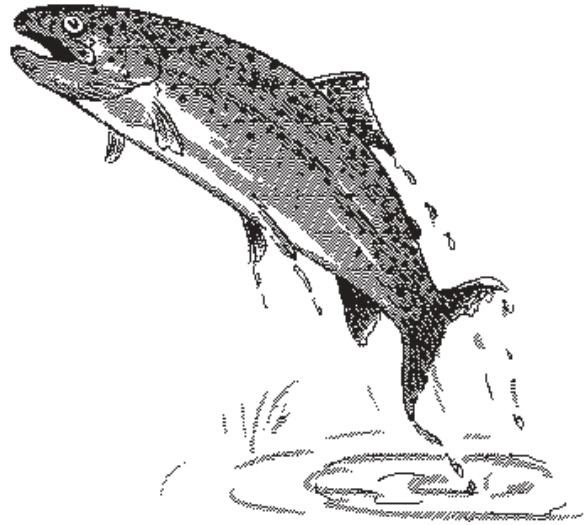


# The Evergreen Trout



June 2003 The Newsletter of the Evergreen Chapter of Trout Unlimited Vol. 21 No. 6

## From The Prez,

I went over to the Grand Mesa fishing last weekend, since Trapper's wasn't quite ready (just iced off Thursday, 5/29). We fished five lakes, and caught trout in three of them. Based on a tip from a local source claiming lots of big fish, we bushwhacked down into two of the lakes with our float tubes, waders, etc. It was supposed to be an easy hike, but we encountered five foot snow drifts, and deadfall under the snow to boot -- literally. Five hours of fishing later, we had gotten one strike. Period. And then, we had to climb back out through the same mess. Fortunately, the fishing was much better on the other lakes, and I even managed a "slam" (rainbow, brook, cutbow, and brown), two days in a row. Hope to try Trapper's this weekend.

Thanks to the eight or so volunteers who cleaned up Bear Creek last Saturday. We may do another clean-up later in the summer, if and when the run off subsides. We're still planning to teach our Rec. Center kids fishing class on Saturday, June 14th, if enough kids sign up. We've also volunteered to help place a bench and plaque along the shores of Grand

Lake, under the TU "Buy-A-Bench" program. This program allows a donor to remember a loved one in exchange for a donation to TU. Also, our first weekend at Santa Maria with the Camp Comfort kids will be June 21st and 22nd, followed by our annual kids fishing clinic, July 4th, on Evergreen Lake.

Hopefully, by the next general meeting, we'll know where we stand on our Fishing is Fun grant. Notifications are due shortly from CDOW. Also, Troy Thompson will be letting us know details about our "mini" stream project work, soon. Call me, or any other board member, if you'd like to help with any of our activities.

See you Wednesday, June 18th, at the Evergreen Hotel and Coffee Shop, for Dennis McKinney's program about his Colorado Fishing Guide CDROM and book, and we'll give you an update on Trapper's. Some of you may remember Dennis as the featured speaker at our auction a few years ago.

Tight lines,  
Rich



The Evergreen Chapter of Trout Unlimited meets the third Wednesday of the month at the Evergreen Hotel in downtown Evergreen (next to the Little Bear). Join us for Dinner/Chapter Business at 6:30pm followed by the program at ~7:30pm. We look forward to seeing YOU there!

## Don't Miss Our June Program

The program for our June meeting, "Fly Fishing Colorado", will be presented by noted Colorado author, photographer, and fly fisherman, Dennis McKinney. Dennis is an outdoor writer and photographer, specializing in fishing guidebooks, fly fishing destinations, and stock photography. His work appears in numerous national and regional outdoor publications. He is recognized for his ground-breaking and comprehensive guidebook and CDROM, and his extensive knowledge of fly fishing in Colorado. Dennis will present an interactive introduction to his new CDROM, which features:

- 370 fishing locations; rivers, creeks, reservoirs, lakes, and ponds
- Cold and warm water, hot spots for backcountry fishing, large fish, exotic species, native trout, and family fishing locations
- 500 + color photographs
- 100 + location videos
- Topo maps for all locations
- Recommended times, flies, lures, techniques
- Camping
- Statewide hatch chart for aquatic insects
- 2002 high lakes stocking data
- Drought impact analysis
- 35 in-depth articles on fishing

I hope to see you at the Evergreen Hotel and Coffee Shop on the 18th, for what promises to be a great program!!!

Randy Huiting

## New Members

Please join me in welcoming **Allen Mulligan, Daniel Waldyke, Richard Kibler, Rick Newberg, Ernest Briggs, Robert Sword, and James Brown** to ETU.

If you need help with a membership problem of any kind, call me and I'll do my best to get it straightened out.

Creel count: **287**

Randy Huiting

## ESA Consultations Next On Hit List

The Bush administration is proposing new regulations "to exempt agencies conducting forest and range management projects under the National Fire Plan (NFP) from consulting with other federal agencies about the possible effects of the projects on endangered species" says the Land Letter 6/5. Once finalized, the new rules would end the ESA Section 7 requirement for federal land managers to consult with the USFWS or NMFS on how NFP projects such as logging would impact listed species. In place of the consultations, the Interior and Commerce departments are creating "an alternative process designed to speed up approval of logging projects." Conservationists say the "regulatory changes are simply a giveaway to the timber industry and will not result in protecting communities from wildfires."

