

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

John W. Hickenlooper
Governor

Mike King
DNR Executive Director

James Eklund
CWCB Director

DATE: July 1, 2013

SUBJECT: **Agenda Item 12, July 16-17, 2013 Board Meeting**
Interstate, Federal & Water Information/Stream & Lake Protection Sections –
Bureau of Land Management (BLM)'s Grand Junction Field Office (GFO)
Recommendation on Suitability to Include a Portion of the Cottonwood Creek
in the National Wild and Scenic Rivers System (NWSRS)

Background

The Bureau of Land Management (BLM)'s Grand Junction Field Office (GFO) released its Draft Resource Management Plan (RMP)/Environment Impact Statement (EIS) for the Dominguez-Escalante (D-E) National Conservation Area (NCA) on May 17, 2013. This Draft RMP/EIS's recommended alternative (Alternative E) includes finding 14.41 miles of Cottonwood Creek suitable for inclusion in the National Wild and Scenic Rivers System (NWSRS) to protect the vegetation outstanding remarkable value (ORV), which is described as an exemplary occurrence of narrowleaf cottonwood/skunkbush sumac riparian woodland.

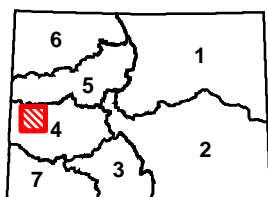
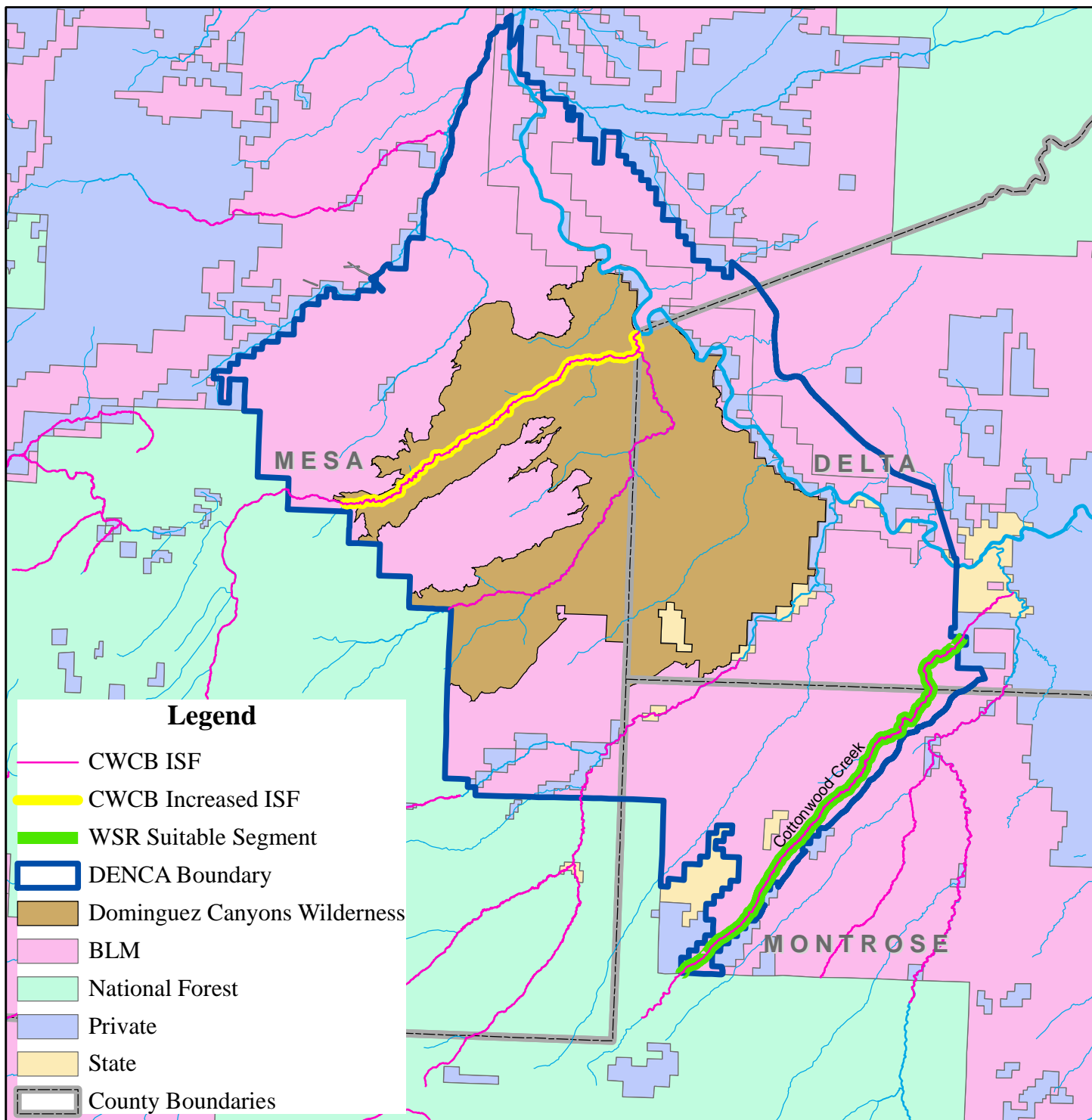
The attached map illustrates the subject reach of Cottonwood Creek as well as an existing instream flow (ISF) right on that reach. Also attached are summary tables that include details on the status of the NWSRS process, details about the ISF, and hydrologic information for Cottonwood Creek.

