

# STATE OF COLORADO

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## 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  
Suzanne Sellers, Interstate & Federal Section

DATE: November 3, 2011

SUBJECT: **Agenda Item 22, November 15-16, 2011 Board Meeting**  
Interstate & Federal /Stream & Lake Protection Sections –  
Wild and Scenic Rivers

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John W. Hickenlooper  
Governor

Mike King  
DNR Executive Director

Jennifer L. Gimbel  
CWCB Director

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### 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 three stakeholder groups that are continuing to work on wild and scenic protections: 1) the San Juan River basin group (separated into five different basins) (“RPW”); and 2) the Upper Colorado River basin group (“the Upper Colorado Stakeholder Group”) and 3) the Lower Dolores Working Group.

The Staff has provided updates on several of the processes below:

### Staff Recommendation

The Staff recommends that the Board continue to support these processes.

### **River Protection Workgroup Update (various sub-basins of the San Juan River)**

The River Protection Workgroup (RPW) Steering Committee met on October 11, 2001 in Durango to discuss the status of each of the 5 local workgroups (Animas, San Juan, Piedra, Vallecito/Pine and Hermosa workgroups) and to plan for the future regional discussion for the larger San Juan basin in Colorado.

The Animas River RPW workgroup held meetings on September 22 and October 27, 2011 in Silverton, CO and its next meeting is scheduled for November 17, 2011 at the same location. A presentation on water quality in the area of focus was presented by the Animas River Stakeholders Group (a separate organization) on September 22<sup>nd</sup> and a presentation on water rights was provided by representatives from the Southwestern Water Conservation District on October 27<sup>th</sup>. The Animas River workgroup also held a tour on September 22<sup>nd</sup> to view several of the Outstanding Remarkable Values (ORVs) within the area of focus.

The RPW held its first meeting of the Piedra River workgroup on October 4, 2011 in Pagosa Springs, CO. During this meeting, the RPW Steering committee provided an overview of the RPW wild and scenic river process and the purpose and the intent of the work group. Also during this meeting, specific information was discussed regarding the Piedra River drainage. The next meeting is scheduled for November 1, 2011.

Representatives from the RPW would like to provide the CWCB with an update on RPW activities, and we have suggested that they make their presentation to the Board on January 24, 2012.

### **Upper Colorado Stakeholder Group Update (Upper Colorado Stakeholder Group)**

On September 16, 2011, the Bureau of Land Management (BLM) issued their Colorado River Valley Draft Resource Management Plan (DRMP)/Draft Environmental Impact Statement (DEIS) and the Kremmling DRMP/DEIS. The preferred alternative for each document is Alternative B. Alternative B is further divided into two options; B1 and B2. Between the two documents, Alternative B1 would find four Colorado River segments suitable while Alternative B2 would defer Wild and Scenic River suitability determination, and adopt and implement the Stakeholder Group's proposed Management Plan. Under either Alternative B1 or B2, two segments of Deep Creek would be found suitable. Comments on the Colorado River Valley DRMP/DEIS are due December 15, 2011 and comments on the Kremmling DRMP/DEIS are due January 17, 2012. The BLM is hosting several public open house meetings for each of the DRMP/DEIS. For more information or electronic copies of these documents, see the following links: [http://www.blm.gov/co/st/en/BLM\\_Programs/land\\_use\\_planning/rmp/kfo-gsfo/crv.html](http://www.blm.gov/co/st/en/BLM_Programs/land_use_planning/rmp/kfo-gsfo/crv.html) and [http://www.blm.gov/co/st/en/BLM\\_Programs/land\\_use\\_planning/rmp/kfo-gsfo/kremmling.html](http://www.blm.gov/co/st/en/BLM_Programs/land_use_planning/rmp/kfo-gsfo/kremmling.html)

On October 25, 2011, the Upper Colorado Stakeholder Group met to discuss the coordination of commenting on the DRMP/DEIS. The Upper Colorado Stakeholder Group discussed the possibility of submitting a joint comment letter, and individual stakeholders submitting additional comments, which are consistent with the joint comments, if necessary. In addition, the Upper Colorado Stakeholder Group may seek to extend the deadline for submitting comments regarding the Colorado River Valley DRMP/DEIS so that deadline will comport with the deadline of the Kremmling DRMP/DEIS. The Staff of the CWCB is still reviewing the DEIS, but we anticipate submitting comments to assure that the DRMP/DEIS is accurate and consistent with State law. Any comments that the CWCB staff would submit will be developed in cooperation with the Department of Natural Resources, the Division of Water Resources, and Colorado Parks and Wildlife.

### **Lower Dolores Working Group Update**

On September 28, 2011, the Lower Dolores Working Group held a joint meeting with the Dolores River Dialogue. Attendees heard an update on "A Way Forward (AWF)" and the Lower Dolores Group's formation an Implementation Team for the AWF efforts. The Team includes representatives of the Bureau of Reclamation, Colorado Parks and Wildlife, Montezuma Valley Irrigation Company, Dolores Water Conservancy District, The Nature Conservancy, San Juan Citizens' Alliance, American Whitewater and Trout Unlimited. The Team intends to try some of the alternatives from the AWF Report to help native fish that can be done under existing regulatory authority prior to proposing permanent management changes that could trigger a NEPA process. The Team is working on a monitoring, evaluation and implementation plan that will be completed by June 2012 and is funded in part by a Severance Tax Operational Account

grant. The Team is focusing on spill management to address temperature issues in the River and may implement a dry run of a spill shaped around native fish needs in Spring 2012.

The Legislative Committee of the Lower Dolores Working Group is working on developing a boundary for the proposed National Conservation Area, and discussing the development of a management plan, mineral development within the NCA, and energy development. Next steps include a formal boundary proposal, outreach to Montrose County, and initiating bimonthly meetings with the BLM.

The AWF Implementation Team met on September 29, 2011 and discussed: (1) evaluation of thermal objectives related to hydrographs under consideration and the need for real-time monitoring of temperatures; (2) initial identification of areas between McPhee Reservoir and the San Miguel River that have native fish potential; (3) review of fishery-oriented objectives at four spill levels; (4) Bureau of Reclamation alternative hydrographs (related to spill management); and (5) results of a boater survey by American Whitewater and comments on hydrographs from boaters' perspective. The next Implementation Team meeting was scheduled for October 31, 2011. Additional information on the Lower Dolores Working Group can be found at <http://ocs.fortlewis.edu/drd/meetings.asp>.