

STATE OF COLORADO

Colorado Water Conservation Board

Department of Natural Resources

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TO: Colorado Water Conservation Board Members

FROM: Ted Kowalski, Chief, Interstate & Federal Section
Linda Bassi, Chief, Stream & Lake Protection Section

DATE: January 12, 2011

SUBJECT: **Agenda Item 18, January 24-26, 2011 Board Meeting**
Interstate & Federal /Stream & Lake Protection Sections –
Wild and Scenic Rivers

John W. Hickenlooper
Governor

Mike King
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

Background

The CWCB Staff continues to work with stakeholder groups to develop resource protection methods that could serve as alternatives to federal determinations by the U.S. Bureau of Land Management (BLM) or U.S. Forest Service (USFS) that certain river segments are “suitable” for designation under the Wild and Scenic River Act. There are currently four stakeholder groups that are continuing to have discussions about alternatives: 1) the San Juan River basin group (separated into five different basins) (“RPW Group”); 2) the Upper Colorado River basin group (“the Upper Colorado Stakeholder Group”); 3) the Gunnison Basin Wild and Scenic Rivers Group; and, 4) the San Miguel alternatives groups that are meeting under the auspices of a subcommittee of the Resources Advisory Council (RAC). The Lower Dolores Working Group is continuing its work on developing proposed legislation that would protect the Outstandingly Remarkable Values (“ORVs”) present in the subject reaches of the Dolores River. Updates on several of the processes are set forth below.

Staff Recommendation

The Staff seeks the Board’s input on the various processes.

Upper Colorado Stakeholder Group Update (Upper Colorado Stakeholder Group)

The Upper Colorado Stakeholder Group continues to work through the last couple of issues related to the development of a management plan. The Drafting Committee, Fishing Committee, and Recreational Boating Committee have been meeting. These Committees have made progress in developing solutions that will be served up to the Stakeholder Group within the next several weeks. The Bureau of Land Management has delayed the expected date of its Draft EIS until April 2011. We continue to work on striking the appropriate strategy that will allow water development entities to “opt in” to this Management Plan in the future. We have meetings scheduled over the next several weeks, and we will provide the Board with an update about the outcome of those meetings at the Board meeting. The Stakeholder Group still hopes to submit a final Management Plan Alternative to the BLM and the USFS by the April, 2011 deadline.

River Protection Workgroup Update (Hermosa Creek)

The River Protection Workgroup (“RPW”), has continued to conduct work on the San Juan River basin, and has begun work on the Vallecito Creek/Pine River basin. The San Juan River basin group met in November, 2010, and has set meetings for late January and late February, 2011. We are hopeful that this Stakeholder Group will agree on some path forward within the next several months. At this point in time, the group is exploring a number of options, other than a suitability determination, that would protect the geologic outstandingly remarkable values (ORVs). For more information, see the following link: <http://ocs.fortlewis.edu/riverprotection/>

Gunnison Group Update

The Gunnison Wild & Scenic Stakeholders’ (“Stakeholders”) group held meetings in Delta, CO on November 8 & 22 and December 6 & 20, 2010 [and on January 10, 2011](#). A facilitator team was hired and they began facilitating at the November 8th meeting. These meetings were partly procedural, including providing background information to the stakeholders on the Wild & Scenic stakeholder process and determining how the group would conduct the stakeholder process and obtain consensus where possible. The group also held substantive discussions on Deep Creek, Monitor Creek, Roubideau Creek and Potter Creek, Terror Creek and the Gunnison River. The group has unanimously recommended two segments, West Fork of Terror Creek and Deep Creek, as not suitable. All other segments have been referred to smaller sub-groups for further discussion and analysis. Meetings are ~~been~~ [being](#) held every two weeks to meet the deadlines for the BLM field office and NCA manager. The stakeholder group is actively seeking meaningful financial contributions from the stakeholders and has submitted a grant request to the CWCB. [The CWCB approved the request on January 3, 2011.](#) ~~The next Stakeholder Meeting will be held on January 10, 2011 in Delta, Colorado.~~ For more information, see the following link:

http://www.blm.gov/co/st/en/fo/ufo/wild_and_scenic_river.html?wwparam=1291307652&wwparam=1294844547

San Miguel/Dolores Group Update

The Bureau of Land Management Southwest Resource Advisory Council Subgroup held a series of public meetings in Placerville, Naturita, Telluride and Norwood, CO on Dec. 6-7 and 14-15, 2010 to discuss Wild and Scenic River suitability. The meetings included providing background information to the public on the Wild & Scenic process and collecting public comments on San Miguel River Segments 1 and 2, Saltado Creek and Beaver Creek. The next round of public meetings will be held January 4-5, 2011 in Telluride and Naturita, CO and January 20, 2011 in Norwood, CO. For more information, see the following link:

http://www.blm.gov/co/st/en/fo/ufo/wild_and_scenic_river.html?wwparam=1291307652&wwparam=1294844547

Lower Dolores Working Group Update

The Legislative Committee of the Lower Dolores Working Group has hired three scientists to work on “A Way Forward,” an inquiry into the status of native fish on the Lower Dolores River combined with a multi-stakeholder consensus-building process. The scientists are: Dr. Kevin Bestgen, Colorado State University; Dr. William Miller, Miller Ecological Consultants, Inc., and Dr. Phaedra Budy from Utah State University. The Group also established a diverse Scientific and Water User Panel, which reviewed, edited and approved the list of inquiry questions and body of work/information that will form the basis for “A Way Forward.” Members of the Panel include representatives of the Colorado Division of Wildlife, USGS, Bureau of Reclamation, The Nature Conservancy, the Dolores Water Conservancy District, and the Division of Water Resources. The Legislative Committee anticipates completion of “A Way Forward” by the end of July 2011. The desired outcome is a list of “do-able” alternatives to improve the status of native fish on the Lower Dolores that will define which actions can be included in the legislation

to establish a National Conservation Area as an alternative to the WSR suitability status, and which actions will be pursued outside of the legislative process.