

# 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 & Water  
Information Section  
Linda Bassi, Chief, Stream & Lake Protection Section  
Suzanne Sellers, Interstate, Federal & Water Information  
Section

DATE: July 17-18, 2012

SUBJECT: **Agenda Item 10, July 17-18, 2012 Board Meeting**  
Interstate, Federal & Water Information/Stream & Lake Protection Sections –  
Wild and Scenic Rivers Update

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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”); 2) the Upper Colorado River basin group (“the Upper Colorado Stakeholder Group”); and 3) the Lower Dolores Working Group. Updates on these processes are set forth 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 held a regular meeting on May 29, 2012 and its next meeting is scheduled for July 24, 2012. Regular agenda items included workgroup updates and a budget update. A retreat to plan the regional discussion was held on June 19, 2012. The Steering Committee is beginning to plan the "Regional Discussion" which will take place after all five public workgroups are conducted for: Hermosa Creek; San Juan River - East and West Forks; Upper Animas River; Vallecito Creek/Pine River; and the Piedra River.

A drafting committee, which is a subcommittee of the Hermosa Creek RPW, is coming very close to reaching consensus on the proposed wilderness/unroaded area/Special Management

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Area (SMA) legislation prior to it being introduced to Congress by Senator Bennet. The latest draft bill reflects a balance between conservation, economic development and other uses.

The RPW for the Animas River held a regular meeting on May 24, 2012 in Silverton, CO and an informational meeting on June 18, 2012 for downstream water users in Durango, CO. At its regular meeting, the workgroup discussed next steps and strategies including: a) continuing segment by segment discussions through the end of July; b) continuing to enforce the ground rules, c) starting towards the end of July, devising actual proposals for protections, and d) holding a detailed water rights discussion to get a better understanding of the natural hydrograph. The next meeting is scheduled for June 28, 2012 in Silverton, CO.

The RPW for the Piedra River held meetings on May 8, 2012 and June 19, 2012 in Pagosa Springs, CO and its next meeting is scheduled for July 17, 2012 at the same location. During these meetings, the work group continued to develop their segment by segment analysis and has begun to identify “threats” to the values previously identified. For more information, see the following link: <http://ocs.fortlewis.edu/riverprotection>.

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

On September 16, 2011, the Bureau of Land Management (BLM) issued its 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. 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)

In late April, the BLM and USFS sent the Stakeholder Group questions and comments on the Stakeholder Group’s proposed Management Plan. The Stakeholder Group sent its response to BLM and USFS on June 8, 2012 (attached to this memo). On June 14, 2012, Governor Hickenlooper sent a letter to State Director Helen Hankins of the U.S. Bureau of Land Management and Regional Forester Dan Jiron of the U.S. Forest Service commending the collaborative work of the Stakeholder Group and supporting the Upper Colorado River Wild and Scenic Alternative Management Plan (attached to this memo). Topics addressed in the comments and responses include relative roles of the Stakeholder Group and the federal agencies in Plan implementation, the scope of various monitoring activities, annual reporting to federal agencies, leveraging funding, and a potential MOU between the Stakeholder Group, state agencies and federal agencies relating to Plan implementation. The Stakeholder Group is working on monitoring efforts in the subject reaches, including gathering data collected by others, such as Colorado Parks and Wildlife fish biomass surveys, and funding and gathering data (examples include creel surveys and recreation surveys). The CWCB Director has approved a funding request from the Stakeholder Group for approximately \$98,000 for continuing Stakeholder Group coordination and activities and for implementation of the Stakeholder Group monitoring plan. At the Board meeting, Staff will be prepared to answer any questions, or address any concerns.

