

Flycatcher

You have likely heard of the Southwest Willow Flycatcher, the elusive, endangered, tiny bird whose potential presence created havoc for areas throughout the southwest including Arizona, Southern California, Nevada,

Get the information by e-mail

You can help make communication less costly. In order to receive this newsletter by e-mail, go to www.laplawd.org and sign up. The web site contains district policies, election resolutions and ballot wording, meeting notices and minutes, Briliam's feasibility study, the master plan, and service plan. People who still have questions need only e-mail info@laplawd.org.

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New Mexico, Utah and Colorado over the past decade. Now Fish and Wildlife Service of US Department of the Interior proposes to add Pine River to the northeast boundary of the flycatcher's critical habitat. The logic continues to be that protecting habitat will create birds.

It appears that Fish & Wildlife Service (F&WS) may have put the critical habitat designation before the value of Pine River as essential habitat has been established. F&WS has yet to provide a thorough description of habitat characteristics that would support recovery of flycatcher populations since the bird tends to be a "generalist" capable of relying upon a diversity of habitat types, except those inhabited by people. F&WS does generally define stream segments which do not typically contain structures as likely flycatcher territory. F&WS has determined that the species avoids areas overrun with physical disturbance (i.e. residential and industrial settings).

Pine River, from Columbus Bridge (CR 501) to Navajo Reservoir, crosses under county, town and private bridges and bisects US Highway 160 and Bayfield Parkway (160B), State Highway 151, 30+ ditch diversions, Towns of Bayfield and Ignacio, and Southern Ute Indian Tribe headquarters. F&WS states that the proposed rule "made efforts to avoid including developed areas such as lands covered by buildings, pavement, and other structures because such lands lack physical or biological features for the flycatcher;" however, regardless of these characteristics, the entire segment of Pine River has been proposed for Critical Habitat listing.



The potential problem for LAPLAWD is fourfold: any additional development may be unacceptable to F&WS; one flycatcher might have been seen here, and there is no given number of them defining success; there is no date by which the viability of the habitat designation is to be judged; and there is no apparent awareness that LAPLAWD is engineering its project to coincide with existing disturbed corridors to minimize environmental impact.

What, you may be asking, is LAPLAWD doing to get water past the flycatcher to your home? All the time you're asking, you're feeling the weight of inevitable red tape.

LAPLAWD staff and consultants are working with all federal and state agencies to obtain permits as quickly as possible, with the goal of starting to lay pipelines late in 2012 and deliver water to district homes in early 2013.

LAPLAWD and Pine River Irrigation District have sent a joint set of comments addressing the "2011 Proposed Designation of the Los Pinos River as Critical Habitat for the Southwestern Willow Flycatcher (*Empidonax traillii extimus*)" (proposed rule: Federal Register, Vol. 76, No. 157 50 CFR Part 17: Endangered and Threatened Wildlife and Plants; Designation of Revised Critical Habitat for Southwestern Willow Flycatcher) to Steve Spangle, Field Supervisor, U.S. Fish and Wildlife Service, 2321 West Royal Palm Rd., Suite 103, Phoenix, AZ 85021

The entire document is posted on LAPLAWD's web site, www.laplawd.org, for those who want to read it.

Rate Setting

LAPLAWD staff, customers and directors met in work sessions starting in September to figure out what rates should be recommended to the Board of Directors. By February 15, the working group decided on types of rates, a schedule for usage charges and a Capital Investment Fee. Other fees, generally administrative, are yet to be considered.

Water use fee

The recommended monthly use charge is \$30 for the first 2000 gallons; additional \$6 per 1000 gallons from 2001 to 5000 gallons; plus \$10/ 1000 gallons up to 8000 gallons; and \$15 more/ 1000 gallons over 8000 gallons. Typical in-home use per month is 4000 to 6000 gallons per month.



The table of monthly charge is:

| If Customer Uses x 1,000 gal | Monthly Cost |
|---------------------------------|--------------|
| 2 | \$30.00 |
| 3 | \$36.00 |
| 4 | \$42.00 |
| 5 | \$48.00 |
| 6 | \$58.00 |
| 7 | \$68.00 |
| 8 | \$78.00 |
| 9 | \$93.00 |
| 10 | \$108.00 |

Tap size and fee

The meter size for a typical home will be 5/8 inch. LAPLAWD will deliver water to the meter. Each customer will install the pipeline from the meter pit to his/her home.

The Capital Investment Fee (tap fee) will be \$5,550 which includes the cost of the pit, meter and necessary valves. This fee is about

the same as those of Town of Bayfield and City of Durango.

Administrative fees

Charges for turn-on and turn-off, late payments, bounced checks, etc. will be considered in the future.

Comments are welcome

The full recommendations from the work sessions are posted on the LAPLAWD web site, www.laplawd.org. The Board of Directors will consider the recommendations and may modify them based on further discussion, new information and comments.

Contact LAPLAWD at info@laplawd.org, on the web site, by calling General Manager Ed Tolen at 970-563-5320, or contacting the director from your district.

