

Kerber Creek Restoration Project
Notes, Winter Stakeholders' Meeting and Conference Call
February 23rd and 24th, 2011

Attending, Feb. 23rd Conference Call: Carol and John Wagner, Jeff Dragos, landowners; Larry McBride, Natural Resources Conservation Service; Steve Sanchez, Bureau of Land Management; Brian Devine, VISTA.

Attending, Feb 24th Meeting: John and Tuck Slane, Jim Shepard, Gerald Gray, landowners; Steve Craig, Norm Lastovica, Tom Thomas, Trout Unlimited Collegiate Peaks Anglers; Elizabeth Russell, TU Colorado; Larry McBride, NRCS; Steve Sanchez, BLM; Brian Devine, VISTA.

Summary of Progress since Last Meeting:

---Brian and Elizabeth have applied for four grants since October: from the Colorado Water Conservation Board (\$50,000), the Colorado Nonpoint Source (319) Program (\$567,000), the Colorado State Forest Service (\$23,000) and the National Fish and Wildlife Foundation (\$31,000). Our Nonpoint Source Program proposal was turned down because of an error on the application form, but we are still awaiting the results of the other three grants. We will re-submit a grant to the Nonpoint Source program in 2011, for funding in 2012.

---The Project was also approved for \$76,000 in funding from the Saguache Resource Advisory Council to restore the site of Superior Mill, on Rio Grande National Forest lands. The steps to distribute these funds and mobilize contractors through TU are in progress.

---The Kerber Creek Restoration Project and its stakeholders were awarded *four* awards in 2010! The final award was presented on January 20th at a public open house in Saguache attended by 25 people, including members of the community that had not attended a Project event before, or known much about the Project. In total, the Project and its stakeholders were awarded regional awards from the Forest Service and the Colorado Riparian Association, and *national* awards from the BLM and the Public Lands Foundation. Pictures of the event in Saguache can be seen at www.flickr.com/photos/bedevine25.

---The Project was scheduled to participate in the educational event put on by the Northern San Luis Valley Conservation Roundtable on February 8th, but it was rescheduled due to inclement weather.

---BLM has finished its compilation and analysis of data gathered in the summer sampling of domestic water wells. This gives project partners an insight into the groundwater in the Kerber Creek watershed. BLM sampled 22 active wells, and the results did not show an elevated level of metals loading in the groundwater. The comparison with historical well data from several of the sampled wells was a favorable one as well. Landowners whose wells were sampled received the data from their wells in January. Others who are interested in the results should contact Brian Devine (contact info listed at the bottom of these notes).

---BLM and other project stakeholders continue to make progress toward protecting various reaches of the Kerber Creek watershed with an instream flow water right. Roy Smith of the BLM is leading this effort and has finished Draft Letters of Request for the Colorado Water Conservation Board, the state entity that holds instream flow rights in Colorado.

Jeff Dragos reports that this process takes 2-3 years to wind its way through the legal system, but water-right holders and other interested parties should see a notice about the ISF application in next month's Division 3 résumé posting. This will begin a 60-day public comment period.

Steve Sanchez noted that this may become very important in the coming years in the event of new development in the watershed, for example if a large consumptive use project begins in the Noland Gulch area.

---Project partners' fishery data project is underway. The Division of Wildlife (DOW) held an inter-agency meeting about the Rio Grande cutthroat trout and project stakeholders decided after that meeting to establish a specific, concrete monitoring protocol that fits the needs of Kerber Creek. This is because DOW's efforts are currently focused on high-quality streams with existing cutthroat trout populations. This protocol will gather data about potential cutthroat habitat on streams in the watershed, to begin a long-term plan to potentially reintroduce native cutthroats to portions of the watershed. Steve Sanchez estimates there are 12 perennially flowing tributaries requiring further data, but the monitoring effort will examine as many streams as possible to get the most benefit out of the protocol.

---The Kerber Creek Watershed Management Plan was distributed for what will hopefully be the final round of stakeholder comments before submission to the state for approval. If you would like a copy of this Plan for review, please contact Brian Devine (contact info at the bottom of these notes) and note whether you'd like a paper copy by mail or an electronic copy. Comments will be due on **March 31st**.

---Elizabeth submitted the Project Implementation Plan (essentially, a document describing how partners will go about finishing the Watershed Management Plan) to the state, but has not heard back about it yet.

---Jim Shepard reports he is putting together a 404 permit for a new bridge leading out of his tailings area.