**Lower Dolores Working Group Update**

The “A Way Forward” (“AWF”) Implementation Team has been very busy finalizing its Implementation, Monitoring and Evaluation Plan, which was funded in part by CWCB through the Severance Tax Operational Account. 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. In addition to the Plan, the Team is preparing an educational brochure about native fish issues and the AWF efforts. Representatives of the AWF Implementation Team will present the Plan to the CWCB at its September meeting. Other Implementation Team activities include investing in SNODAS technology that will assist in making decisions about how to integrate spill management for boating and ecological benefits; and coordinating on installing PIT-tag arrays in the Dolores River to monitor movements of native fish (funded in part by a FY12-13 Severance Tax Operational Account Grant). Additional information on the Lower Dolores Working Group can be found at <http://ocs.fortlewis.edu/drd/meetings.asp> .

Attachments

June 8, 2012

Steve Bennett, Field Manager  
U.S. Bureau of Land Management  
Colorado River Valley Field Office  
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Silt, CO 81652

*Via U.S. Mail and email*  
steve\_bennett@blm.gov

Dave Stout, Field Manager  
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Kremmling Field Office  
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*Via U.S. Mail and email*  
dstout@blm.gov

Scott Fitzwilliams, Forest Supervisor  
U.S. Department of Agriculture  
White River National Forest  
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Glenwood Springs, CO 81601

*Via U.S. Mail and email*  
sfitzwilliams@fs.fed.us

Re: Stakeholder Group's responses to BLM and USFS requests concerning the Upper Colorado River Wild and Scenic Stakeholder Group Management Plan

Dear Mr. Bennett, Mr. Stout, and Mr. Fitzwilliams:

The Upper Colorado River Wild and Scenic Stakeholder Group (SG) provides the following responses to the questions and requests transmitted by e-mail from Roy Smith on April 25, 2012 regarding the proposed Upper Colorado River Wild and Scenic Stakeholder Group Management Plan (SG Plan). We appreciate the thorough review and consideration of our proposed SG Plan by the U.S. Bureau of Land Management (BLM) and U.S. Forest Service (USFS) during the agencies' Resource Management Plan revision process.

1. **BLM/USFS Comment on Governance.** We have determined that the proposed membership arrangement, in which BLM and USFS would be official, nonvoting members of the SG, may violate provisions of the Federal Advisory Committee Act. Would the SG be willing to consider an alternative arrangement, in which BLM and USFS designate liaisons who are not formal members of the SG? This approach would be similar to the approach used in the South Platte Protection Plan.

SG Response: The SG would welcome BLM and USFS to designate liaisons who are not formal members of the SG to participate in SG discussions and to facilitate coordination among the agencies and the SG. We believe the current SG Plan language can accommodate this non-formal membership participatory role.

2. **BLM/USFS Comment on Recreational Fishing ORV.** Would the SG be willing to slightly alter its definition of the recreational fishing ORV, which includes a reference to “species diversity?” Technically, the recreational fishing ORV is based upon the salmonid fish population, and doesn’t include fishing for native species such as mottled sculpin, speckled dace, bluehead sucker, etc. Perhaps the ORV definition could focus on salmonids while noting that the SG objective is to simultaneously prevent degradation to the native fish community.

SG Response: As a point of clarification, “species diversity” is included as one of various indicators of ORV health under the SG Plan. ORV Indicators do not change the BLM/USFS definition of recreational fishing ORVs, nor are they controlling of the federal agencies’ own criteria by which they define and assess the various resource values. The SG Plan currently identifies “provisional” ORV Indicators. Our Plan will retain those provisional indicators at this time, recognizing that the SG has committed to a process to develop final ORV Indicators during the initial period under the Plan. As part of that refinement process, we will specifically consider the agencies’ question regarding the “species diversity” indicator and the request that the recreational fishing ORV Indicators focus on the salmonid fish population.

3. **BLM/USFS Comment on SG and Federal Agency Roles.** Would the SG be willing to clarify that the SG is focused on supporting the recreation setting and recreation characteristics based upon **streamflows and fish populations**, while the federal agencies are focused on supporting the recreational setting and recreation characteristics based on **land management**? We believe that this clarification would help the public understand the complementary nature of the proposed SG and federal agency roles. We also believe that this “role clarification” could also alleviate concerns that could emerge when the stakeholders and federal agencies want to cooperate on joint data collection efforts (e.g. recreational user surveys), and such efforts collect some data that is targeted toward the stakeholder role and other data that is targeted toward the federal agency role.