Comments on the Draft RMP/EIS are due on August 22, 2013. A draft comment letter from the CWCB to the BLM GFO is attached for the Board's consideration.

Staff Recommendation

Staff recommends that the Board authorize Director Eklund to send the attached comment letter to the BLM GFO with the Option 1 paragraph on page 2.

Attachments



July 16-17, 2013 CWCB Board Meeting
 Agenda Item 12: Wild & Scenic River Status of
 Dominguez-Escalante National Conservation Area

0 4 8 16 Miles



Table 1. Status of Wild and Scenic Rivers Designation for Cottonwood Creek

Segment Length (miles)	Current BLM Preferred Alternative	Status of Process	W&S Class	ORVs	Comment Due Date	Stakeholder Process	Stakeholder Group Recommendation
18.27 miles	14.41 miles suitable (100% BLM with ¼ mile)	DRMP/EIS issued May 17, 2013	Wild	Vegetation	8/22/2013	Gunnison River Basin Stakeholder Group (Environmental Coalition did not remain in stakeholder process)	Recommended not suitable

Table 2. Decreed Instream Flow (ISF) Water Rights

Case No.	Stream	Appropriation Date	Instream Flow (cfs)	Watershed	Counties
4-06CW166	Cottonwood Creek (hdgt. Hawkins Ditch to confl. Roubideau Creek)	1/25/2006	3.6 cfs (4/1- 6/15)	Lower Gunnison	Delta & Montrose

Table 3. Estimated Mean Stream Flow on Cottonwood Creek (cfs)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
0.37	0.8	1.15	17.46	63.68	29.22	1.49	0.57	0.48	0.45	0.44	0.4

Mean annual yield = 7054 af

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July __, 2013

Katie Stevens
Grand Junction Field Manager
Dominguez-Escalante NCA
Bureau of Land Management
2815 H Road
Grand Junction, Colorado 81506

John W. Hickenlooper
Governor

Mike King
DNR Executive Director

James Eklund
CWCB Director

Subject: Grand Junction Field Office (GFO) Dominguez-Escalante (D-E) National Conservation Area (NCA) Draft Resource Management Plan (RMP)/Environment Impact Statement (EIS)
Cottonwood Creek

Dear Ms. Stevens:

The Colorado Water Conservation Board (CWCB) would like to take this opportunity to comment on the Bureau of Land Management (BLM)'s recommended alternative (Alternative E) that finds 14.41 miles of the Cottonwood Creek suitable for inclusion in the National Wild and Scenic Rivers System (NWSRS), as presented in the Dominguez-Escalante (D-E) National Conservation Area (NCA) Draft Resource Management Plan (RMP)/Environment Impact Statement (EIS). This segment of Cottonwood Creek is being recommended by the BLM under the NWSRS wild classification to protect the vegetation outstanding remarkable value (ORV) which is described as an exemplary occurrence of narrowleaf cottonwood/skunkbush sumac riparian woodland.

