim Szurgot (Landowner), Julie Nania (HCCA), Zach Vaughter (CCWC), Hedda Peterson (Land Trust), Mel Yemma (Town of Crested Butte), Noel Durant (Land Trust)

Welcome, Recap, Progress to Date

Illene recapped the agreements from the past meetings regarding respectful conversations, active listening, etc. and overall trying to reach consensus on each discussion point.

Hedda gave a recap of where we're at in this process and what has happened since meeting #4. The written draft management plan (which everyone received via email) is the main progress to date, which the conveners have received some feedback on from working group members already and we're looking forward to receiving more feedback tonight.

Review of Management Solutions

Illene opened up the discussion to the group to provide feedback on particular management solutions incorporated in the management plan.

Stuart asked to go through the plan section by section to review and ask for comments on each section.

Hedda reviewed the introductory sections of the management plan including the conservation values: wildlife, agriculture, recreation, and scenic views, which the Land Trust's mission revolves around. She then gave an overview of the general outline of the plan and content and in each section. Each section is broken down by the key issues identified by the group and discusses each issue at length, which is then followed by proposed management solutions.

Michael reiterated that all of these topics were discussed in detail at each working group meeting and each proposed management solution was reached by consensus of the working group.

Hedda went through each working group management solution and then asked for feedback.

Private Property Rights (3.2.1)

Implement a comprehensive signage and outreach plan that educates users on river etiquette, including trespass laws and private property boundaries

-No comments

Explore opportunities for human presence at popular river access points to help educate users on responsible river use

-Tim is concerned about the word “explore” when it comes to having human presence at popular river access points. He would like to see it say “highly recommend”. Overall he would like to see more active language.

-Ashley recommended having it be more specific than “human presence”, and say “employee”, “educational person”, “volunteer”, etc.

-Billy asked about details of how this position would take shape, Hedda expanded on the possibilities in more detail (which are shown in page 32 in the appendix).

-Billy overall would like to see more of the “how is this going to happen” in the plan. Hedda mentioned how we will get into more detail about this later in the agenda.

-Stuart reminded the group that these management solutions might work differently on BLM lands, as it would require specific approval procedures.

-Tom is worried about the sustainability of having someone at the put-in. What if we can only do it for one year but then don’t have the funds to keep doing it? Michael said the key is to have someone there initially to start to build an etiquette among users and the hope is that one or two years of human presence will make a significant difference.

-Tom also suggested asking commercial rental companies to share this information as well. Hedda reminded the group that that’s incorporated in the outreach section of the plan (on page 28).

-Hedda reiterated that this is all very new to the community as there is no river ethic right now, but it will be great to start with human presence for 2-3 years.

Share Management Plan document with local law enforcement and brainstorm ways in which local law enforcement can help private property owners when it comes to recurring trespass issues

-Chris thinks this should be more generic than law enforcement and should say “share management plan with local stakeholders”.

-Stuart thinks that it should be law enforcement because BLM, Land Trust, etc. could not enforce trespassing on private land. Tom has concerns about law enforcement because they typically don’t have the capacity to issue trespass citations for floaters.

-Stuart recommends sending this to the river management society about concerns and management ideas and see what their membership base thinks about these ideas and solutions that have been figured out in other places.

-Mel explained that this point is really the end of the line. The worst case scenario (after working on outreach) would be a disrespectful person trespassing, and we'd overall like to be on the same page with local law enforcement to try to address this issue. Overall, we'd like to be partners with law enforcement to come up with collaborative solutions to address recurring problems.

-Noel explained that the management solutions follow a progressive process and each one builds upon the previous one.

3.3.1 Agricultural Rights

Fencing:

Ensure fencing meets wildlife standards

Educate river users on how to use a river fence

Establish maintenance plan for current river fences

*Consider alternative river-fence designs that withstand local climate conditions (i.e. snow load)
Establish funding for installation and maintenance of three additional river fences to replace existing barbwire fence lines*

Work with ranchers and private property owners to identify additional fencing needs

-No comments

Dogs:

Assertively and consistently inform river users that dogs are subject to the same trespass laws as humans (i.e. dogs must remain on craft while floating through private property)

Ensure active and consistent enforcement of existing dog regulations, including not allowing dogs to access the river at the Rec Path bridge

-Tim is concerned that not allowing dogs at the Rec Path will push dogs up to Oh-Be-Joyful or Gunsight Bridge. He understands that it's the rule in the conservation covenant for the Rec Path but is concerned.

-Tom is worried that not allowing dogs at the rec path bridge is going to result in a revolt.