SG Response: We agree with BLM and USFS that a clarification of the respective SG/federal agency roles would be helpful. We also share the agencies’ view that these roles are likely complementary in nature. That being said, we believe it appropriate to address this clarification more precisely in a future MOU that recognizes the potential interplay among streamflow, fish populations, and land management efforts and that spells out the respective roles and responsibilities related to supporting the recreational setting and characteristics of the ORVs. We suggest that a statement along these lines be included in the final BLM/USFS planning documents as a means to inform the public.

4. **BLM/USFS Comment on Creel Census.** Pursuant to the comment above, would the SG be willing to consider an expansion in the number and type of questions that are asked during creel census efforts? In addition to capturing fish numbers and fishing success rates, other questions could capture information about the overall recreational experience. We believe additional questions may help the federal agencies and SG sort out whether recreational ORVs problems are related to flow rates and fish populations (the focus of the SG) or to federal agency land management issues (crowding, dirty restrooms, insufficient parking, etc.)

SG Response: Yes, the SG would be willing to consider an expansion in the number and type of questions that are asked during creel census efforts to potentially capture information about the overall recreational experience, depending on the resources, financial and otherwise, that are available. The SG Monitoring Workgroup is the

appropriate SG forum to consider and make recommendations to the SG regarding potential additional questions for upcoming creel census efforts. Please let Rob Buirgy know if agency staff would like to participate in this Workgroup effort.

5. **BLM/USFS Comment on Temperature Monitoring for Fishery.** Would the SG be willing to commit to installation of a temperature monitoring station at Twin Bridges below Burns? (near the confluence with Red Dirt Creek). This location is likely to experience the highest stream temperatures of any segment in which the stakeholder group is focused on supporting the salmonid fishery. Data from this location could be invaluable in linking temperatures to flow rates. If temperature data could be collected this year, it could be valuable to illuminate temperature stresses that exist during low flow years.

SG Response: The SG is willing to consider the installation of additional temperature monitoring station(s), depending on available resources and agreement on the selection of locations that will provide scientifically useful information. Again, we believe the SG Monitoring Workgroup (with, we hope, active participation by the agencies) is the appropriate forum to develop recommendations on this issue.

6. **BLM/USFS Comment on Riparian ORV (Segment 6).** Would the SG be willing to commit to pursuing site-specific studies to identify whether the riparian ORV in Segment 6 is adequately supported by the resource guides and flushing/channel maintenance flows envisioned by the SG?

SG Response: While the SG Plan focuses on the primary streamflow-influenced ORVs of Recreational Fishing and Recreational Boating, it includes procedures to provide a feedback loop to periodically assess and confirm that the management measures under the Plan, in coordination with the agencies' other land management actions, are protective of all ORVs. (SG Plan, Section II.B, pp. 11-12). The riparian ORV in Segment 6 is not presently included in the Monitoring Plan for the initial provisional period, although as noted the SG Plan includes a provisional Resource Guide addressing a periodic high flow that we believe will be supportive of that ORV. (SG Plan, Section III.C.1.b, pp. 16-17). The SG Monitoring Workgroup will consider prioritizing its monitoring of specific resources for this riparian ORV within the financial and other constraints of the SG Long-Term Monitoring Plan.

7. **BLM/USFS Comment on Cooperative Measures.** Would the SG be willing to elaborate (in an updated plan) on the likely impact of changing water delivery practices for endangered fishes? Specifically, should we expect any significant impact of delivering 5,000+ acre feet of water from Ruedi Reservoir rather than the historic practice of delivering water from Williams Fork or Green Mountain Reservoir? Also, would the SG be willing to report further progress on developing cooperative measures with Eagle River water users that would benefit Glenwood Canyon?

