



COLORADO WATER CONSERVATION BOARD



WATER SUPPLY RESERVE ACCOUNT 2010-2011 GRANT APPLICATION FORM

The Lower Gunnison Restoration - Improving Habitat and Safety at the Hartland Diversion Dam - Partial Dam Removal and Stabilization.

Name of Water Activity/Project

River Basin Location

\$53,100

☒

Basin Account

☒

Yes

☐

Statewide Account

☐

No

Amount of Funds Requested

Please Check Applicable Box

Approval Letter Signed By
Roundtable Chair and
Description of Results of
Evaluation and Approval
Process

*** For the Basin Account, the Application Deadline is 60 Days Prior to the Bimonthly CWCB meeting. The CWCB meetings are posted at www.cwcb.state.co.us and are generally the third week of the month.**

*** For the Statewide Account, the Application Deadline is 60 Days Prior to the March and September CWCB Board Meetings.**

* In completing the application you may attach additional sheets if the form does not provide adequate space. If additional sheets are attached please be sure to reference the section number of the application that you are addressing (i.e., A.1. etc.).

Instructions: This application form must be submitted in electronic format (Microsoft Word or Original PDF are preferred). The application can be emailed or a disc can be mailed to the address at the end of the application form. The Water Supply Reserve Account Criteria and Guidelines can be found at <http://cwcb.state.co.us/IWMD/>. **The criteria and guidelines should be reviewed and followed when completing this application.** You may attach additional sheets as necessary to fully answer any question, or to provide additional information that you feel would be helpful in evaluating this application. Include with your application a cover letter summarizing your request for a grant. If you have difficulty with any part of the application, contact Todd Doherty of the Intrastate Water Management and Development (Colorado Water Conservation Board) for assistance, at (303) 866-3441 ext.3210 or email Todd at todd.doherty@state.co.us.

Generally, the applicant is also the prospective owner and sponsor of the proposed water activity. If this is not the case, contact the Todd Doherty before completing this application.

Part A. - Description of the Applicant (Project Sponsor or Owner);

1.	Applicant Name(s):	Painted Sky Resource Conservation and Development Council, Inc.		
	Mailing address:	690 Industrial Blvd. Delta, CO 81416		
	Taxpayer ID#:	84-1489087	Email address:	Mldht1@live.com
	Phone Numbers: Business:	(970)874-5735 x135		
	Home:	(970)527-4535		
	Fax:	970.874.4706		
			Cell:	(801)710-8372

2. **Person to contact regarding this application if different from above:**

Name:	Michael L. Drake
Position/Title	Executive Director

3. **Provide a brief description of your organization below: see “Description of Applicant” in Part 2 of Criteria and Guidance for required information.**

The applicant for funding is an organization incorporated in the State of Colorado, doing business as Painted Sky Resource Conservation and Development Council (Painted Sky). The organization was incorporated on March 30, 1999, and received final notification of tax-exempt status (501(c)(3)) in January, 2004. Painted Sky is part of a nationwide network of Resource Conservation and Development (RC&D) Councils, which collectively forms a public/private partnership with the USDA’s Natural Resources Conservation Service. As part of this partnership, each RC&D Council is assigned a federal employee who is the NRCS Coordinator for the council. However, Painted Sky is an independent entity that is led by an Executive Director who reports to a volunteer board made up of representatives from across Painted Sky’s area. Our area includes Delta, Gunnison, Montrose, and Ouray Counties, with portions of San Miguel, Hinsdale and Saguache County.

Painted Sky works “to compliment, balance, and promote natural and human resources to improve the general level of economic activity and enhance the environment and standard of living in the Painted Sky RC&D area.” Since incorporating, Painted Sky has initiated a number of projects that have improved water quality, wildlife habitat, agricultural productivity and energy efficiency within the region. Some continuing and new efforts have grown out of the efforts of Painted Sky board members, staff, and partnering communities and agencies:

- the Selenium Task Force was originated by Painted Sky staff; the Task Force continues to work as a discrete organization, reducing selenium transport to ground- and surface-waters of the region
- recipient of EPA “319” funding to document “best water management practices” for water conservation in ponds, golf courses, and agricultural uses
- wildfire planning for area communities within urban-interface zones
- a County-wide planning and action committee eliminating tamarisk from the Gunnison and Uncompahgre River basins
- park and trail development for area municipalities
- establishment of a permanent revolving loan fund for business energy improvement financing

Since 1999, Painted Sky has established a track record as an organization with the ability to get things done at a local level through partnership, cooperation, and coordination. The organization has independently administered millions of dollars in funding, and has spun off a number of ventures that produce environmental and community benefits to the region.