---The Slanes report that they will be getting some more in-stream structures on their property from NRCS.

---The Forest Service is designing a replacement of the bridge over Kerber Creek at Brewery Creek. BLM and FS biologists have asked the design engineers to include a fish barrier on Brewery Creek and tailings work on the Edrington property, immediately south of the bridge site, which will be used as a construction staging area.

---TU reports that they have a team of legal professionals that often work on in-stream flow projects, and TU can make public comments on in-stream flow water right applications at the appropriate stage.

---Larry reports that three additional landowners have expressed interest about the project with NRCS.

Discussion of Upcoming Projects:

---Since we have approximately \$42,000 remaining from our last Nonpoint Source grant, we should have between \$42,000 and \$104,000 to spend on project work on private lands in the coming year. We will not know about the CWCB grant until late spring or early summer, but should hear about the other two in the next month or so.

---Work identified last year on the Hutchinsons' property will proceed next year. TU will need to do a contract amendment to include this work. NRCS money and contracts for this property are set. Brian will contact the Hutchinsons to see when this work will begin. As soon as this information is on-hand efforts will begin to contract with RMC for planned phytostabilization work.

---The \$76,000 for Superior Mill will be spent this year, and this restoration project will use Saguache County contractors only.

---NRCS cost-share program funding for 2011 will depend on the Congressional continuing resolution and budget for FY2011. NRCS will provide technical assistance to the Project regardless of the budget situation.

---One landowner's application has been received by NRCS and Larry will continue to talk with the other three interested landowners.

---Elizabeth and Brian plan to apply for upwards of \$100,000 of funding from the Division of Wildlife and the Habitat Partnership Program (HPP). That grant application is due April 1st.

---Project stakeholders need to begin assessing the need for structure maintenance. Maintenance costs were written into the original contracts.

---Brian is coordinating numerous outreach and education opportunities in the spring and summer. This may include participation in future NSLV Conservation Roundtable educational events, service-learning days with the Mountain Valley School District and the Learn and Serve program of the Southwest Conservation Corps, and presentations to the BLM and FS Leadership Team.

---Steve Sanchez suggested including a technical presentation to the Rio Grande Roundtable in our outreach program. He will try to get on the Roundtable agenda.

---Larry suggested that the Center Conservation District be included in our outreach and volunteer programs. They may be able to match our volunteer needs, especially monitoring needs, to the capabilities of the landowners and school groups they work with.

---The BLM and Forest Service will be hosting an AmeriCorps NCCC youth work crew this summer. Their schedule will include erosion control work on Kerber Creek and work at Vista Grande from June 20th through the 23rd or 24th.

---Comments on the Watershed Management Plan will be due back to Brian Devine by **March 31st**. The goal is to submit the Plan to the state by May 31st; this should give them enough time to comment on it and approve our changes by August.

---Brian is currently writing a comprehensive project update, which will be mailed to stakeholders for comments next week. This is replacing the old Kerber Creek newsletter, and serves as an account of the state of the project as of these meetings and progress over the last several months.

---Elizabeth brought up the prospect of some sort of signage describing the project and its history, at Bonanza or some other prominent place in the watershed. Project partners agreed this was a good thing to look into, especially if it were located on private lands.

---Laura Archuleta of the Fish and Wildlife Service has conversed with Jim Lewis of the State of Colorado to begin to evaluate the ASARCO repository on the Slane property. Jim is responsible for administering the settlement between ASARCO and the state.

---Upcoming events: Elizabeth is going to the American Fisheries Society conference in Seattle in September; BLM seasonal employee Kim Schott is defending her masters' thesis at CSU-Pueblo, which included a substantial amount of data collection and analysis on Kerber Creek, in May; Karuna Eberl of *Wandering Dog Films* and the EarthNest Institute in Fort Garland are making a documentary about water use in the San Luis Valley.

Resolve Specific Action Items:

---Collegiate Peaks Anglers needs to set dates for tributary monitoring *before* the first week of May. Brian Devine and Steve Craig will work on establishing these.

---Collegiate Peaks Anglers needs to meet with Steve Sanchez, Brian Devine, agency partners, and other interested parties- such as the River Watch volunteers- to further discuss the fishery monitoring plan and protocol.

---Steve Sanchez suggested that the stakeholder group have another "celebration of success" party, saying it has been far too long since all the landowners and agency partners came together to meet and celebrate our success. The group happily resolved to have one, and Brian will begin coordinating it.

Contact Information:

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