In its Suitability Report (Appendix O of the Draft RMP/EIS), the BLM recognizes that the CWCB holds an instream flow (ISF) water right (decreed in Case No. 4-06CW166 for 3.6 cfs from April 1st to June 15th) on Cottonwood Creek for the protection of fish. However, the BLM asserts that additional water above and beyond the existing ISF is required to protect the vegetation ORV as stated Draft RMP/EIS:

The current instream flow appropriation held by CWCB does not create the type of seasonal flow variation necessary to protect the vegetation type identified as the ORV. The narrowleaf cottonwood/skunkbush sumac riparian woodland requires high, flooding spring flows in the spring and minimal flows throughout the remainder of the growing season.

Representatives of the Colorado Department of Natural Resources (DNR) participated in the Gunnison River Basin Stakeholder Group (“Stakeholders”) that resulted in a letter to the BLM dated April 29, 2011 which recommended that this reach not be found suitable. A copy of that letter is attached for your convenience. The Stakeholders were comprised of landowners, farmers, ranchers, outfitters, water providers, water managers, recreational prospectors, electrical utility representatives, all-terrain vehicle riders, river recreationists, local governments, the State of Colorado, and interested citizens.

Additionally, on October 5, 2012, the CWCB staff provided the following comment to the BLM on a working draft of the D-E NCA RMP/EIS:

As a general matter, the CWCB does not support identifying and managing stream segments as suitable, because such management could negatively impact the State’s ability to fully develop its Colorado River compact entitlements. Consequently, the CWCB does not support the finding of suitability for Cottonwood Creek.

The BLM's Response to the CWCB’s October 5th comment is as follows:

Will re-examine our rationale and determine whether a change should be made before the draft is published. This draft suitability finding was related to the desire to manage toward a hydrologic regime that would support rare riparian communities. From the BLM perspective, it is clear that Wild and Scenic designation would afford an opportunity to file a water right application to protect riparian values. However, if the Draft does include a determination that Cottonwood Creek is suitable, it doesn’t preclude working with the CWCB to develop a feasible alternative to Wild and Scenic designation. Such a management alternative might include an instream flow water right appropriated by the CWCB that is designed to support the riparian community.

OPTION 1: Based on the foregoing, the CWCB requests that the BLM defer finding the Cottonwood Creek suitable while the BLM and the CWCB work together on developing an appropriate ISF that would provide protection for the vegetation ORV.

OR

OPTION 2: The CWCB understands that the BLM considers “Reasonably foreseeable potential uses of the land and related waters that would be enhanced, foreclosed, or curtailed if the area were included in the NWSRS...” In its analysis presented in the Suitability Report, the BLM does not acknowledge any potential impacts on the private landowners within the watershed concerning their ability to change existing water rights or obtain new water rights if Cottonwood Creek were designated and included a federal reserved water right. For these reasons, designation may impede the state’s objectives 1) to fully use its entitlements under its compacts or decrees and 2) to promote maximum utilization of waters of the state.

Based on the foregoing, the CWCB requests that the BLM not find the Cottonwood Creek suitable for inclusion in the NWSRS.

Katie Stevens
July __ 2013

Page 3

The CWCB would like to thank you for considering our comments and hopes that the BLM will work with the CWCB Staff to appropriately protect the values associated with Cottonwood Creek.

Please feel free to contact Suzanne M. Sellers of my staff if you have any questions.

Best regards,

James Eklund, Director
Colorado Water Conservation Board

cc: CWCB Members

Attachments

April 29, 2011

Katie Stevens, Field Manager
Dominguez-Escalante National Conservation Area
US Bureau of Land Management
2815 H Road
Grand Junction, CO 81506

Re: Stakeholder Recommendations for Management of Stream Segments within the Dominguez-Escalante National Conservation Area (NCA) Found Eligible for Inclusion in the National Wild & Scenic Rivers System

Dear Ms. Stevens:

The Gunnison Basin Wild & Scenic Rivers Stakeholder Group is a diverse community of stakeholders that has met five times since February 24, 2010, to assess streams and stream corridors within the Dominguez-Escalante National Conservation Area that the Bureau of Land Management (BLM) found eligible for inclusion in the National Wild & Scenic Rivers System. The interests represented include landowners, farmers, ranchers, outfitters, water providers, water managers, recreational prospectors, electrical utility representatives, all-terrain vehicle riders, river recreationists, local governments, the state of Colorado, and interested citizens.