For the proposed project, Painted Sky has established partnerships and an Integrated Project Team (IPT) with the key stakeholders in this project. The following list includes the project stakeholders who have been involved in the planning to date:

- US Fish and Wildlife Service,
- USDA-Natural Resources Conservation Service,
- Hartland Irrigation Company,
- Will Hutchins, private landowner
- Colorado River Water Conservation District,
- Colorado Division of Wildlife,
- Gunnison Basin Round Table,
- CWCB,
- Delta and Montrose Counties,
- Delta and Montrose Cities,
- Delta Conservation District and
- Colorado Watershed Assembly

Painted Sky’s Executive Director, Mike Drake, brings 35 years of experience leading large diverse teams to successfully complete technical projects to this program. His program management and engineering background will be of great value to the project.

4. If the Contracting Entity is different then the Applicant (Project Sponsor or Owner) please describe the Contracting Entity here.

N/A

Part B. - Description of the Water Activity – Please Refer to Criteria and Guidance Document for Eligibly Requirements

1. Name of water activity/project:

The Lower Gunnison Restoration – Improving Habitat and Safety at the Hartland Diversion Dam – Partial Dam Removal and Stabilization.

What is the purpose of this grant application?

☐

Environmental compliance and feasibility study

☐

Technical Assistance regarding permitting, feasibility studies, and environmental compliance

☐

Studies or analysis of structural, nonstructural, consumptive, nonconsumptive water needs, projects

Study or Analysis of:

☐

Structural project or activity

☐

Nonstructural project or activity

☐

Consumptive project or activity

☐

Non-consumptive project or activity

☒

Structural and/ or nonstructural water project or activity

2. Describe how the water activity meets these Threshold Criteria.

1. The water activity meets the eligibility requirements outlined in Part 2 of the Criteria and Guidelines.

The proposed project, “The Lower Gunnison Restoration – Improving Habitat and Safety at the Hartland Diversion Dam – Partial Dam Removal and Stabilization,” meets the criteria established in Senate Bill 06-179, as an Eligible Water Activity. The total project proposed consists of a final design and implementation of a modified Hartland Diversion Dam structure that will enable fish and boater passage across the structure. Requested funds will cover the specifically the partial removal and stabilization of the current diversion dam structure.

2. The water activity is consistent with Section 37-75-102 Colorado Revised Statutes. The requirements/language from the statute is provided in Part 3 of the Criteria and Guidelines.

The proposed project will proceed from the foundational principle that the water rights of the Hartland Ditch Company will not in any way be superseded, abrogated, or otherwise impaired by any changes made to the structure to achieve fish and/or boater passage. This principle has been

pursued from the beginning by Painted Sky's Project Management Team. As a principle, it has also allowed Painted Sky to attract the Hartland Irrigation Company to the table, as a motivated partner with a stake in the outcome of the project. See Appendix A for the Letters of Support for the project, including the Hartland Ditch Company.

- 3. The water activity underwent an evaluation and approval process and was approved by the Basin Roundtable (BRT) and the application includes a description of the results of the BRT's evaluation and approval of the activity. At a minimum, the description must include the level of agreement reached by the roundtable, including any minority opinion(s) if there was not general agreement for the activity. The description must also include reasons why general agreement was not reached (if it was not), including who opposed the activity and why they opposed it. Note- If this information is included in the letter from the roundtable chair simply reference that letter.**
- 4. The water activity meets the provisions of Section 37-75-104(2), Colorado Revised Statutes. The requirements/language from the statute is provided in Part 3 of the Criteria and Guidelines.**

The project will include the development and implementation of a modified diversion structure, to ensure the facility owners and interested stakeholders that the water rights of the Hartland Ditch Company are not impacted. Therefore, the project meets Section 37-75-104(2) C.R.S., as it will enable passage over the structure in such a way that those water rights are not limited, impeded, or otherwise diminished.

- 3. For Applications that include a request for funds from the Statewide Account, describe how the water activity meets the Evaluation Criteria. See Part 3 of Criteria and Guidelines.**

N/A – Requesting funds from Basin Account

- 4. Please provide an overview of the water project or activity to be funded including – type of activity, statement of what the activity is intended to accomplish, the need for the activity, the problems and opportunities to be addressed, expectations of the participants, why the activity is important, the service area or geographic location, and any relevant issues etc. Please include any relevant TABOR issues that may affect the Contracting Entity. Please refer to Part 2 of Criteria and Guidance document for additional detail on information to include.**

The funding requested for, **“The Lower Gunnison Restoration – Improving Habitat and Safety at the Hartland Diversion Dam – Partial Dam Removal and Stabilization”** is for the work required to remove part of the existing Hartland Diversion Dam and stabilize the remaining part of the dam. The following is an overview of the entire project, including construction of the fish and boat passage structures, and bank stabilization and restoration.

Painted Sky Resource Conservation and Development Council, Inc. (Painted Sky), has secured the funds required to complete the final design (US Fish and Wildlife Service - \$200,000, Painted Sky - \$10,000 in-kind). The final design is expected to be completed by the end of September, 2010 and securing the required permits for construction is progressing well. However, the initial final design cost

estimate exceeds the money available for construction by over \$700,000 with construction of the fish passage structure to begin in late October.

