



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

DATE: July 15-16, 2015 Board Meeting

AGENDA ITEM: 17. River Protection Workgroup, Wild and Scenic Rivers Alternatives Update

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) (“River Protection Workgroup” or RPW); 2) the Upper Colorado River Wild and Scenic Stakeholder (UCRW&S) Group; and 3) the Lower Dolores Plan Working Group (LDPWG). Updates on these processes are set forth below along with an update on the BLM’s Royal Gorge Field Office Resource Management Plan (RMP) revision.

Staff recommendation: This item is informational only, with no Board action requested.

Discussion:

Upper Colorado River Wild and Scenic Stakeholder Group Update

The BLM Kremmling Field Office’s Proposed RMP/EIS was released on March 21, 2014 and the Colorado River Valley Field Office’s Proposed RMP/Final EIS was released on March 24, 2014 with both the Records of Decision (RODs) expected out on July 8, 2015. The joint BLM and USFS’s Final Wild and Scenic Rivers Suitability Report (Suitability Report) was released with each of the BLM’s RMP/EIS documents. The USFS White River National Forest also issued a Draft ROD for adoption of the Suitability Report on April 7, 2014. The USFS White River National Forest final ROD will be issued concurrently with the Colorado River Valley Field Office’s ROD.

The Upper Colorado River Wild and Scenic Stakeholder Group (Stakeholder Group) held its regular meeting on June 3, 2015 in Summit County and its next regular meeting is scheduled for August 27, 2015 in Glenwood Springs, CO. The Stakeholder Group meeting included discussions on channel maintenance flows, provisional period planning, the 2014 Monitoring



Report, the 2015 Survey Report, 2015 fieldwork, finances, and updates by the various workgroups. During the meeting, the members approved the creation of a new work group to focus on survey data, flushing flow needs, and channel maintenance flows. Additional information on the Stakeholder Group can be found at <http://www.upcowildandscenic.com>.

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

The River Protection Workgroup (RPW) Steering Committee held a regular meeting on June 18, 2015 in Durango, Colorado with its next meeting scheduled for August 3, 2015 in the same location. The Steering Committee is currently engaged in negotiations and development of consensus approaches for the protection of the five rivers, and specifically related outstanding remarkable values (ORVs) in the San Juan River basin, while protecting the ability of water users within Colorado to fully use its compact entitlements. The group has been working on resolving differences between a proposal by Trout Unlimited and an alternate proposal by the Wilderness Society and the San Juan Citizen's Alliance. The Steering Committee has come to a tentative agreement-in-principle that incorporates features from both of the proposals. The Steering Committee has now shifted to the "drafting phase" of a regional legislative package with the understanding that there are still some details to be worked through. The agreement-in-principle may potentially include the removal of suitability, Wild and Scenic designation, and the maintenance of suitability within the five watersheds of the San Juan Basin. Additional information on the RPW can be found at: <http://ocs.fortlewis.edu/riverprotection>. Representatives from the RPW will be providing the CWCB with an update on their activities at the CWCB's July 15-16, 2015 meeting.

Lower Dolores Plan Working Group Update

In March 2015, the Legislative Subcommittee of the Lower Dolores Plan Working Group released a discussion draft of proposed federal legislation that would establish a National Conservation Area ("NCA") (from below McPhee Dam to Bedrock) and remove the finding of Wild and Scenic suitability from the Dolores River, among other things. Stakeholders are in the process of reviewing and providing input on the draft legislation. In response to some stakeholders' concerns about certain legal aspects and potential consequences of establishing a NCA, the Southwestern Water Conservation District, Dolores Water Conservancy District, Montezuma Valley Irrigation Company, Dolores County, San Miguel County, and Montrose County are sharing the costs of a legal review of the draft legislation by David Robbins. Questions raised include if and how the proposed NCA could impact water supplies and water rights; and the difference, from a water issues perspective, between a National Monument and NCA. On May 5, 2015, Mr. Robbins met with a large group of stakeholders to listen to concerns and identify relevant questions. Currently, Mr. Robbins is conducting the legal review, which is anticipated to be completed sometime this month. Additional information on the Lower Dolores Plan Working Group can be found at: <http://ocs.fortlewis.edu/drd/meetings.asp>.

BLM's Royal Gorge Field Office Resource Management Plan (RMP) Revision

BLM's Royal Gorge Field Office issued its Draft Eligibility Report in June 2015. The Draft Suitability report lists 10 streams, rivers, or segments as eligible for inclusion in the National Wild and Scenic Rivers System. These include the Arkansas River (4 segments from Leadville to just above Canon City), Beaver Creek, East Beaver Creek, West Beaver Creek, Eightmile Creek, Fourmile Creek, and Grape Creek, all located within the Arkansas River Basin. A majority of these segments were previously found suitable by the BLM in 1992.