Context

The group recognizes the challenging task the BLM has in managing these streams and stream corridors, given the increases in recreational use that have occurred in recent years. For the past 120 or 130 years, grazing has occurred in this area. The Outstandingly Remarkable Values (ORVs) that BLM has identified for these streams and stream corridors are, in many cases, the result of the management practices of local ranchers and, more recently, the BLM's management practices. Future management is complicated with increased human use.

Changes seen over the years at the Escalante Potholes area best illustrate this challenge. Historically, few people except for hunters and ranchers drove up Escalante Canyon. Over time, the area around the pot holes on Escalante Creek became a example of severe resource degradation from over-use and misuse. Broken bottles, cans, and litter, many accidents and several deaths have resulted from increased human activity due to the promotion and popularity of the site. In recent years there has been improvement in the Potholes area, but the impacts associated with increased use by people is still very noticeable.

Process for Developing Recommendations

The group began their review by mining their collective knowledge of the eligible stream corridors in the NCA, as well as the BLM's eligibility reports and presentations by BLM and Colorado Division of Wildlife (CDOW) staff, to develop information on existing uses and local values, potential threats to the Outstandingly Remarkable Values (ORVs) identified by BLM, and existing protections for the ORVs. This information is summarized in the attached charts.

Following this information gathering and sharing phase, the group articulated the activities and attributes they feel are most important to protect on the eligible stream segments and their

recommendations for managing them, including whether or not the segments should be found and managed as “suitable” for inclusion in the National Wild & Scenic Rivers System. Overall, the group expressed a strong feeling that agricultural activity in these stream corridors and private property rights, including water rights, are of paramount importance and should not be adversely impacted nor impeded. The group also expressed concern that cultural resources in the stream corridors are not adequately protected currently, but that a “suitable” designation associated with the Wild & Scenic Rivers Act is not the appropriate means to protect them. Detailed recommendations for each of the analyzed stream segments appear below. These recommendations have been refined through stakeholders’ review and revision of drafts of this letter and the accompanying charts via a series of email exchanges.

Gunnison River, Segments 1 and 3

Activities and Attributes that are Important to Maintain

The group listed the following activities and attributes as important to protect in this corridor:

- Agriculture: all agricultural activities, including orchards, crops, and grazing.
- Livestock transit
- Mechanized recreational prospecting
- Utility corridor (including access for maintenance of power lines)
- Camping
- Boating
- Horseback riding
- Fishing
- Hunting
- Water rights
- Potential water rights
- Historical and cultural ORVs
- Private property rights
- Private property access
- Roads up on the rim (existing legal access)
- Endangered and sensitive fish ORV

Management Recommendations: Wild & Scenic Suitability

The group unanimously agreed to recommend that the segments be found “not suitable” for Wild & Scenic status because of concerns about the segments’ eligibility and manageability and the potential for a suitability finding to bring negative impacts to private property rights, water rights, grazing rights and historical and cultural ORVs. In addition, the group determined that fish and recreational ORVs are already adequately protected by reservoir operations, existing water rights upstream and downstream, and the presence of endangered fish and the attendant Recovery Program that together assure adequate flows. The group recommended that BLM take additional action to safeguard historical and cultural ORVs, as well as allow recreational prospecting. Additional details on each of these points are provided below.

Concerns about Segment Eligibility and Manageability

Members of the group questioned whether the degree of modification to these segments in the form of rip-rap and irrigation diversions really qualified them to be eligible for inclusion in the National Wild & Scenic Rivers System. Concern was also raised about the railroad running along the segments: if the underlying property is privately owned by the railroad, it may drop the ownership of the segments’ banks below a reasonable eligibility threshold. Even if the railroad is on BLM-managed property, the degree of railroad control over their rights of way would impede management of the corridor by the BLM. However, the railroad’s ability to limit access across their tracks inherently reduces public access, thereby providing additional indirect management of lands along the railroad and river segments from Whitewater to Delta.