The project's construction funding portfolio includes federal, state, local and foundation contributions (US Fish and Wildlife Service - \$996,000, National Fish and Wildlife Foundation - \$110,000, Colorado Water Conservation Board - \$560,000, Colorado River District - \$48,000). Painted Sky has defined cost cutting modifications that meet the minimum design elements and reduce the budget shortage to under \$400,000. Additionally, Painted Sky has received approval from US Fish and Wildlife Service for an additional \$250,000, and Painted Sky's Board of Directors has approval a direct cash match of \$100,000. That leaves an approximate shortfall of \$50,000. Your help could give us the final push over the top and would leverage over \$1,947,000 of total project funding.

Project Design and Implementation

The implementation of the Lower Gunnison River Restoration Project will eliminate the last major fish blockage issue for the entire Lower Gunnison River drainage. The removal of this fish migration barrier will significantly improve river system health by reconnecting fragmented river habitat for the direct benefit of three fish species of special concern. Research indicates that the three focus species populations will increase. It is anticipated that the general fish population also will increase along with increases in wildlife populations that depend on fish.

At the same time, the implementation of this project will insure that the Hartland Irrigation Company maintains complete access to their senior pre-Colorado River Compact water decree, improve navigational safety on the river, and eliminate trespassing issues on private property.

The design and implementation of the Lower Gunnison River Restoration Project will be completed in three distinct phases: Final Design, Site Preparation, and Construction.

Project Status

For the proposed project, Painted Sky has established partnerships and an Integrated Project Team (IPT) with the key stakeholders in this project. See the section titled, "Coordination Plan and Public Involvement" for a complete list of the project stakeholder. The key stakeholders have been involved in the planning and development of the project, and are supportive of this project because of the multiple benefits the project affords.

Project Design

On March 26, 2010, McLaughlin Water Engineers LTD. was added to the Painted Sky project team with the contract award for the Final Design. The Conceptual Design was the starting point for the Final Design. However, a detailed review of the Conceptual Design revealed that the design didn't meet all the critical requirements established. As a result, a preliminary Final Design was completed that demonstrates the achievement of all the critical requirements established, including long term maintenance, the survival of a 100 year flood, and no impact on the floodplain. The Final Design is scheduled to be completed by the end of September 2010.

Project Site Preparation and Staging

The site prep and staging of materials needed for the construction began in the second quarter of 2010 on the Hutchins property on the west side of the river at the Hartland Dam. Fence removal, earthwork, and road improvements have been completed to date. Painted Sky has identified local sources for donated boulders and rocks. Contracts with local excavation contractors to move the material to the site will be issued in September 2010. Additional materials may be required to be purchased.

Project Construction/Implementation

Upon acceptance of the final design, Painted Sky will release a competitive procurement for the construction and implementation of the dam modification. It is anticipated that this request for proposal will be issued in early October 2010. The selection process will be based on a best-value approach and will not be based strictly on cost. Construction capabilities and past performance will be weighted equally with the bid cost. The least-risk, best-value proposal will be selected for award. Painted Sky will insure that the winning construction company has demonstrated capabilities and past performance at a level that greatly limits the risk of the project.

The construction process and progress will be supervised and monitored by Painted Sky, with the direct support of McLaughlin Water Engineers, and the Hartland Irrigation Company. In addition, Painted Sky will bring in experts from the USFWS, CDOW, and NRCS for periodic inspections, further reducing project risk and increasing confidence in the construction and implementation effort. The current project schedule indicates that the construction effort will begin in the fourth quarter of 2010 with completion during the first quarter of 2011.

5. **Please summarize the proposed scope of work. Please refer to Part 2 of the Criteria and Guidance document for detailed requirements. On the following page there is an example format for the Scope of Work. You can use the example format or your own format, provided that comparable information is included.**

Statement of Work

WATER ACTIVITY NAME - The Lower Gunnison Restoration – Improving Habitat and Safety at the Hartland Diversion Dam – Partial Dam Removal and Stabilization

GRANT RECIPIENT – Painted Sky

FUNDING SOURCE – Basin Account

INTRODUCTION AND BACKGROUND

This project is one of the first steps in the construction of the total Hartland Diversion Dam modification effort that will enable both fish passage and boater passage through the diversion dam. This specific task effort will remove the required portion of the existing diversion dam and stabilize the remaining portion of the existing diversion dam.

OBJECTIVE

The objective is the efficient and timely removal of the required part of the existing diversion dam structure and stabilization of the remaining dam.

TASK 1 – Dam Removal

Description of Task

The task will consist of the work required to remove the required portion of the dam and stabilize the remaining dam.

Method/Procedure

The procedure will entail the use of a welder to remove the train track rails used to construct the cribbing that is filled with rock to create the current diversion structure. After the removal of the rails, the rock will be moved to the bank for reuse in the construction of the new diversion structure. The remaining section of the dam will be stabilized as defined in the final design drawings.