SG Response: By way of clarification, the federal agencies' comment regarding the "historic practice of delivering water from Williams Fork or Green Mountain Reservoir" is a bit off-mark. The water users' obligation to provide 10,825 acre feet of water to augment flows in the 15-Mile Reach of the Grand Valley has been addressed pursuant to an interim arrangement whereby water users agreed to temporarily provide releases from Williams Fork and Woford Mountain Reservoirs (not Green Mountain Reservoir). That interim agreement expires in 2013. The likely impact from delivering water from the permanent sources to the Upper Colorado River endangered species was anticipated and considered during development of the SG Plan. (See SG Plan, Attachment A, Section

I.D.1, page 54; Section II.A.4, pages 55-56). Releases from Green Mountain Reservoir for the benefit of the 15-Mile Reach have been made in the past, and are expected to continue to be made in the future. Those releases normally constitute a significant majority of the water released to the 15-Mile Reach. The releases from Green Mountain Reservoir will have an ancillary benefit to the resources in the stream segments covered by the SG Plan. (See the SG Plan Long Term Protection Measure at SG Plan IV.A.4, pages 26-27).

The information in the Final Environmental Assessment and FONSI on the Colorado Water Users' Commitment to Provide 10,825 acre-feet to the 15-Mile Reach, released by the U.S. Bureau of Reclamation in March 2012, describes the likely impacts attendant to the change from the interim sources of the 10,825 acre feet to the permanent sources for this obligation. No significant environmental impacts are anticipated from the annual release of up to 5,412.5 acre-feet of water to the 15-Mile Reach from both Ruedi Reservoir and Granby Reservoir. Because the SG Plan anticipates the change in water delivery sources that is approved by Reclamation's recent FONSI, we do not believe the water delivery practices under the approved action warrant a change to the SG Plan.

BLM and USFS have also asked the SG to report on further progress in developing Cooperative Measures with Eagle River water users that would benefit Glenwood Canyon. The Cooperative Measures process has yet to mature under the proposed SG Plan, but would occur during the life of the Plan. (See SG Plan, Section III.F.4, page 25; Section IV.B, pages 27 - 31). We anticipate that BLM and USFS liaisons will be aware of progress on all Cooperative Measures through their involvement with the SG. The SG will also report formally to the BLM and USFS on efforts related to Cooperative Measures in its annual report to the agencies. (SG Plan, Section IX.A.2, page 51).

8. **BLM/USFS Comment on Shoshone Outage Protocol.** Would the SG be willing to clarify the anticipated effects of this agreement upon the various ORVs, once the agreement is finalized? BLM and USFS have a very strong interest in the potential impact on the narrative standard for the recreational ORV in Glenwood Canyon.

SG Response: The Shoshone Outage Protocol is a proposed agreement among some of the members of the SG (and other entities that are not members of the SG). The purpose of the protocol is to keep the flow regime of the Colorado River as it has been historically influenced by the senior water right of the Shoshone Power Plant, located in Glenwood Canyon. At certain times, the Shoshone Power Plant is subject to temporary shutdown for repair, maintenance, or unexpected outages. At such times, the senior call of the power plant for 1,250 c.f.s. cannot be exercised and river flows may drop as upstream junior water rights are no longer curtailed or replacing their diversions. During a shutdown period, the outage protocol attempts to replicate (up to 1,250 c.f.s. during the summer season, and up to 900 c.f.s. during the winter season) the stream flow conditions that would have existed if the senior water right was calling for water against upstream water users. The SG believes that the Shoshone Outage Protocol is a very good example of a cooperative effort contemplated by the SG Plan for the benefit of the resource. The SG believes that the protocol will provide a very significant benefit to the resources in the stream segments covered by the SG Plan during dry years, and dry periods of other years, at times when the Shoshone Power Plant is not operational.