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<http://www.defenders.org/grnhome.html>

## Mount Evans Outdoor Lab Review

ETU volunteers staffed classes in fly tying for 6th graders in January, February, March (twice), April, and May of this year.

The sessions in April and May allowed us open water on Jackson Pond, on which the students cast their own hand-tied flies. And each session awarded at least one student with a hooked, netted and released rainbow trout! Numerous other fish were hooked and LDR'd!

Rich Reynolds, Len Wheaton, and Peggy Linn prepared a new syllabus for the course offering, and presented this to Kathy Weiss -- Outdoor Lab Principal -- as requested for next semester's catalog. We have solidified the need for at least a 2 hour "core" session for each of our class segments.

Clear plastic casting bubbles, permitting a water-fill, were purchased for the Zebco type rod and reel rigs. These enabled the kids to get their flies out on the pond with more gratifying results.

Why are we giving this time to Mt. Evans Outdoor Lab?

Well, it certainly is a part of our desire to pass on to our youth, our passion to protect our cold water resources. And it may be to interest them and their parents in joining us in TU -- someday. But, it most positively is because of the joy in working with these 12 year-old boys and girls in an informal "class" format. Those of us who have participated have gotten more than we gave! And we have seen how any and all of us can help -- even the non tyers. Ask Dave Underwood, who joined us as a casting coach for the April and May sessions. We could use more help like this. Perhaps some of our lady members will volunteer?

The sincere thanks and admiration that we have received from the school teachers who bring their 6th graders to Mount Evans, is a great incentive. The increasingly fine cooperation from Kathy Weiss and Rich Goblen at the Outdoor Lab is also very encouraging. And the exchange of love with these wonderful girls and boys is the frosting on the cake.

Len Wheaton

## Don't Mess With Texas Toads

The Houston toad has found an unlikely friend in a "gun-toting, redneck, Texas Republican preacher," and local GOP chairman who has "volunteered to make his 550-acre ranch a 'safe harbor' for the palm-sized amphibian" in exchange for "more control over his property in the future -- provided that the toad population there doesn't decline from current levels," says the Houston Chronicle 5/31. The preacher will plant native grasses, reduce the size of his cattle herd and fence off ponds where the endangered toad breeds. With 94% of the state in private ownership, safe harbor agreements and other voluntary conservation programs are crucial to the survival of imperiled species such as the Houston toad. Before the preacher met the toad he "couldn't spell 'environmentalist.' Now I am one," he said.

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## Help Keep The San Juan Flowing!

Late in 2002, the US Bureau of Reclamation, which operates Navajo Dam, issued a Draft Environmental Impact Statement (EIS) to change operations at the reservoir. The EIS is being done to examine alternative rates for water releases from the dam, to meet the needs of endangered pikeminnow and razorback sucker in the lower San Juan River, while also expanding water development in the watershed.

Under current operations, a minimum release of 500 cfs has helped make the San Juan River a world-class trout fishery. In the EIS, the Bureau proposed to drop the minimum flow to 250 cfs. This would lead to a 34% loss of habitat in the "quality waters" directly below Navajo Dam. Dropping flows to 250 cfs during the irrigation season would be even more damaging for the river downstream of the special regulations section, as agricultural diversions could reduce the river to little more than a trickle. Low flows during the hot summer months would also lead to high water temperatures, creating more troubles for trout. The reduced flows would also reduce the dilution of pollutants in the San Juan River, meaning poorer water quality for fish and people alike.

Anglers should have no argument with providing water to preserve endangered species, but the Bureau has not looked at a full range of options for protecting the species without resorting to drastically reduced summer and winter dam releases. For example, the Bureau did not consider any minimum flow options between 250 cfs and 500 cfs, nor did they consider limiting 250 cfs releases to the winter months when irrigation diversions wouldn't exacerbate low flow conditions. The Bureau did not consider meeting water demands by using the large "inactive pool" (water behind Navajo Dam that under current operations is not available for use). Most troubling of all, the Bureau treated as a "given" full development of a number of water projects including Animas-La Plata and the Navajo Indian Irrigation Project and did not even consider any alternatives that maintain a 500 cfs minimum flow for the indefinite time period before those prospective water uses are actually developed.

If you care about the San Juan trout fishery, please take a moment to write to the Bureau of Reclamation. Tell them why the San Juan River matters to you, and why you want to see it preserved, and ask them to come up with a better plan than what they offered in the EIS. Send your letters to: John Keys; Commissioner; Bureau of Reclamation; 1849 C Street NW; Washington, DC 20240-0001.

A decision will be made later this summer, so write now and make your voice heard!

David Nickum - CTU Executive Director

## Kudos...

...to Jill Haller, Randy Huiting, and Rich Reynolds for their help with the newsletter.

...to Master Printers Inc. of Evergreen for copying and folding.

Ed.