Deliverable

The final and only deliverable will be a report detailing the work complete during the task.

BUDGET

The detailed budget for dam removal and stabilization from the Preliminary Design cost estimate is:

Item	Quantity	Unit	Cost(\$)/Unit	Cost (\$)
Existing Dam Removal	1	LS	\$50,000	\$50,000
H-pile (@ Corner of Dam to Remain)	25	l.f.	\$60	\$1,500
Reinforced Concrete Cap on H-Pile	2	c.y.	\$800	\$1,600
Task Total				\$53,100

SCHEDULE

The schedule for the entire project is shown below. The specific task of dam removal will be started and completed in the final quarter of 2010, during the construction phase of the total program.

	Quarter 1 Oct- Dec 2009	Quarter 2 Jan- Mar 2010	Quarter 3 Apr- Jun 2010	Quarter 4 Jul- Sept 2010	Quarter 5 Oct- Dec 2010	Quarter 6 Jan- Mar 2011	Quarter 7 Apr- Jun 2011
Final Design							
Site Prep/Staging							
Construction							

6. Water Availability and Sustainability

The proposed project will take place within the Gunnison River approximately 2.5 miles east of Delta, Colorado. The total potential improved aquatic habitat extends throughout the Black Canyon of the Gunnison National Park, and the Gunnison Gorge National Conservation Area to the dam downstream of the Crystal Reservoir, and through the North Fork of the Gunnison to the Paonia Reservoir encompassing approximately 230 River Miles. (see Appendix B)

Due to action of water, downstream landowner Mr. Will Hutchins has observed erosion of the east side of

the Gunnison River, which abuts his farm. In this section of the Gunnison, a sudden turn to the south at XS1800 causes a southerly flow of the river as it passes the Hutchins property. The Hartland Ditch draws water from the western side of the river. The bulk of the volume of water during higher flows appears to pass closest to the eastern side thus impacting Mr. Hutchin's property. Within the past year, he has worked with the Delta-Montrose Electric Association to stabilize the bank approximately 100 yards south of the diversion structure.

7. Please provide a brief narrative of any related or relevant previous studies.

Previous Study: US Fish and Wildlife

The interest among U.S. Fish and Wildlife Service staff in creating fish passage at the Hartland was formalized as early as 1996 in a report by Fishery Biologist Bob D. Burdick and Frank K. Pfeifer entitled, "Discussion of the Merits for Fish Passage at Hartland Diversion Dam on the Gunnison River Near Delta, Colorado." As stated above, the project was originally identified as an action item for the Service's Recovery Program, known as "RIPRAP" or Recovery Implementation Program Recovery Action Plan.

This report indicated that, at the time, the Fish and Wildlife Service's position was that total or partial removal of the structure would be desirable to pass fish. Fish passage upstream and boat passage downstream were explored, with the statement that "the key to enabling fish to ascend some swift chutes is rock placement and associated resting pools, which could be hazardous to boaters." Therefore, the Service concluded that these two functions should be considered separately, as they may have separate engineering and materials requirements.

The bulk of the Fish and Wildlife Service report focused on the quality and extent of various fish habitat that could be opened up with fish passage upstream of the Hartland. The report states, "Hartland Diversion Dam presently bisects a 17-mile long floodplain on the Gunnison River between Roubideau Creek (river mile 50) and Austin (river mile 67). Although razorback sucker appear to be extirpated from the Gunnison River, this 17-mile reach is considered a priority razorback sucker restoration site because it is the only flooded bottomland habitat that exists in warmwater reaches of the Gunnison River." This floodplain habitat may have historically been used by these and other fish for spawning. The report also notes that the numbers of adult roundtail chub captured immediately upstream of the Hartland were significantly lower (a magnitude of about 5 times) than those downstream of the structure.

In summary, the U.S. Fish and Wildlife Service's 1996 report recommended that the RIPRAP program should proceed with a design and engineering feasibility study for fish passage at the Hartland.

Previous Study: U.S. Bureau of Reclamation

In 2000, the U.S. Bureau of Reclamation commissioned a study by the consulting firm, Tetra Tech, Inc., entitled "Concept Development Report, Hartland Diversion Dam Fish Passage Structure, Delta, Colorado. This study was also related to the U.S. Fish and Wildlife Service's RIPRAP program, and the primary stated reason was to open fish passage for the endangered Colorado pikeminnow and the razorback sucker. The report examined three alternatives in detail, including a concrete fish ladder on the east bank, an open channel boulder drop-pool fish ladder on the east bank, and the reconstruction of the dam for fish and boater passage in an open channel drop-pool sequence through the center of the river.

The first two alternatives were determined to meet the goal of providing fish passage, and were estimated at roughly \$500,000 in construction and maintenance (estimate uses dollar value in the year 2000). The third alternative, involving regarding of 250 feet of river, installation of concrete cutoff walls, and over 20,000 tons of rock, also provides for boater passage, but comes with a price tag of over \$2 million.