9. **BLM/USFS Comment on Annual Reporting to Federal Agencies.** Even though the SG Plan states that meeting the “Resource Guides” will not be used as a measure of success, is the SG willing to report frequency of meeting the “Resource Guides” to the federal agencies? BLM and USFS believe that such data is crucial for evaluating any upward or downward trend in ORV indicators. Similarly, is the SG willing to provide detailed information on cooperative measures that were successfully implemented during the reporting year? (Similar to reports provided by Historic Users Pool).

SG Response: The agencies have requested that the SG report on the frequency of meeting Resource Guides, as crucial for evaluating upward and downward trends in the ORV Indicators. We believe this request does not recognize a critical distinction between ORV Indicators and Resource Guides under the proposed SG Plan. The ORV Indicators are conditions that characterize the ORVs and are to be used to gauge whether the ORVs are being protected; failure to meet these ORV Indicators would be cause for elevation of concerns under the procedures of the Plan. (SG Plan, Section III.A.1, page 13; Section VI.J.4, page 41). In contrast, the Resource Guides are ranges for factors affecting the ORVs that were painstakingly negotiated among the SG for qualified uses only under the Plan. (See SG Plan, Section III.A.2, page 13; Section VI.J.4, page 41). Not all stakeholders endorse the guides or believe that the ranges they represent are needed to support the ORVs. It is expressly recognized under the Plan that conditions can be expected to continue to be highly variable and that resource levels will sometimes lie above or below the ranges of the guides. (See, e.g., SG Plan, Section III.C.1.a - b, pages 16 - 17, pertaining to the Recreational Fishing seasonal flows and flushing flows; Section III.C.2.a, page 19 and III.C.2.b, page 21, pertaining to Recreational Floatboating usable days). The SG Plan provides that, “[w]hile this could be addressed through the use of criteria addressing a specified frequency of meeting these guides, such implementation criteria has not been established for purposes of the Plan” and that “the Plan is designed to operate in the absence of such criteria.” (Id.)

It is for the above reasons, among others, that the Resource Guides, along with monitoring and the ORV Indicators, are intended to be used as a source of information (among others) to inform SG discussions internal to operation of the Plan. (See SG Plan, Section III.A.2, pages 13-14; Section IX.B.2, page 51). The guides are not intended to be used to measure success. (SG Plan Introduction, page 8; Section III.A.2, page 14). As a result of extended negotiations among the SG members, it was agreed that the elevation procedures under the SG Plan appropriately address significant risks of impairment to an ORV (Section VI.J.4(1)); failure to meet ORV Indicators (Section VI.J.4(2)); missed milestones (Section VI.J.4(4)); material changes in circumstance (Section VI.J.4(4)); and other unresolved concerns put forth by the SG (Section VI.J.4(3)); but would not be triggered independently by the frequency of meeting or not meeting the Resource Guides. (SG Plan, Section VI.J.4, page 41).

In short, the stakeholders are not all in agreement that the frequency of meeting the Resource Guides is necessary or appropriate for evaluating upward or downward trends in ORV Indicators, and the SG does not believe the agencies’ request is supported by the terms of the SG Plan. The SG proposes to provide monitoring results, including flow information, in its annual reporting to BLM and USFS pursuant to Section IX.A.2 of the Plan (page 51).



10. **BLM/USFS Comment on ORV Indicators.** Can the SG clarify what they believe the federal agency role would be in developing and modifying ORV Indicators? What would occur if there is a disagreement between the federal agencies and SG on what an ORV indicator should look like?

SG Response: The provisional ORV Indicators are set forth in the proposed SG Plan that is presented as a package for evaluation and approval by BLM and the USFS as a local wild and scenic rivers management plan alternative. If approved, the SG would seek federal agency input in crafting any changes to the ORV Indicators.