## Stream Access Challenge Rejected Again

Near the end of 2002, a federal appellate court rejected a request by the Mountain States Legal Foundation to reverse a lower court ruling tossing out the firm's challenge to Montana's stream access law. The foundation is a Denver-based law firm known for its dogmatic and absolute approach to property rights. The suit, which was previously rejected in US District Court in Montana in 2000, challenges the constitutionality of keeping smaller rivers and streams open between the high-water mark for recreation. The foundation is considering asking the US Supreme Court -- the last possible stop for its challenge -- to review the case.

This is the latest in a string of challenges since the mid-1980s to weaken or overturn this popular law, which was created by Montana citizens, negotiated in the Montana Legislature, upheld in state court and affirmed by the Montana Supreme Court. The challenge is not without hypocrisy. An out-of-state law firm that religiously embraces states' rights and condemns federal intervention is engineering the challenge, but in this instance it is asking the federal bench to undermine something Montanans resolved on a state level.

Fortunately, the legal foundation is spinning wheels. In December, the Ninth Circuit Court of Appeals upheld a district court ruling rejecting the legal foundation's claims that the law violates the US Constitution's 14th amendment right of due process by allowing public access for recreation on small rivers and streams. The defendant was Montana's Dept. of Fish, Wildlife and Parks. Montana TU was one of four groups intervening on behalf of FWP. Three years ago the foundation advertised in Montana saying it wanted to challenge the law and was looking for clients to represent pro bono. Three takers emerged: A landowner on O'Dell Creek near Ennis, who was a plaintiff in a 1980s case that unsuccessfully challenged the law; an Arizona couple owning land on the Ruby River who had previously lost an appeal to the FWP Commission to close the river to the public; and a landowner on the Stillwater River in south-central Montana. Some reports indicate the foundation is considering requesting a Supreme Court review. Would the high court hear the case? Would it succeed? No one can say for sure, but if the Supreme Court says it will review the case it would require a majority of the justices to suspend their judicial philosophies regarding the pre-eminence of states' rights.

Bruce Farling - Executive Director, Montana Council of TU

## CA Rejects Klamath Water Allocations

The California Resource's agency criticized the Bush regime's plan for allocating water to the Klamath River as "inadequate" to prevent problems like last fall's massive fish die-off of at least 33,000 salmon, says the Contra Costa Times 5/21. California maintains that the water allocated for coho and chinook salmon and steelhead trout are little changed from last year, looks only at information that supports last year's water releases, and fails to take into account USFWS studies of the fish kill. The state wants the regime to "reevaluate the fishes' needs in new consultations with state, federal and tribal agencies."

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??? What's Happening ???

June 2003

- 18th (W) ETU Chapter Meeting  
Evergreen Hotel - 6:30p  
Dennis McKinney - Flyfishing CO
- 21st (Sa) Camp Comfort @ Santa Maria  
and 22nd (Su) VERY rewarding  
event - Call Rich for details
- 25th (W) ETU Board Meeting  
Rib Crib (Other Side) - 6:30p

July 2003

- 4th (F) Kids Fishing Clinic  
Evergreen Lake - 9:00a - ???  
Contact Rich or John if you can  
help.
- 9th (W) Trapper's Lake Rendezvous  
thru the 13th (Su). PLEASE  
RSVP ASAP to Ron, Peggy, or  
Tim if you are planning to  
attend, so we can plan the  
Saturday night meal.  
DON'T MISS THE FUN!!!

\*\*\* Remember, NO MEETING IN JULY \*\*\*

- 23rd (W) ETU Board Meeting  
Rib Crib (Other Side) - 6:30p

Chapter Contacts

President	Rich Reynolds <joansew@aol.com>	674-4861
Vice President	JohnEllis <cutthroattrout47@aol.com>	674-1017
Treasurer	Steve Murray <murray_sp@msn.com>	670-7942
Secretary	Ron Belak	674-2239
Programs	Randy Huiting <rhuiting@att.net>	670-5083
Membership	Randy Huiting <rhuiting@att.net>	670-5083
Newsletter	Tim Haller <thaller@pcisys.net>	674-5426
Youth Education	Peggy Linn	674-2239
Trips	Peggy Linn	674-2239
Special Projects	Hugh Gardner <hgardner@dimensional.com>	697-5876
At Large	Wayne Kosloske	674-4092
At Large	Mike Goldblatt <mike@lamtree.com>	674-7122
At Large	Len Wheaton	674-4243
Webmaster	Karen Christopherson <kc@coloradofishing.net>	674-0252
CTU Office	Various nice folks	440-2937

On the web - [www.tu.org](http://www.tu.org); [www.cotrout.org](http://www.cotrout.org); [www.evergreentroutrout.org](http://www.evergreentroutrout.org)  
Contact any of us with questions, suggestions, or spare time.

Editorial Policy

All submissions to the newsletter must be received by the Editor by the 1st Friday of the month. Submissions may be on 3 1/2" disc or e-mailed. All items are subject to editing/space limitations. Articles are copyrighted by the author unless otherwise noted. All phone numbers are Area Code 303 unless otherwise noted. Call me for additional information.

Evergreen Trout Unlimited  
P.O. Box 1974  
Evergreen, CO 80437-1974



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