The bulk of the Bureau report is dedicated to describing general critierial for conceptual layout and grading of the three alternatives, development of basic design information, cost estimates, evaluation of the alternatives, and recommendations. See Appendix, “Table 7.6, Summary of Alternatives” for details from this report.

The Bureau-commissioned report stops short of selecting or recommending one of the three proposed alternatives. Rather, recommendations focus on issues that need to be addressed for each of the different designs.

The above statements are true to the best of my knowledge:

Signature of Applicant:

Print Applicant’s Name:

Project Title:

Return this application to:

Mr. Todd Doherty
Intrastate Water Management and Development Section
COLORADO WATER CONSERVATION BOARD
1580 Logan Street, Suite 600
Denver, CO 80203

To submit applications by Email, send to: todd.doherty@state.co.us

Appendix A Letters of Support

Hartland Ditch Co.

est. 1897

Mr. Michael Drake, Executive Director
Painted Sky RC&D Council
690 Industrial Boulevard
Delta, Colorado 81416

Re: Lower Gunnison Restoration Project: Improving Habitat and Safety at the
Hartland Diversion Dam

Dear Michael:

In response to your letter dated November 2, 2009 and to our conversation on November 11, 2009, the Hartland Ditch Company is in full support of the proposed Hartland Diversion Dam modification project. Even though the current dam is quite functional for delivering water to the Hartland Ditch, we feel that modifying the Dam to allow for multiple users makes good sense.

As stated in the past, the Hartland Ditch Company has very limited monetary resources and will not be able to help fund this project. That being said, we are looking forward to working with Painted Sky and other agencies to see this project through to completion.

Following are benefits following completion of the project:

- The Hartland Ditch Company will have a new structure in the Gunnison River which will supply water to its Ditch well into the future.
- Stream bank stabilization, which is part of the proposed design, would help protect private property and structures in the vicinity of the Dam and below.
- It will make it safer for boaters to float the Gunnison River from Austin to Delta.

The Hartland Ditch Company is looking forward to working with Painted Sky on this project.

Sincerely yours,

THE HARTLAND DITCH COMPANY

A handwritten signature in blue ink, appearing to read "Earnest E. Schaaf", followed by the date "11/16/09".

Earnest E. Schaaf, Vice-President

The Gunnison Basin Roundtable

November 5, 2009

Michael L. Drake, Executive Director
Painted Sky Resource Conservation & Development Council
600 Industrial Blvd.
Delta, CO 81416

Dear Mr. Drake,

On behalf of the Gunnison Basin Roundtable, I am very pleased to have this opportunity to express our support for your efforts to fund and construct the Hartland dam fish passage project on the Gunnison River near Delta.

As you know, the Gunnison Basin Roundtable provided funds to develop the conceptual design and cost estimates for the project. This project has been a high priority among natural resource professionals, local governments & agencies, and nonprofit organizations for at least ten years.

This project will connect formerly fragmented aquatic habitat for three Colorado native 'Species of Concern' including the flannelmouth sucker, bluehead sucker and roundtail chub which will result in increased populations of these fish in several hundred acres upstream from the current dam. It may also benefit federally listed native species such as the razorback sucker and the Colorado pikeminnow.

Reconstruction of the dam will help reduce danger to boaters. Fatalities have occurred at the dam in the past and the proposed design will reduce boater hazards while reducing liability for the Hartland Irrigation Company and adjacent landowners.

Thank you very much for this opportunity to support this very worthwhile project. Good luck and please contact me if I can be of further assistance.

Sincerely,



Michelle Pierce
Chair



DELTA COUNTY, COLORADO

BOARD OF COUNTY COMMISSIONERS

COUNTY COURTHOUSE • 501 PALMER STREET • SUITE 227 • DELTA • COLORADO • 81416-1796

PHONE: (970) 874-2100 FAX: (970) 874-2114

www.deltacounty.com

Dist. 1: Lela J. "Jan" McCracken - Dist. 2: C. Bruce Hovde - Dist. 3: R. Olen Lund

November 19, 2009

Mr. Michael Drake
Executive Director
Painted Sky RC&D Council
690 Industrial Blvd.
Delta, CO 81416

Re: Lower Gunnison Restoration: Improving Habitat and Safety at the Hartland Diversion Dam

Dear Mr. Drake:

The Board of Delta County Commissioners (Board) strongly supports the Lower Gunnison Restoration project which will improve the habitat and safety at the Hartland Diversion Dam.

This project includes design and construction of an in-stream fish passage structure which will allow several species of concern to migrate up and downstream. This will improve and expand hundreds of acres of aquatic habitat, along with the terrestrial species that depend upon those species.

Increased river-based recreation, including fishing and boating, would benefit Delta and Montrose County businesses' reliance on tourism dollars. This project will also create jobs and retain businesses in this area.