The SG recognizes that, while it maintains decision making with respect to its Plan, the federal agencies ultimately remain responsible for ensuring protection of the ORVs, classification, and free-flowing nature of the applicable river segments. As stated under Item 3 above, the use of ORV Indicators for purposes of the SG Plan is not controlling of the federal agencies' own criteria by which they define and assess the various resource values.

11. **BLM/USFS Comment on Monitoring Plan.** Can the SG clarify what they believe the federal role would be in developing and modifying the monitoring plan?

SG Response: We view the federal role in developing and modifying the monitoring plan in a manner consistent with our response to Item 10 above. We are hopeful that BLM and USFS will continue to work cooperatively with the SG in the implementation of the Plan, including involvement in the SG Monitoring Workgroup, to maximize resources and minimize duplication.

12. **BLM/USFS Comment on Leveraging Funding.** Would the SG be willing to add in a reference to the Forest Service? Specifically, funding may be available through internal USFS funding mechanisms, and through the National Forest Foundation. Also, would the SG be willing to reference joint federal-stakeholder group applications to other third party funding sources?

SG Response: Omission of the USFS from Section VIII.D (page 49) of the SG Plan was an oversight. The SG will cooperate and coordinate with the BLM and USFS to seek available funding, assuming the associated requirements for funding are acceptable to the stakeholders. Nothing in the SG Plan precludes this kind of support, and we believe the current Plan language in Section VIII.C may cover this. If the USFS believes that a more express reference is needed, the SG will make that correction to the Plan.

13. **BLM/USFS Comment on Implementation Level Plan.** If the stakeholder plan is adopted, there may be an opportunity for the federal agencies to complete an implementation-level planning effort for managing the river corridor. This would be an opportunity to engage federal agencies, local governments, and other stakeholders in an effort to create a comprehensive plan for the river corridor, comparable to the "coordinated resource management plan" required when a river is designated into the National Wild and Scenic Rivers System. Would the SG be willing to be a cooperator in such a planning effort?

SG Response: The SG needs to understand more about this potential implementation-level planning effort for managing the river corridor. We would be willing to discuss this further with the BLM and USFS to find out what it is and what it would involve.

14. **BLM/USFS Memorandum of Understanding.** If the stakeholders, federal agencies, and state agencies were to have an MOU that spelled out how the entities would interact, would the SG be comfortable having the MOU cover the following subjects?

- a. Cooperation on monitoring plans and procedures;
- b. Commitments of time and personnel to monitoring efforts;
- c. Reporting requirements;
- d. Data sharing and public access to stakeholder group information;
- e. Coordination and communication on proposed projects, including projects proposed by stakeholder group, federal agencies, and third parties; yearly project meetings; long-term project list and prioritization of projects;
- f. Meeting locations and procedures designed to minimize travel time and expenses;
- g. Protocol for establishing field trips to verify ORV status and site conditions;
- h. Cooperation on prioritization of stakeholder group and federal expenditures within the river corridor.

SG Response: We agree that an MOU between the Stakeholder Group and BLM/USFS would be desirable if the SG Plan is approved, and agree that the items listed are good points warranting further discussion in developing an MOU consistent with the SG Plan and federal agency WSR management responsibilities.

On behalf of the Upper Colorado River W&S Stakeholder Group,



Rob R. Buirgy, Project Manager

cc via email: Agency Representatives

James Cagney, U.S. Bureau of Land Management  
Roy Smith, U.S. Bureau of Land Management  
Rich Doak, U.S. Department of Agriculture, White River National Forest  
David Neely, U.S. Department of Agriculture, White River National Forest  
Kay Hopkins, U.S. Department of Agriculture, White River National Forest

cc via email: Stakeholders and Consulting Agencies

American Whitewater  
Aurora Water  
Blue Valley Ranch  
Colorado Division of Wildlife  
Colorado River Outfitters Association  
Colorado River Water Conservation District  
Colorado Springs Utilities  
Colorado Water Conservation Board