-Michael gave an overview of the language in the annexation agreement, which doesn't allow dogs. The Martens who own the property recognize the high use of dogs there, and are more concerned about having dogs access the river and then going downstream and chasing cows.

-Tom asked to change the wording from "not allowing dogs to access the river" to "not allowing dogs to launch onto the river"

-Travis shares Tim's concerns about pushing dogs to other places but wonders if because it's farther away then maybe less people would be inclined to bring dogs.

-Ashley said as a first time reader that the language wasn't clear to her.

-Michael suggested working with the Martens on the language on this.

-Julie suggested taking out "ensure active and consistent enforcement of existing dog regulations". To her it sounds unclear whether dogs will or won't still be allowed to hang out at the river, if they aren't going to enforce absolutely no dogs, then this language shouldn't be included.

-Tom said that while he loves dogs, paddle boarding with a dog is very difficult and would like to not allow dogs at all.

-Zach suggests "river users shall not navigate the slate river past the rec path bridge with dogs".

-Hedda suggested wordsmithing this section with the Martens.

3.4.3 Wildlife Impacts

General section comments:

-Ashley thinks fish and temperature should be incorporated. Hedda said this plan is specifically for floating the Slate River and will not cover this and the scope will be more specific in the final document indicating this. Chris said that typically when it's too low to float it usually corresponds with the temperature being too warm anyways.

-Julie overall recommended expanding on the scope of this plan and explaining why certain things aren't covered in this plan.

-Ashley's comfortable with omitting fish from the plan as long as it's acknowledged and that it might be acknowledged in the largest watershed management planning process.

Institute and publicize a recommended no-float period on the upper reach of the river (from Gunsight Bridge to the Rec Path) from March 15 - June 1 to protect heron chick rearing

-Stuart reminded the group that the BLM would likely not implement a closure or voluntary closure. The BLM couldn't make decisions on a lot of these things without more data.

-Hedda reminded the group that we came to consensus on recommending not to float between Gunsight Bridge and Rec Path after June 1st. Pat then recommended via email to push it until June 15th based on additional data. Hedda reminded the group that now is the opportunity to draw a harder line on this, where in the future, it would be harder to push back the date farther. Hedda asked the group for feedback on this.

-Travis said the end of May to mid-June is the bulls-eye of floating the upper slate river. But, he (speaking for Irwin Guides) could live with this date change. Billy and Travis overall said that it could hurt their business but they see the bigger picture and they'd be OK supporting it.

-Tom spoke on behalf of the paddler community and thinks we'll see a lot of resistance from recreational paddlers. Tom doesn't think the public isn't going to buy this.

-Hedda reminded the group that our community is pretty recreationally driven, and we don't have a lot of wildlife advocates. She expects community push back as well, but this will require careful messaging and outreach.

-Zach is conflicted, he sees how it's beneficial to the Herons but he's concerned about community feedback and buy-in.

-Julie reminded the group that there's a huge portion of the community that are huge wildlife advocates. It is a trade-off, but she thinks people value the wildlife resource equally or more. On behalf of HCCA, Julie supports it as it's the wildlife biologist's recommendation. She thinks that if we can't agree with this then we really need to focus hard on how to mitigate impact during this sensitive period.

-Hedda gave an example of the North Star Nature Preserve in Pitkin County. They decided not to implement a voluntary closure and the rookery is no longer there.

-Michael reiterated that this is a voluntary closure. The point of this is to really build an ethic and affect the behavior of people.

Julie thinks that closure dates is one of the most meaningful things that could come out of this working group. Julie asked Irwin Guides what they're giving up in regards to those dates. Billy said they are giving up some time on the river but their business is wider ranging than just SUPing on the Slate River.

-Billy overall thinks that a closure like this is a tough pill to swallow and requires a transition period, but they do work in the end.

-Mel and Hedda will communicate this discussion and ask for feedback from stakeholders not present at this meeting on this discussion point.

-Stuart recommends adding the word voluntary to the recommended no-float period.

-Travis thinks that more of what their giving up as a commercial user is the ability to “wow” their guest with the experience rather than giving up revenue.

-Julie thinks that outreach is going to be important with this issue. Commercial outfitters can gain a lot of appreciation for protecting this resource and should be recognized. She agrees that it’s going to be hard to get the local community of floaters to buy-into this. It’s going to be tough and will require a lot of important outreach.

-Tom asked to talk about this in the context of flows. Ashley explained that she’s working on this with the surveys/data collection. Hedda also explained that the low flow cutoff isn’t going to be a hard line and more of a high-medium-low flow recommendation.