Negative Impacts of Suitability

The group identified the following negative impacts from a potential suitability finding:

- Negative private property impacts. These concerns were based upon legal opinions received by landowners who have land adjacent to these river segments:
 - Concerns about BLM control extending to the high water mark of the river even on segments where BLM owns only one bank.
 - Concerns that an involuntary and unwelcome scenic easement may be imposed on adjacent landowners as reportedly occurred in other areas.
- Negative water rights impacts from a suitability finding:
 - Concerns about ability to maintain and/or modify existing diversion infrastructure.
 - Increased risk and cost associated with securing required federal permits for any new upstream depletions.
 - Potential limitations on future water development options or water use changes, including exchanges of water rights through a “suitable” reach.
- Negative impacts on grazing rights:
 - Precedents exist for grazing rights to be challenged on the banks of Wild & Scenic streams.
- Negative impacts on historical and cultural ORVs from a suitability finding:
 - Increased publicity would increase visitation and attendant vandalism, as well as unintentional damage.

The concerns about private property and grazing rights impacts are over the long term, looking into the future, especially upon permit renewal. While current BLM managers may state that these rights will not be affected, the way the law is written leaves open the possibility that land owners and grazing rights holders could be affected should a third party sue, forcing the BLM to assert additional control of both sides of a river segment.

Existing Protections

The group determined that fish and recreational ORVs for the segment are already protected by the adjacent designated Wilderness and the following conditions that regulate the river’s flows:

- Downstream senior water right held by Redlands Water & Power Company and the flows assured by Aspinall Unit operational commitments concerning release of stored water necessary to operate the Redlands fish passage.
- Aspinall Unit operations to provide necessary flows for two species of fish listed as endangered under the Endangered Species Act.
- Aspinall Unit flows to mitigate impacts of depletions associated with the federal Dallas Creek and Dolores projects.
- Upstream Black Canyon National Park water right, guaranteeing minimum flows of 300 cubic feet/ second and seasonal flows that mimic a natural hydrograph based on annual snowpack and runoff projections.

Additional protections are also provided by the Dominguez Canyons Wilderness Area, which touches the banks of these segments and the water rights within the Wilderness area assured by the enabling legislation. Additionally, the Gunnison River segments are totally encompassed

within the Dominguez-Escalante NCA boundaries, eliminating the need for additional protection and redundant management and their associated costs.

Management Recommendations: Other Measures

The group unanimously agreed that the BLM should implement the following additional measures to enhance protections of historical and cultural ORVs:

- Conduct accurate and proper recording to preserve scientific data.
- Invite and recruit volunteer site stewards to monitor the sites and report problems to BLM (once it was clarified that volunteers would not do any enforcement themselves; it was noted that outfitters are currently the only ones doing this).
- Enforce existing protections.
- Refrain from publicly identifying locations.

The group also had an extensive discussion on recreational prospecting, which is very important to some for its recreation value, but important to many for its historical link to the development of our country. Recreational prospectors who participated in the group made the case that the current limitations on the use of mechanized equipment are overly burdensome.

Rose Creek and Big and Little Dominguez Creeks, Segments 1 and 2

Activities and Attributes that are Important to Maintain

The group listed the following activities and attributes as important to protect in these stream corridors:

- Water rights.
- Recreational and cultural ORVs: it was noted that these can come into conflict, with additional visitors leading to more vandalism and unintentional damage, as when people touch rock paintings and damage them with the oils from their skin.
- Trail rights (including for livestock transit).
- Grazing.
- Ability to maintain ponds, fencing and other grazing infrastructure.

Management Recommendations: Wild & Scenic Suitability

The group unanimously agreed to recommend that the segments be found “not suitable” for Wild & Scenic status because of the same potential impacts to water and grazing rights listed for the Gunnison River and because:

- All the ORVs except for the cultural ORV are already protected by designated Wilderness and existing management.
- Big and Little Dominguez Creeks’ flow-related values are specifically protected in the enabling legislation for the Dominguez Canyons Wilderness Area.
- The Colorado Water Conservation Board holds existing in-stream flow rights and has filed for additional in-stream flow rights that comprise the entire flow of the creeks minus a limited, future development allowance. The combination of these instream flow rights will be protective of the wildlife ORV and the activities listed above.
- A Wild & Scenic suitability finding would hurt, rather than protect, the cultural ORV, as increased publicity would lead to more visitors, with attendant vandalism and unintentional damage.

- A suitability finding would slow down BLM management decisions because of consultation requirements that would be required.
- Large irrigation dams, impoundments and diversions render the segments unsuitable.