Denver Water  
Eagle County  
Eagle Park Reservoir Company  
Eagle River Water and Sanitation District  
Grand County  
Middle Park Water Conservancy District  
Municipal Subdistrict, Northern Colorado Water Conservancy District  
Northern Colorado Water Conservancy District  
Northwest Colorado Council of Governments  
Summit County  
The Wilderness Society  
Trout Unlimited  
Upper Eagle Regional Water Authority  
Vail Associates, Inc.  
U.S. Bureau of Reclamation

# STATE OF COLORADO

## OFFICE OF THE GOVERNOR

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John W. Hickenlooper  
Governor

June 14, 2012

Ms. Helen Hankins  
State Director, Colorado  
U.S Bureau of Land Management  
2850 Youngfield Street  
Lakewood, CO 80215-7093

Mr. Dan Jiron  
Regional Forester  
Rocky Mountain Region  
U.S. Forest Service  
740 Simms Street  
Golden, CO 80401

Dear State Director Hankins and Regional Forester Jiron:

This letter concerns the U.S. Bureau of Land Management's (BLM) and the U.S. Forest Service's (USFS) Preferred Alternative B2 regarding Colorado River Segments 4 through 7 as identified in the Draft Resource Management Plan/Draft Environmental Impact Statement documents (RMP/DEIS Documents), and to express the State's support for adoption of this preferred alternative.

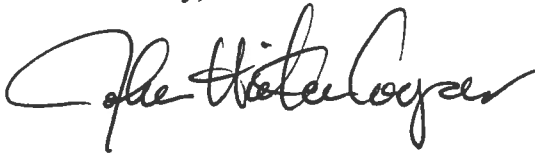
Preferred Alternative B2 is the Upper Colorado River Wild and Scenic Stakeholder Group Management Plan (SG Plan), which was developed by a broad-based group of stakeholders, including sportsmen and environmental groups, water users, recreational users, private landowners and local governments. The Stakeholder Group worked together and in consultation with several divisions within the Colorado Department of Natural Resources since 2008 to develop the SG Plan to protect the outstandingly remarkable values (ORVs) identified in the BLM and USFS Eligibility Reports for Segments 4 through 7 of the Upper Colorado River. The purpose of the SG Plan is to "balance permanent protection of the ORVs, certainty for the stakeholders, water project yield, and flexibility for water users." This collaborative effort included developing a recommendation to the Colorado Water Conservation Board (CWCB) to appropriate instream flow water rights on the subject reaches of the Colorado River. The CWCB appropriated and filed water court applications for those instream flow water rights in 2011.

Implementation of the SG Plan is contingent upon the neutral deferral of any determination regarding suitability under the Wild and Scenic Rivers Act by BLM/USFS. The SG Plan will terminate if either agency enters formal findings that Segments 4, 5, 6 or 7 of the Upper

Colorado River are suitable or not suitable. Implementation is also contingent upon adoption of the SG Plan, without material changes, by the BLM in the Kremmling and Colorado River Valley Resource Management Plans and by the USFS in the White River National Forest Plan.

We commend the Stakeholder Group for its hard work and ability to develop a mutually acceptable way of protecting the ORVs while addressing the diverse stakeholders' interests and concerns, and we appreciate the willingness of the BLM and USFS to consider the SG Plan as a viable alternative. We urge the BLM and USFS to adopt Preferred Alternative B2 and believe that adoption and implementation of the SG Plan will result in the BLM and USFS fulfilling their responsibilities under the Wild and Scenic Rivers Act in a way that benefits all Coloradoans.

Sincerely,

A handwritten signature in black ink, appearing to read "John W. Hickenlooper", written in a cursive style.

John W. Hickenlooper

Cc: Marcilynn A. Burke, Acting Assistant Secretary for Land and Minerals Management,  
U.S. Department of the Interior

Harris Sherman, Undersecretary for Natural Resources and Environment, U.S.  
Department of Agriculture

Bob Abbey, Director, Bureau of Land Management

Tom Tidwell, Chief, U.S. Forest Service