

**Public Comments Regarding  
Wild and Scenic Suitability  
Dolores River and Tributaries**

**December 6 and 7, 2010**

*Two public meetings were hosted by the BLM's Sub-RAC in Placerville and Naturita, CO in early December 2010. As part of a series of educational and public input gatherings, these two-hour evening meetings opened with a presentation by Larry Clever of Ute Water in Grand Junction, discussing the Endangered Species Act, particularly as it applies to fish in Colorado. Following the presentation, those in attendance were encouraged to participate in a question-and-answer session with the presenter, and then to provide comments regarding specific Dolores River/tributary segments that are under consideration for suitability under the Wild and Scenic Act by the BLM's Uncompahgre Planning Area.*

*The following provides a summary of the comments made at each meeting.*

Placerville – December 6, 2010

**LOWER DOLORES RIVER LOWER (Map 25, page 87 in June 2010 “Wild and Scenic River Eligibility Report)**

Hilary White: This is a beautiful segment and has economic value.

Kelvin Verity: I have rafted and hiked this area, and am curious about private land owners' thoughts on each segment.

Lonnie Taylor: I would like gold/mineral prospectors' interests to be considered. There are minerals in this area.

Peter Mueller: (speaking from The Nature Conservancy's perspective) This segment currently does not include reserved water rights. Water preservation for fish is key.

**NORTH FORK OF MESA CREEK (Map 26, page 90)**

Linda Luther: The vegetation in this segment is noted as globally imperiled. I think that anything with this designation should be protected.

**DOLORES RIVER, SEGMENT 2 (Map 27, page 94)**

Nate Smith: This segment should have a Federal Reserve water right.

Linda Luther: There is economic value in this area, whether there is water or not. People often enjoy this segment and its view from their vehicles. The values here are economic, scenic and relaxation.

Dave Foley: This section should be protected – after all, it IS the source of the area’s namesake, “Paradox.”

Hilary White: Economic benefits are realized because of the boating, and the season to enjoy the river in this manner is very limited.

Kelvin Verity: Beautiful section that is heavily recreated.

Peter Mueller: The cottonwood gallery is unique to this meandering river. Lots of invasive species work has been done here.

### **ICE LAKE CREEK, SEGMENT 2 (Map 28, page 97)**

Hilary White: This provides natural flows into the La Sal River. Preserving this gem is important. I think this area should even be considered for Wild status. While there are massive numbers of roads here, perhaps they can be condensed so that we can maximize use of the roads that are actually needed and get the Wild designation.

Linda Luther: Sounds like a remarkable location with hanging gardens.

### **LA SAL CREEK SEGMENT I (Map 29, page 99)**

Dave Foley: The BLM has done a good job of breaking this creek into segments; each one is very different from the others.

Peter Mueller: This segment is almost all privately owned land. It would be nice to protect the water, but it’s hard to manage what you don’t own, so I assume this will be difficult for the BLM.

Hilary White: Another gem to our area, it is worthy of some sort of classification through this process. I think the fact that it’s a spawning area makes it worthy of consideration.

Lonnie Taylor: Since this is private land, we may not be able to develop a classification.

### **LA SAL CREEK, SEGMENT 2 (Map 30, page 101)**

Hilary White: Was there a proposal in Utah for this segment as a potential wilderness area? Perhaps this is still on the table, and needs to be considered.

Linda Luther: Both the fish and vegetation here are remarkable. It is one of the few areas where fish spawn. This is an important segment and has potential for historic designation.

Peter Mueller: Very important and significant area.

Kelvin Verity: To me, this area ‘feels’ like wilderness. It is surrounded by BLM land. I am surprised that one of its ORVs is not “scenic.”

Dave Foley: I agree that it seems like this definitely is “scenic” as an ORV. Why is it not? This is VERY scenic – rock features and the stream, as well as a historic site in the copper mine nearby.

Nate Smith: A junior reserved water right will help prevent an endangered fish situation.