Reconstruction of the dam will help reduce dangers to boaters. Fatalities have occurred at the dam, and the proposed design would reduce boater hazards while reducing liability for the Hartland Irrigation Company and adjacent landowners.

Stream bank stabilization, which is part of the proposed design, would also help protect a major transmission line crossing the Gunnison River just downstream of the dam. This proposed project will permanently resolve this bank stabilization issue.

In summary, this project will help stimulate the economy by creating jobs and retaining businesses in this area. These types of jobs provide the basis of a strong value added economy in Delta County. Another benefit of this project is creating the potential for tourism dollars and addressing necessary public safety issues.

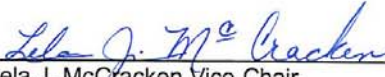
We strongly urge the Grant Selection Committee to provide favorable consideration to this grant application.

Sincerely,

BOARD OF DELTA COUNTY COMMISSIONERS
COUNTY OF DELTA
STATE OF COLORADO



R. Olen Lund, Chair



Lela J. McGracken Vice-Chair



C. Bruce Hovde, Commissioner



December 17, 2009

Michael Drake
Executive Director
Painted Sky RC&D Council
690 Industrial Blvd.
Delta CO 81416

RE: Letter of support: "Lower Gunnison River Restoration - Improving Habitat and Safety at the Hartland Diversion Dam"

To whom it may concern –

This letter documents the Colorado River District's strong support for Painted Sky's proposal to remediate and restore a significant portion of the lower Gunnison River by removing a portion of the Hartland Irrigation Company's diversion structure. Although this important senior agricultural water right and diversion dam provides a reliable water supply to producers in Northern Delta County, Colorado, it poses an impassable obstacle for three aquatic species of concern (the roundtail chub, flannelmouth sucker and bluehead sucker) and prevents safe river access, significantly limiting recreational and economic opportunities.

The restoration project represents a true win-win-win scenario. In addition to ensuring that the senior water right can continue to operate efficiently and in priority, the project will provide both upstream passage for aquatic wildlife and downstream navigation for recreationists. It will also stabilize river banks, minimize sedimentation, increase floodway capacity, and significantly improve the riparian habitat.

In addition, to the previously mentioned aquatic species of special concern, the lower Gunnison River is home to two endangered fish species (the Colorado pikeminnow and razorback sucker). Although, the project area is near the margin of their historical range, it is hoped that this project will expand their habitat and help in the recovery of these endangered fish species. In fact, the US Fish and Wildlife Service recently issued a Programmatic Biological Opinion for the Gunnison River basin that specifically identifies important recovery goals that this project will help meet.

To reiterate, the Colorado River District strongly supports this project because of the multiple benefits for both aquatic wildlife and humans. We commend Painted Sky and their partners for putting forward this project and urge potential sponsors to contribute financial and political support to ensure its successful completion.

Sincerely,

R. Eric Kuhn
General Manager

201 Centennial Street / PO Box 1120 • Glenwood Springs, CO 81602
(970) 945-8522 • (970) 945-8799 Fax
www.ColoradoRiverDistrict.org



CITY OF MONTROSE

433 South First Street
P.O. Box 790
Montrose, Colorado
81402-0790

www.cityofmontrose.org

Jose Abeyta, Mayor
Gail Marvel, Mayor Pro-Tem
Ed Ulibarri, Council Member
Kathy Ellis, Council Member
Erica Lewis Kennedy, Council Member

970/240-1435 Phone
970/240-1493 Fax

December 2, 2009

To Whom It May Concern:

The City of Montrose, CO (pop. 18,000) is proud to collaborate with Painted Sky Resource Conservation & Development Council by offering a letter of support for the Lower Gunnison Restoration project.

The Gunnison River has been the lifeblood for our region for over 100 years. This year (2009) marks the centennial anniversary of the opening of the Gunnison Tunnel, a project which diverted water from the Gunnison River to the Montrose and Delta valleys. As we celebrate this great milestone, our thoughts look to the future preservation of the river.

The Lower Gunnison Restoration will protect many native fish, including species of concern. The project will also reduce the dangerous undertow at the dam which has claimed lives of rafters and recreationalists. Additionally, the project will create needed jobs in our region as well as provide increased river-based recreation, both resulting in increased tax revenue.

There is great urgency in securing additional funding for this project. The immediate funding needs pale in comparison to the long-lasting benefits of a restored Gunnison River, which will help preserve the Lower Gunnison for the next 100 years.

Sincerely,

Jose Abeyta
Mayor

November 30, 2009

Michael Drake
Executive Director
Painted Sky RC&D Council
690 Industrial Blvd.
Delta CO 81416

Re: Lower Gunnison River Restoration – Improving Habitat and Safety at the Hartland Diversion Dam

Dear Michael,

In response to your request earlier this month, The Nature Conservancy is pleased to provide this letter of support for the above reference river restoration project, as it was described in the October 30, 2009 application for funding from the Colorado Water Conservation Board.