Management Recommendations: Other Measures

The group unanimously recommended the same tools to protect the cultural ORV as recommended for the Gunnison, with additional comments that:

- BLM could improve signs and provide additional protections on a site-specific basis (for example, placing rocks near rock art as a barrier to prevent cattle from rubbing on them).
- When recreational and cultural ORVs come into conflict, site-specific management is needed to ensure protection of both ORVs, with a case-by-case determination about which value should be prioritized.

Cottonwood and Escalante Creek, Segments 1 and 2

Activities and Attributes that are Important to Maintain

The group identified the following activities as important to maintain:

- | | |
|---|---------------------------|
| ▪ Agriculture: all agricultural activities, including orchards, crops, and grazing. | ▪ Hunting |
| ▪ Livestock transit | ▪ Water rights |
| ▪ Utility corridor (including access for maintenance of power lines) | ▪ Potential water rights |
| ▪ Well maintained and used roads. | ▪ Recreational ORVs |
| ▪ Fishing | ▪ Private property rights |
| | ▪ Private property access |

The group also concluded that the Wildlife ORVs listed for these segments in the Wild & Scenic eligibility report (peregrine falcons and river otter) should be eliminated, because they are not supported by recent evidence, as confirmed by CDOW.

Management Recommendations: Wild & Scenic Suitability

The group unanimously agreed to recommend that the segments be found “not suitable” for Wild & Scenic status because of the same potential impacts to private property, water and grazing rights listed for the Gunnison River segments and because:

- There is a high level of private ownership on Escalante Creek, with attendant impacts on private property rights and feasibility of management.
- Numerous stream alterations, including diversion dams, headgates, impoundments, rip rap and channeling make the Escalante Creek segments non-suitable.
- Vegetation ORVs on Escalante Creek, Segment 1 are already protected by an Area of Critical Environmental Concern (ACEC) and in-stream flow rights held by the Colorado Water Conservation Board.
- Conditions for flow-dependent ORVs on Escalante Creek are controlled by operation of reservoir releases by water rights holders; current operations benefit ORVs, but BLM has no way of managing this.
- Cottonwood Creek is already protected by its remoteness and difficult access, as well as an existing in-stream flow right held by the Colorado Water Conservation Board.
- The stream segments are entirely within the boundaries of the Dominguez-Escalante NCA, which affords adequate protection without redundant and costly management.

Management Recommendations: Other Measures

The group did not identify additional measures that should be put in place for these segments, and generally agreed that it was desirable not to have additional layers of management.

Concluding Comments

In summary, the group felt that with the multiple layers of protection currently in place, it is not necessary or desirable to place additional restrictions or risks on private property rights, including water rights and grazing rights, in order to maintain the values that make these stream corridors special environmental and community assets. It is appropriate, however, to seek ways to protect the special features of these stream corridors, particularly cultural artifacts, in the face of increasing recreational use. Stakeholders are confident this can be effectively and efficiently accomplished without a “suitability” finding on any of the subject stream segments. Further, stakeholders recognize and affirm their interest in adequate and appropriate protections and their willingness to work with BLM on an on-going basis to accomplish these protections in order to assure responsible multiple use of the resource.

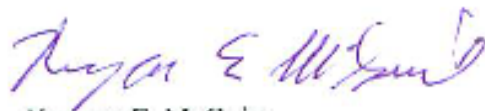
The stakeholder group desires to maintain BLM management at the local level with the ability to have flexibility in their decisions based on seeing the resources first hand, rather than having the eligible stream segments managed via inflexible federal law crafted in Washington, D.C. The group also desires to restrict the federal government from obtaining any water rights associated with a Wild & Scenic Rivers designation.

Finally, the stakeholder group participants want to express their appreciation for the considerable support provided by BLM staff throughout the process to help the participants understand the Wild & Scenic Rivers evaluation process. Please share this letter with all BLM personnel involved with making the Wild & Scenic Rivers Act suitability determination.

Sincerely,
Gunnison Basin Wild & Scenic Rivers Stakeholder Group



Olen Lund
Delta County Commissioner, District #3



Kenyon E. McGuire
Terror Ditch and Reservoir Company



Mike Berry
Tri-County Water Conservancy District



Eugenie M. McGuire
Terror Ditch & Reservoir Company

Signatures continued on following page.



Dick Miller

My signature represents that of myself, Scott Miller, John and Beth Wool, Kent Davis, Alan Malcolm and Dave Abbott who are all in association with the Escalante Ranch.