Lonnie Taylor: The availability of copper may lead to reopening the mine in the future.

### **LA SAL CREEK, SEGMENT 3 (Map 31, page 103)**

Lonnie Taylor: This seems to be a spawning area for endangered fish. These segments can be used to repopulate or sustain fish. If you create a wild area, it will only increase the number of people visiting the area, effectively having the opposite impact that you’d like to have. This needs to be considered, and I think it can be handled via effective use of current management practices.

Peter Mueller: The La Sal is important for the health of the Dolores. It is an important segment for potential water development, mining and water storage. Protecting this inflow to the Dolores protects the fish and fish habitat in ways that McPhee cannot do.

Linda Luther: Since this segment is 99% BLM land, this seems like a no-brainer and should be suitable.

Hilary White: These spawning grounds could be protected now to protect the fish elsewhere. The current management system may work for now, but science shows that both snowpack and water availability will drop in the future. We should protect these flows. Also, this presently is a Wilderness Study Area, and there are petroglyphs here.

### **LION CREEK, SEGMENT 2 (Map 32, page 106)**

Lonnie Taylor: There is a lot of mining here. Could be a good one for “scenic. The mines are on the mesas above it, then the BLM can have a plan that will mitigate the effects of the mine.

Hilary White: Globally-imperiled vegetation is here.

Dave Foley: “Scenic” is not one of the ORVs?? There is an amazing view here, even from the highway.

Peter Mueller: Vegetation is the important consideration here.

### **SPRING CREEK (Map 33, page 108)**

Lonnie Taylor: This creek is being administered by BLM. It probably dries up a bit at certain times of year, late summer. It may not have dried up lately, since it is spring fed, the fish will survive. I do not know if there are fish there.

Hilary White: Note that there are globally-imperiled plant species here. I consider this a habitat worthy of protection.

Peter Mueller: A beautiful spot with very nice vegetation. When I die, I'd like to die here, it is so beautiful.

#### **GENERAL COMMENTS AND QUESTIONS:**

How is this process being communicated to private land owners? (response: invitation to public meetings)

I missed the first series of meetings last week. Can you tell me why WSR designation is a good idea? (response: BLM is required to go through this process as part of its management review/plan. The designation can offer additional degrees of management and protection.)

Are there mining claims at this mine now (re: La Sal Creek, Segment 2 region)? (response: this is unknown)

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Naturita- December 7, 2010

#### **LOWER DOLORES RIVER LOWER (Map 25, page 87 in June 2010 "Wild and Scenic River Eligibility Report)**

Zene Weimer, Weimer Ranch: We have been landowners in this area for the past 115 years and have several different irrigation projects and four different water rights. We manage a wild river without the help of the BLM. We are against any BLM involvement.

Peter Mueller: The hydrology is important for three native warm-water fish. The section below the confluence has no protection for these fish.

Breck Richards: Mineral rights' owners are located along this stretch, and parts are difficult to access. I am not an owner, I am a mineral extractor. The fish species just mentioned are thriving. I also think there is a conflict of interest with Peter Mueller here representing the Sub-RAC and also The Nature Conservancy.

Cherri Cooper: One of the outstanding values listed is wildlife. I assume this refers to the peregrine falcons who reside here, but also in a lot of other locations besides this one. I am a birder and I don't want these birds to be used as the reason for WSR designation of this stretch.

**DOLORES RIVER LOWER SEGMENT 2 (Map 27, page 93)**

Jim Johnston: I am a landowner with water rights. What if I want to change the point of diversion?

Zene Weimer, Weimer Ranch: We have 1,100 acres in this area and, again, we are not in favor of BLM designation.

George Glasser: I have a letter that addresses all concerns we have about this segment and others (submitted). On this segment, we are especially concerned about future potential mining.

Lonnie Taylor: Does this river dry up? It gets to ankle deep and it is already protected.