We are especially supportive of this project, because the lower Gunnison River is one of the Conservancy's priority reaches for conservation in the Colorado River Basin. In addition, we believe this project is important because it will connect formerly fragmented aquatic habitat in that river for three fish species of "Special Concern" in Colorado (the roundtail chub, flannelmouth sucker, and bluehead sucker) and increase the aquatic habitat accessible to two federally listed endangered fish species (the Colorado pikeminnow and razorback sucker). We also appreciate that the project will have multiple benefits besides improving the river habitat for these native fish species and commend Painted Sky for organizing the design, community support and funding for such a strong project. We look forward to your continued progress and successful completion of this very substantial step in restoring the lower Gunnison River.

Sincerely,



Taylor Hawes
Director, Colorado River Program



Tim Sullivan
Acting Director, State of Colorado Program

North Fork River Improvement Association

PO Box 682~ 122A East Bridge Street, Hotchkiss, Colorado 81419
(970) 872-4614 dave@nfria.org www.nfria.org

November 20, 2009

Mr. Michael Drake, Executive Director
Painted Sky RC&D Council
690 Industrial Blvd
Delta, CO 81416

Re: Support for Hartland Diversion Dam Reconstruction Project

Dear Mr. Drake:

At a meeting of the Board of Directors of the North Fork River Improvement Association (NFRIA), held November 17, 2009, the Board voted unanimously to support the Hartland Diversion Dam Reconstruction Project.

The project has been a high priority among natural resource professionals, local governments, federal and state agencies, and nonprofit organizations for years. We have long encouraged any serious effort to reconstruct the dam such that boaters can safely pass the dam and continue downstream. A safe boater bypass will increase river-based recreation, including fishing and boating, and contribute to the Delta County economy. Likewise, construction of the associated fish passage structure will connect current fragmented fishery habitat for several "species of concern."

We applaud the efforts of Painted Sky to take on this important task and wish your organization success in achieving this goal in the near future.

For the Board of Directors,



David Stiller, Ph.D.
Executive Director



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Mountain-Prairie Region



IN REPLY REFER TO:
FFA
Mail Stop 60140

MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225-0486

STREET LOCATION:
134 Union Blvd.
Lakewood, Colorado 80228-1807

NOV 18 2009

Mr. Michael Drake, Executive Director
Painted Sky Resource Conservation & Development Council
690 Industrial Boulevard
Delta, Colorado 81416


Dear Mr. Drake:

The Fish and Wildlife Service (Service) would like to go on record as supporting the efforts of Painted Sky Resource Conservation and Development Council (Painted Sky) in seeking to secure additional funding to supplement a grant that has already been provided by the Service under the American Recovery and Reinvestment Act of 2009 (Recovery Act) to complete the project known as "Lower Gunnison Restoration: Improving Habitat and Safety at the Hartland Diversion Dam".

We, along with Painted Sky, are very interested in this project being completed as it would fulfill multiple partners' conservation goals, reduce boating hazards and liability for the Hartland Irrigation Company and adjacent landowners, while creating jobs and supporting the economic well being of the Painted Sky area. In addition to these benefits, local governments would also receive the advantages of increased tourism, bringing in additional tax revenue. Also, stream bank stabilization associated with the project design would help to protect a major transmission line crossing the Gunnison River just downstream of the dam. It should be noted that the Service will be conducting a post-construction evaluation of the effectiveness of the diversion dam modifications with respect to upstream passage of the target fish species. This will be done during the three years following completion of the project and will compare data on fish communities upstream of the dam with similar data that were collected during the mid-1990s in that portion of the Gunnison River.

The Service recognizes that this project has been a high priority among natural resource professionals, local governments, state and federal agencies, and nonprofit organizations for at least ten years. We finally have a unique opportunity to complete the project due to the award of construction funding to Painted Sky in September 2009 by the Service in the amount of \$604,584 through the Recovery Act. However, there is great urgency in securing additional funds early in 2010 in order to meet project construction costs of approximately \$1.9 million. Because of constraints placed on the Service for utilization of Recovery Act funds, if sufficient additional funding is not available by the end of February 2010 to complete the project, the Service may need to re-program these funds to another project in order to avoid the possibility of losing these funds completely. Because of this urgency we fully support your efforts to secure sufficient additional funding for the project as quickly as possible.

Sincerely,


Acting
Deputy Regional Director

cc: Paul Van Ryzin, NRCS, Delta, CO



Delta Conservation District, 690 Industrial Blvd, Delta, CO 81416 970-874-5735 x 111

Mr. Michael Drake
Executive Director
Painted Sky RC&D Council

November 18, 2009

This letter is to express the support of the Delta Conservation District for the Lower Gunnison Restoration Project that Painted Sky is perusing at the Hartland Dam site.

The Delta Conservation District Board of Supervisors feels that this is a worthwhile project and deserves funding and support to accomplish your stated goals.