-Ashley said that looking at the hydrograph from 2017 and 2018, in low flow years, you could have 5 days of floating, in a high flow year, you could have 30 days of floating. She’s happy to look into this more when it comes to outreach and messaging.

-The working group recognized that consensus could not be reached on this, but agreed to have super majority rule on this.

-Chris reminded the group that this is recommended, the pitch is “if you can wait until June 15th, you’ll have less of an impact on the Herons”.

Illene asked the group about changing the date to June 10th. The reason why members of the group don’t want to adjust this date to the 10th is because this is already a compromise from August 1 (which Pat overall recommended). Travis doesn’t think this is meeting in the middle as a paddler.

-The working group voted on June 15th or June 10th

June 10th: Travis, Tom

June 15th: Bruce, Michael, Chris, Hedda, Zach, Julie, Tim

Other stakeholders will asked to vote on this before updating this in the management plan.

-Michael reminded the group that this will still have a public process for community feedback and this is still a draft plan. .

The Land Trust continues its partnership with WSCU to annually monitor the Heron rookery to collect long-term data to inform ongoing adaptive management solutions

-No comments

Encourage smaller group sizes on the river

-Travis would like to see this quantified. Chris isn't sold on group sizes as people might be causing more disturbance by smaller groups going through every 15 minutes than a large group going through all at once.

-Julie would like to see other recommendations from the biologist such as trying to address frequency, etc.

-Illene overall thinks this section is lacking substance.

-Billy thinks group sizes are tricky. Other big river management plans to quantify it (more for overnight trips). Quantity vs. frequency is tough to deal with.

-Julie suggests working with Pat more on this section on his recommendations.

-Stuart said it's hard to say if a large group of quiet people have less of an impact than one loud person with a dog. He overall suggested gathering more information on this section and to be creative about it. He gave an example of a river he worked on in the past with huge flotillas of tubers where they ended up limiting the group sizes due to safety.

-Billy suggested expanding on this bullet point in regards to "group management".

-Tim explained the reasoning behind frequency relating to the Herons. He also mentioned that larger groups tend to get separated and then hang out on the river banks or get too jumbled up.

-Hedda said we're just trying to do the right thing, and ultimately we don't really know. We've asked Pat and he isn't confident in giving an answer to this.

-Billy thinks this should go under river etiquette instead because we're still not sure what the best solution would be in regards to wildlife impacts.

-Stuart said establishing group sizes requires a process requiring data, rational, etc.

-Mel suggested expanding upon the language in annually monitoring the rookery to look more into group sizes, frequency, time of day, etc.

-Billy suggested adding "please travel together through the rookery".

-Julie agreed with Mel's comments on continuing to collect more information.

-Chris agrees that this would be good under etiquette as we can't currently control the number of river users per day.

Designate and publicize/sign the stretch of river from Gunsight Bridge to the Rec Path as a quiet zone

-No comments

Encourage and educate recreationists on protocols for quiet zone and other river etiquette

-No comments

3.5.1 Dynamic River Flows

Collaborate with the Upper Gunnison River Basin Watershed Management Planning effort to collect and analyze river recreational-user data

–Working Group members to help collect survey responses.

-No comments

Correlate survey data with flow levels (CFS and staff gauges at put-ins and take-outs) to develop and publicize high-medium-low flow standards for the upper and lower stretches of the Slate River.

- Ashley would like to see CFS and staff gauges at put-ins and take-outs as its own bullet point

-Tom is concerned about messaging CFS. Ashley said these will be ranges. Mel said this is overall trying to define a floating season that recognizes different levels of experience, rather than daily fluctuations.

Explore the possibility of a more specific river use study in 2019 and beyond through WSCU's Master in Environmental Management program

-No comments

Convene a group of key stakeholders at the beginning of each floating season to discuss expected river flows on the Slate River and how they might affect outreach methods for that given season.

- Tim isn't sure if this timing will result in anything. Michael clarified this timing because this is all based on snowpack (relating to flows). Tim and Hedda also suggested following up on at the end of the season to discuss the season and what worked well and what didn't.

3.6.1 River Etiquette

Develop and promote parameters for responsible river use

-The group revisited dogs. Tom thinks dogs can do way more damage than humans. Tim said the most birds has saw flush were because of dogs below. Tim doesn't think dogs should be allowed. Tom doesn't want to concentrate dog use on the upper section. Travis

said you have to be a pretty sporty paddle boarder and dog to do it, but Tom said you could also be very ignorant. Billy said he tried it with his dog once and will never do it again.