Michael Oliver: Why scenic designation? Isn't it mostly bedrock? Are any dams currently being proposed?

Breck Richards: This segment offers a viable route for haul trucks. A scenic designation would negatively affect that.

**LA SAL CREEK SEGMENT I (Map 29, page 99)**

Jim Butler: I am a property owner on La Sal Creek, and by proxy tonight also represent Lion Creek and Spring Creek ranches. We share the same goals as BLM. We are talking about a narrow canyon, which would make growth undesirable. There are four landowners in this area who work together. To increase the degree of federal management does not make sense. This area is not a destination, the fish are not threatened or endangered, and a globally-imperiled vegetation designation does not make sense (written comments submitted).

Breck Richards: There is no access to this area for fishing. I own part of the property and we will not allow anyone to trespass to use the river here.

George Glasser: Fish are non-game. There is too much private property in this segment, and so the BLM cannot effectively manage it. This segment is classified as scenic, but there are uranium mines all along the rim.

**LA SAL CREEK, SEGMENT 2 (Map 30, page 101)**

Jim Butler: Who owns the Cashen mine?

Bobby Reeder: There is a lot of truck traffic going into this area. Be aware that this mine could go back into production.

Breck Richards: CWCB has an in-stream flow?

George Glasser: This area contains the only road to Cashen mine.

Lonnie Taylor: If the mine opens again, what limitations could be imposed if the creek segment is designated as scenic?

**LA SAL CREEK, SEGMENT 3 (Map 31, page 103)**

Jim Butler: This is a wilderness study area.

Lonnie Taylor: With the rock formations in this area, uranium potential could be high. So I think that 'wild' designation may not be a good idea. I suggest caution with this designation.

**ICE LAKE CREEK, SEGMENT 2 (Map 28, page 97)**

Lonnie Taylor: There is a road in this segment that might be highly visible from Ice Lake Creek. This may affect 'scenic' designation.

George Glasser: The access road to the uranium mines is very short.

Breck Richards: I own the lower portion of the canyon. X2 road goes up between the two canyons. Limited access and existing water rights should prevent this from being suitable for BLM designation.

**LION CREEK, SEGMENT 2 (Map 32, page 106)**

Jim Butler: Lion Creek is naturally protected by the lay of the land. 'Scenic' does not work as a designation and globally-imperiled vegetation does not work as an outstanding value.

Breck Richards: It is a dry creek. Why is it included in the study?

Lonnie Taylor: The existing water rights and mines should prevent designation.

George Glasser: The area has been impacted by past uranium mines and will be impacted by the same in the future.

**SPRING CREEK (Map 33, page 108)**

Lonnie Taylor: Mineral exploration potential is high here. Scenic designation would cause a deterrent to this activity.

George Glasser: This designation sounds almost like the Lion Creek designation.

Jim Butler: The wash is dry until springtime. And the landowner says that the spring originates on private property.

**NORTH FORK OF MESA CREEK (Map 26, page 90)**

Lonnie Taylor: The owner takes care of this segment. I think the management has been good, so I see no reason for change.

Marlin Littlefield: I have a question about the silver buffaloberry that is noted as outstanding to this segment. These trees are just like Russian olives, and use the same amount of water. The Russian olive is considered detrimental to sub-water, so why aren't these trees considered a problem? (response: the silver buffaloberry is a native species)

Breck Richards: This is a natural mineral resource area. We do not want to deter this sort of exploration.

Zene Weimer, Weimer Ranch: We are against any designation.

George Glasser: Any designation would prevent hauling from any of the adjacent mesas.

**GENERAL COMMENTS AND QUESTIONS:**

Jess Fulbright: I was born and raised here, and my parents settled in the Paradox Valley. Is the BLM focusing on energy fuels, and have they studied these areas for future energy production? Can you focus on the fuel needs 25 years into the future? Can the BLM do better than Mother Nature? What are you actually protecting the river 'from'?

R.D. Round: Has Congress rescinded law RD501?