Eric Kuhn

General Manager,
Colorado River Water Conservation District

Cary Baird*

Baird & Associates, Whitewater

Bill Pease*

Prospector, Hunter and Fisherman

Robert Gill*

Ranch Manager, Bear Ranch, LLC

Steven R. Lewis*

Concerned Citizen, Prospector

Marty Genereaux*

Centennial Canoe Outfitters, Inc.

Thomas Alvey*

North Fork Water Conservancy District

Betty Oglesby*

Dave Upchurch*

Landowner



Richard W. Connell

Director, Member Services
Colorado Farm Bureau

Eric Trommer*

New Leaf Fruit
Landowner on Gunnison River

Mike Wilson*

Thunder Mountain Wheelers

Steve Weist*

Sub RAC Member of BLM Resource
Management Planning Process

Doug Atchley*

Landowner

Oscar Massey*

Landowner

Roger Bentley*

Landowner

Dick Steele*

-Western Colorado Chapter of the Gold
Prospectors Association of America
-Colorado Mule Deer Association
-Colorado Sportsmens Wildlife Fund
-Western Colorado Sportsmens Council

Shelby Bear*

SCRAC Subgroup

Scott Ensley*

Landowner, outdoorsman

**Permission to list as signatory provided by email or phone.*

cc: Catherine Robertson, Field Manager, BLM Grand Junction Field Office
Barbara Sharrow, Field Manager, BLM Uncompahgre Field Office

Escalante (Seg 1 – upstream; Seg 2 – downstream) & Cottonwood Creeks – ORV Worksheets v. 4-26-11

Items in italics reflect comments made in stakeholder group discussions.

<u>ORV</u>	<u>What is Special</u>	<u>Possible Threats to ORV</u> Examples: Vandalism, trash, flow issues	<u>Current measures to protect</u> Examples: NCA, ESA, Grazing Restrictions, Camping Restrictions, etc.	<u>BLM Management Tools/Options</u> Examples: WSR, ACEC, SRMA, etc.	<u>Other ways to protect the ORV</u>
Escalante Creek, Seg 1 (Scenic Class) <u>Scenic</u>	Cascading creek, potholes, prominent cliffs, varied colors in rock & vegetation; unusual “double canyon” <i>Scenic Class “A”</i>	<i>Increased traffic diminishes the experience.</i>	<i>Counting vehicles.</i> <i>Focus law enforcement & maintenance on potholes.</i> <i>New grazing agreement: building drift fences to protect cactus.</i> <i>Visual Resource Management Class 2: minimal change allowed</i>		
Escalante Creek, Seg 1 (Scenic Class) <u>Recreational</u>	Primarily potholes area, with chutes, falls & plunge pools. Extreme kayaking during runoff; wading & camping later.	<i>Dangerous behavior</i> <i>Same as for Dominguez: Too much recreation, spreading out.</i> <i>Ability of Escalante Ranch to dry up stream – usually don’t.</i>	<i>ISF right: 4.0 cfs 3/1–3/31 & 6/15-7/31; 8.2 cfs 4/1-6/14; 1.5 cfs 8/1-2/28.(junior to Escalante Ranch right).</i> <i>Escalante Ranch releases from reservoir to meet water needs downstream.</i> <i>Designated campsites.</i> <i>Focus law enforcement & maintenance on potholes.</i> <i>“No shooting” area</i>	<i>Special regulations on kayakers.</i> <i>Restrict particular uses to particular places.</i>	
Escalante Creek, Seg 1 (Scenic Class) <u>Geologic</u>	Potholes – unique to have Precambrian gneiss eroded by stream into these formations.		<i>Takes care of itself.</i>		

Escalante (Seg 1 – upstream; Seg 2 – downstream) & Cottonwood Creeks – ORV Worksheets v. 4-26-11

Items in italics reflect comments made in stakeholder group discussions.