Sincerely

Jim Cazer
President Delta Conservation District
Board of Supervisors



360 Main St. • Delta, Colorado 81416 • Phone (970) 874-7566 • Fax (970) 874-8776

November 17, 2009

Mr. Michael Drake, Executive Director
Painted Sky RC&D Council
690 Industrial Blvd
Delta, CO 81416

RE: Letter of Support

Dear Mr. Drake,

This letter is in support of the Lower Gunnison Restoration: Improving Habitat and Safety at the Hartland Diversion Dam. This project has been a high priority among natural resource professionals, local governments, agencies, and nonprofit organizations for at least ten years. The coming year (2010) marks a period of opportunity to design and construct a fish passage structure, due to the award of Federal stimulus funds to Painted Sky. There is great urgency in securing additional funds by early 2010 to meet project construction costs of approximately \$1.9 million.

Reconstruction of the dam will help reduce dangers to boaters. Fatalities have occurred at the dam, and the proposed design would reduce boater hazards while reducing liability for the Hartland Irrigation Company and adjacent owners.

Increased river-based recreation would also benefit local governments through increased tourism, bringing increased tax revenue. The City of Delta is very supportive of this project and your effort to secure additional funding.

Sincerely,

Glen L. Black
City Manager

November 12, 2009

Will and Anna Hutchins
1735 - 1675 Rd.
Delta, Colorado 81416

Michael Drake
c/o Painted Sky
690 Industrial Blvd
Delta, Colorado 814167

Dear Mike,

Anna and I wish to take this opportunity to express in writing our wishes for your success in bringing to fruition the Heartland Dam fish ladder project!

We are the property owners on the left bank of the Gunnison River where the Heartland Dam is located. Rafters and inner tubers use our property to portage around the dam. Very few ask our permission which we always grant. We do not feel that we can bar them this access and force them over the dam, but having them on our bank leaves us with an unaddressed liability issue with all of it's potential expenses. A fish ladder constructed with the public's safety in mind would be a tremendous relief to us.

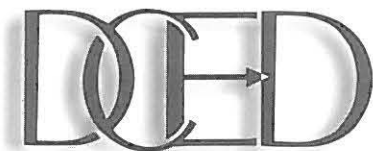
The same left bank below the dam is also subject to bank erosion. The physics of the flow of the water over the dam is beyond our ability to explain but have caused erosion of the bank over the years. In the spring of 2008 DMEA was forced to move a power pole due to this erosion. In December of 2008 we and DMEA spent approximately \$ 27,000 to place four "vaness" in the river to stabilize that bank and protect the pole. They were partly successful, but more needs to be done from the corner were the pole is located back up to the dam.

The fish ladder project which promises to alter the flow of water and change the physics of direction and energy would bring a great deal of peace of mind to both us and DMEA.

We are prepared to provide to you all the assistance we can in order to see the project through.

Kindest regards





DELTA COUNTY
ECONOMIC DEVELOPMENT

PO Box 627 ▲ Delta, Colorado 81416 ▲ Office: (970) 874-4992 ▲ Fax: (970) 874-4995

November 12, 2009

Re: Lower Gunnison River Restoration; Habitat Improvement and Safety at the Hartland Diversion Dam

To Whom It May Concern:

Delta County Economic Development, Inc. (DCED) would like to express our support for the Hartland Dam Improvement project.

This project has been a high priority project among local governments, agencies and nonprofit organizations for at least ten years. Organizations such as DCED have know about the dangers that the current dam poses to both humans and populations of fish federally listed as “species of concern.”

Construction of this project has the potential to eliminate many of the existing dangers – both to fish species and humans that recreate on the Gunnison River. Additionally, this project would help to stabilize the stream bank, helping to preserve the area surrounding a key power line within Delta County.

This is a critical infrastructure issue from many aspects – power, protection of fish species by enabling them to access the upper river for spawning, and protection of a strong tourism industry in our area.

I encourage you to give this project your highest priority. Federal stimulus funds have been allocated to help with the design and construction of the fish passage structure, and we have a rare opportunity to complete a project that will greatly benefit the community and local economy.

If you have any further questions or comments, please do not hesitate to contact me at (970) 874-4992.

Sincerely,

Deana Sheriff
Executive Director

Cc: DCED Executive Committee



November 16, 2009

To: Mr. Michael Drake
Executive Director
Painted Sky RC&D Council
690 Industrial Blvd.
Delta CO 81416

Mr. Drake;

The Delta Area Chamber of Commerce would like to offer this letter of support to your agency. We feel it would be very beneficial to allow passage for boaters and rafters to get to our area, therefore increasing tourism and tax revenues. The majority of the Delta area businesses are reliant on tourism dollars, and this project would allow boaters to use Delta as a stopping point, therefore benefiting its merchants.

Best Regards,

Linda Sanchez
Executive Director
Delta Area Chamber of Commerce
301 Main Street
Delta CO 81416

Appendix B Map of Habitat Improvement