-Michael suggests adding “please use your dogs at home”.

-Mel and Hedda will contact absent stakeholders tonight to see their thoughts on adding this under river etiquette parameters.

-Tom asked about a rest stop on Land Trust land between Gunsight Bridge and the Rec Path. Hedda mentioned the constraints about this on certain lands where restoration work is happening (i.e. Rice Property). Tom suggests identifying places where people could stop. The bench on the lower loop was brought up as a good point. Billy suggests signage could be good to put there too (before the rookery). Tim suggests signage there saying that tubers should take out there. Stuart suggests having a good educational sign at the put-in beforehand so people are prepared.

-Mel asked if the group wanted to address group size again as we decided to move it under etiquette earlier. Tom thinks it should be discussed as well.

-Billy thinks there’s also a safety piece there and group management should be addressed. From a risk management ratio, Irwin guides has a 5:1 ratio. Billy thinks 6 or fewer is a small group. Travis thinks there should be verbiage about group sizes and group spacing.

-Zach thinks that a group size number should be recommended.

-The group agreed on recommending a group size of 6 or fewer and to please separate. Ashley suggests using wording saying “let faster groups pass through”.

-Billy suggests having more outreach saying “have a smaller group, but don’t wait at the rookery or on private property to wait for the rest of your group”.

-Ashley would like to add outreach materials on aquatic invasive species and decontaminating equipment. Hedda and Mel will look into this more.

Utilize a comprehensive signage and outreach plan, as well as human presence at the access points to educate users on river etiquette

-Michael asked including commercial companies to educate clients and renters, which is included in the appendix under “comprehensive signage and outreach plan”

3.7.3 Access and Legal Constraints

Utilize this management plan as well as Land Trust protocol as a guiding document for managing commercial use of the Slate River. The Land Trust currently uses its New and Improved Use Protocol to inform commercial users of the process by which the organization

balances commercial use with the conservation values it's tasked with protecting. The Land Trust currently tracks and schedules requests per calendar year, and is planning to create a more comprehensive commercial use policy. This policy will more clearly define the parameters of commercial use and the process by which commercial operators may apply for use of conserved lands.

–Commercial use could potentially be allowed at the Rec Path through a private commercial use license agreement with the landowners, who are participants in the Working Group and are open to this discussion.

–The Town and Land Trust will use the same commercial use parameters set forth in the license agreement for the Rec Path at Gunsight Bridge to ensure consistency for both stretches of the river.

-Michael requested adding in info about the commercial use permitting process for the BLM

-Travis asked when this process would take place. Noel said that once the management plan is published, then it will be a good time to work on this.

-Travis, Noel, and Hedda clarified the consistency stipulation with Gunsight Bridge and the Rec Path

3.8 Infrastructure Needs

Identify any easement constraints that may prohibit certain improvements

-No comments

Work with the managing jurisdictions to identify fiscal impacts of needed infrastructure and investigate improvements that provide necessary amenities to river users

-No comments

Work to reduce impacts at put-ins from vehicular traffic and reduce demands for multiple vehicles

-No comments

The official designated access point at the Rec Path bridge is not the bank where most users are putting in. Both sides of the river at the bridge have experienced some damage and erosion. After consulting with the property owners at the Rec Path, the Working Group co-conveners will look into designating one official side of the river for access, and working with experts to improve and revegetate the other streambanks.

-No comments

Future Involvement of Conveners & Stakeholders, Planning/Implementation process timeline

-Michael discussed the next step of this process. Due to Town Council agendas being full, a public meeting will now be held on September 27th and an update will be given to the council on October 1st. Michael said from the Town's perspective, the Town will be great at taking on infrastructure needs, but the Town will not be able to take on outreach needs. The council update will coincide with the budgeting process, and the Town plans its budget for 5 years out.

-Ashley mentioned that the UGRWCD just increased their grant budget, and there's funding potentials through the watershed management planning process as Ashley and Julie would like to help secure funding for issues developed in the plan.

-Hedda passed out a handout that is a brainstormed list on potential future involvement of stakeholders, via time, in-kind donations, funding, etc. Hedda ask everyone to take home the handout to go over it and plan to discuss it more at the concluding meeting (after the public meeting), which will be a good bookend to this process.

-The public meeting will be on September 27th at 6pm. Mel and Hedda will send out the revised plan and information about the public meeting by September 1st.

-The group decided that the executive summary of the plan will be the place to incorporate the key takeaways and PR talking points of this plan.