<u>ORV</u>	<u>What is Special</u>	<u>Possible Threats to ORV</u>	<u>Current measures to protect</u> Examples: NCA, ESA, Grazing Restrictions, Camping Restrictions, etc.	<u>BLM Management Tools/Options</u> Examples: WSR, ACEC, SRMA, etc.	<u>Other ways to protect the ORV</u>
Escalante Creek, Seg 1 (Scenic Class) <u>Wildlife</u>	Exceptionally high quality peregrine falcon habitat. <i>BLM: In the area because of the canyon rims and water, which draws their prey.</i> <i>Others: should remove this ORV because of lack of evidence of their presence after 2009.</i>	<i>People aren't really a threat – they nest in skyscrapers in cities.</i> <i>Escalante Ranch could dry up stream.</i>	<i>BLM sensitive species.</i> <i>Monitored; pair observed '08-'09.</i> <i>ISF right: 4.0 cfs 3/1–3/31 & 6/15-7/31); 8.2 cfs 4/1-6/14; 1.5 cfs 8/1-2/28.</i>		
Escalante Creek, Seg 1 (Scenic Class) <u>Vegetation</u>	Giant helleborine orchid, rare in CO Mancos columbine/ Eastwoods monkeyflower wetland (G2) Eastwood's monkeyflower (BLM sensitive) in hanging gardens alkali cordgrass saltmeadow, rare in CO <i>Other veg. ORV's dropped out after re-assessment of vegetation rareness.</i>	<i>People</i> <i>Drought</i> <i>Gas drilling/ fracking on private land in the area could affect hydrology and/ or water quality.</i>	ACEC for hanging gardens and saltmeadow (1895 acres) – impact on Esc Ranch avoided by agreement to allow continued grazing. State natural area <i>New grazing agreement: building drift fences to protect cactus.</i> <i>ISF right: 4.0 cfs 3/1–3/31 & 6/15-7/31); 8.2 cfs 4/1-6/14; 1.5 cfs 8/1-2/28.</i>	<i>Vegetation on rim isn't related to the creek (although is related to hydrology of the area) – may not be a legitimate ORV.</i>	
Escalante Creek, Seg 2 (Rec class) <u>Fish</u>	Bluehead, flannelmouth sucker resident, spawning habitat (BLM, CO sensitive) <i>Recent survey showed the fish thriving.</i> <i>Access up and down the stream at the right times are important for the fish.</i>	<i>Ability of Escalante Ranch to dry up stream – usually don't.</i>	<i>BLM Sensitive status.</i> <i>Landowners restrict access.</i> <i>Landowner reservoir releases benefit fish.</i>	<i>If this segment wasn't in the NCA, it would have been tossed out of consideration for WSR status by the GJ stakeholder process b/c of too much private land.</i>	

Escalante (Seg 1 – upstream; Seg 2 – downstream) & Cottonwood Creeks – ORV Worksheets v. 4-26-11

Items in italics reflect comments made in stakeholder group discussions.

<u>ORV</u>	<u>What is Special</u>	<u>Possible Threats to ORV</u>	<u>Current measures to protect</u> Examples: NCA, ESA, Grazing Restrictions, Camping Restrictions, etc.	<u>BLM Management Tools/Options</u> Examples: WSR, ACEC, SRMA, etc.	<u>Other ways to protect the ORV</u>
Escalante Creek, Seg 2 (Rec class) <u>Wildlife</u>	Desert bighorn – really historically there? Old remains found on Glade Park, in Montrose County river otter – really there? No one present has seen in 20 years. DOW confirms no recent sightings. peregrine falcon	<i>DOW hunting tags for bighorn (3).</i> <i>Natural predators.</i>	<i>Escalante Ranch doesn't allow bighorn hunting.</i>		
Cottonwood Creek (Scenic class) <u>Vegetation</u>	A-ranked occurrence of narrowleaf cottonwood/ skunkbush sumac riparian woodland (G3)	<i>Wildfire</i> <i>Upstream water rights?</i> <i>Grazing – if not managed appropriately.</i>	<i>Protected by remoteness/ difficult access.</i>		

Existing Uses – Escalante Creek

- *hiking*
- *a maintained road bisects the stream corridors*
- *grazing*
- *kayaking*
- *rock climbing (segment 2)*
- *traffic count: guess 12,000/ year (final count not provided)*
- *ATV's on the road.*
- *hunting*
- *access to Forest Service land via 4-wheel-drive*
- *power lines (segment 2): vehicle access required for maintenance, repair and replacement activities*
- *mountain biking*
- *horseback riding*
- *agriculture: grazing, hay at the Forks; need horse access.*
- *Bernice Musser takes people on tours.*

Existing Uses – Cottonwood Creek

- *grazing*
- *hunting*
- *ATV's (no access in canyon; north and west on rim)*