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Clean Water Act changes worry valley ranchers

Irrigation ditches to stay exempt, EPA official Stoner says

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BASALT — New rules meant to clarify the types of waterways protected under the federal Clean Water Act and create more certainty for agricultural water users could leave things as ambiguous as ever, area ranchers told a leading EPA official here Wednesday.

“I think this just muddies the waters, and does not make it more clear,” Carbondale-area rancher Bill McKee said

during a presentation by EPA water programs officials, including Nancy Stoner, the agency’s acting assistant administrator. Stoner is helping to oversee a rewrite of rules governing protected waters under the landmark 1972 law aimed at cleaning up the nation’s rivers, lakes and streams.

“There are a lot of ‘may be’s’ in here, and that’s what has us guarded,” said McKee, who runs a ranch where Thompson Creek meets the Crystal River about 6 miles south of Carbondale.

“These are the places where lawyers make a fortune,” he said of rules and definitions that could still be left open for interpretation.

Tom Harrington, who ranches west of Carbondale, agreed.

“We do fear the ambiguity in this,” he said following the meeting. “Our irrigation ditch is the lifeblood of the ranch, and we need to be able to clean it and maintain it and do repairs when needed.”

Sometimes those decisions need to be made on the spot, and can’t wait for a

lengthy permitting process, Harrington and McKee said.

Irrigation systems typically found in the Rocky Mountains, where water is shared by multiple ranchers and other users to irrigate fields, and even golf courses and lawns, via ditches that eventually return water to the river system, seem to qualify as protected waters by the revised definitions under review by the EPA and the Army Corps of Engineers, they said.

But Stoner said the new rules are intended to preserve existing agricultural exemptions, and even make it easier for ranchers to carry out certain types of conservation practices such as building stream crossings for livestock or making wetland or riparian enhancements without a permit.

“The goal is to make it as clear as we can which waters are protected, and to make it easy to figure out if you are complying,” she said during the meeting, held at the El Jebel firehouse.

Stoner was invited by the nonprofit Roaring Fork Conservancy to speak on the proposed rule changes with ranchers and other area water users and government officials.

Earlier that morning, she took part in a tour of some of the Conservancy’s watershed projects on the Fryingpan River. Joining Stoner for the visit were Karen Hamilton, a supervisor in the EPA’s regional office in Denver, and EPA stream biologist Julia McCarthy, who also works in the Denver office.

Both have also been actively involved in writing the new rules aimed ensuring greater

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Tom Harrington
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PHOTO COURTESY CHRISTINA MEDVED / ROARING FORK CONSERVANCY

Roaring Fork Conservancy Executive Director Rick Lofaro, left, discusses local river issues with Acting EPA Assistant Administrator Nancy Stoner during a field trip along the Fryingpan River Wednesday morning. Stoner was invited to tour the area and address local ranchers and others about pending changes to the federal Clean Water Act.

protection of headwaters, primary waterways and wetlands under the Clean Water Act.

changes [for ranchers], but we would like to hear why you think it does,” Stoner said,

“We don’t think this does make any

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SPORTS

Feeling at home

Delaney Gaddis said her decision on where to play college basketball came down to feeling the most comfortable at Otero Junior College in La Junta.

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WEATHER



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NEW classified ads in today’s edition.
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GO

Dead Horse Point

Dead Horse Point State Park has dozens of miles of trails and is cooler than down in nearby Moab.

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LOCAL

Preschool lag

For the second year in a row, Garfield County was ranked 16th out of the 25 most populous Colorado counties on the Colorado Child Well-Being Index, lagging particularly in preschool enrollment. **PAGE A3**

Silt, Basalt move toward allowing marijuana sales

Heidi Rice and The Aspen Times

Silt and Basalt both moved Monday toward allowing retail marijuana stores.

They would join Glenwood Springs, Carbondale and Aspen in the region in allowing recreational pot sales.

In Silt, town board members gave initial approval to two ordinances allowing the licensing and regulation of medical marijuana.

The old town board in February disapproved allowing medical marijuana,

but approved the sale of recreational marijuana. However, state law has allowed only medical marijuana shops in good standing to apply for a retail marijuana license, so without any medical marijuana shops in Silt, retail sales were impossible. That restriction ends July 1.

A new board was elected in April, and members asked right away that the medical marijuana ordinance be brought back before them.

“The impetus for us [to bring it back]

MARIJUANA, A3

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