



COLORADO

Department of Natural Resources

Executive Director's Office
1313 Sherman Street, Room 718
Denver, CO 80203

March 22, 2019

Grand Mesa, Uncompahgre and Gunnison National Forests

Attn: Plan Revision Team

2250 South Main Street

Delta, CO 81416

gmugforestplan@fs.fed.us

RE: CDNR Comments - Grand Mesa Uncompahgre, and Gunnison National Forest Draft Wild and Scenic River Eligibility Evaluation

Dear GMUG Planning team,

Thank you for the opportunity to submit comments on the Draft Wild and Scenic Eligibility Evaluation released in February 2019. We appreciate your continued collaboration and coordination on this planning effort. Enclosed are letters from two of our divisions: Colorado Parks and Wildlife (CPW) and the Colorado Water Conservation Board (CWCB).

CPW offers recommendations for additional stream reaches where robust and remote conservation populations of green lineage Colorado River cutthroat trout exist. In addition, CWCB's comments reflect a dual purpose of supporting Colorado's water supply needs, while continuing to uphold protections for stream segments with outstanding remarkable values (ORVs). For stream reaches with flow-related ORVs, we ask that you consider utilizing CWCB's Instream Flow Program as an alternative method of protection.

If you have any questions, please contact Amy Moyer at 303-866-3311, or division contacts listed herein. We look forward to continuing to work with you throughout this planning process as a cooperating agency.

Sincerely,

Dan Gibbs
Executive Director





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Parks and Wildlife

Department of Natural Resources

SW Region Office
415 Turner Drive
Durango, CO 81303
P 970.375.6702 | F 970.375.6705

March 22, 2018

Grand Mesa, Uncompahgre and Gunnison National Forests
Attn: Plan Revision Team
2250 South Main Street
Delta, CO 81416
gmugforestplan@fs.fed.us

RE: CPW Comments - Grand Mesa Uncompahgre, and Gunnison National Forest Draft Wild and Scenic River Eligibility Evaluation (January 2019)

Dear Plan Revision Team:

Thank you for the opportunity to participate in a review of the Draft Wild and Scenic River Eligibility Evaluation for the Grand Mesa Uncompahgre Gunnison National Forest (GMUG) Plan Revision. Colorado Parks and Wildlife's (CPW) statutory mission is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources.

Please consider the following comments on the GMUG Draft Wild and Scenic River Eligibility Evaluation (Draft Evaluation):

Categories for Outstanding Remarkable Values (pp. 5-8)

The Draft Evaluation states that the "fish populations" ORV is met only with conservation populations of green lineage Colorado River cutthroat trout that are brood stock sources for Colorado Parks and Wildlife. Given their native status across the GMUG and their relative scarcity across the landscape, CPW recommends that the "fish populations" ORV include all conservation populations of green lineage Colorado River cutthroat trout. Each conservation population contains a valuable reserve of the native aquatic diversity of the GMUG, and are all *considered by CPW as potential brood sources* of green lineage Colorado River cutthroat trout that can be utilized to restore stream reaches throughout the GMUG and the entire green lineage native range.

Additional conservation populations that warrant consideration for eligibility include West Antelope Creek, the Clear Fork of Muddy Creek and tributaries (North and South Twin, Rock, Second and Basin Creeks), Deep Creek (near Paonia Reservoir), North Anthracite Creek (and the entire Anthracite drainage, even though cutthroat are only in the North Fork), Schaefer Creek, Robinson Creek, Goat Creek, Elk Creek (near Telluride), Beaver Dams Creek, the North Fork of the Smith Fork of the Gunnison, Red Canyon Creek, the East and West Fork of Deep Creek (near Telluride) and Fall and Muddy Creeks upstream of Woods Lake. These represent some of the



more robust and remote populations of green lineage Colorado River cutthroat trout on the forest, and many of the drainages appear to meet other ORVs listed in the Draft Evaluation. In addition, CPW encourages the GMUG planning team to work with our sister agency, the Colorado Water Conservation Board (CWCB), to consider utilizing its Instream Flow Program as an alternative method of protection for flow-related ORVs.

Eligibility Evaluation Results

The Draft Evaluation lists nine groupings of creeks as Eligible for inclusion in the National Wild and Scenic Rivers System. CPW supports the USFS's determination for Cow Creek and tributaries, Roubideau Creek and Tributaries, Tabeguache Creek and North Fork, San Miguel River, and North Fork Escalante and Kelso Creeks. CPW agrees that these groupings meet the defined criteria for eligibility, and supports their inclusion with the following editorial suggestions and additional ORVs added:

Cow Creek and Tributaries

Cow Creek and the listed tributaries meet the wild classification, as well as the ORVs described in the Draft Evaluation. CPW recommends including recreation as an ORV, given that there is a recreational fishery for cutthroat trout in the mainstem of Cow Creek.

Roubideau Creek and Tributaries

CPW agrees with the ORVs listed in the Draft Evaluation for Roubideau Creek and Tributaries. CPW recently established the significance of Roubideau Creek for native fish spawning just below the Forest Service boundary and recommends that a "fish" ORV be added to the Draft Evaluation. Native Fish Researchers with CPW have sampled Roubideau Creek up to the Forest boundary at Ben Lowe Flats and found native sucker larvae. Just downstream, near Criswell Creek, roundtail chub larvae were found.

Roubideau Creek and its tributary streams are of vital importance to flannelmouth suckers, bluehead suckers and roundtail chub. CPW tracks movements of PIT-tagged fishes into Roubideau Creek from the Gunnison River and recently concluded a four-year study of spawning in the drainage. More than 10,000 native suckers and chubs have been documented using Roubideau and its tributaries during spring runoff for spawning in a single year. Diminishment of flows coming off of the Uncompahgre National Forest to Roubideau Creek could be deleterious to populations of these native fish in the Gunnison River. CPW Native Fish Researchers are confident that these species use portions of Roubideau Creek on the Uncompahgre National Forest also, and plan to continue work to establish the upstream extent of spawning use.

Tabeguache Creek and North Fork

Tabeguache Creek is also an important native fish spawning stream and CPW recommends adding a "fish" ORV to the Draft Evaluation for Tabeguache Creek. In 2014, a barrier to upstream migration was removed from Tabeguache around 2 miles upstream of its confluence with the San Miguel River. This allows native roundtail chubs and bluehead and flannelmouth suckers from the San Miguel to access several additional miles of spawning habitat in the spring. CPW has confirmed natural reproduction for these species in Tabeguache Creek since this barrier was removed. As with Roubideau

Creek, this spawning is thought to primarily occur on BLM land; however, land and water use on USFS land upstream undoubtedly can impact this important resource value.

San Miguel River

CPW agrees that the San Miguel River segments 1 and 2 meet the Wild and Scenic Eligibility Criteria and certainly have the scenery and recreational ORVs identified in the Draft Evaluation.

Kelso and North Fork Escalante

CPW agrees that Kelso and North Fork Escalante meet the Eligibility Criteria and ORV for fish given the importance of these two creeks for native cutthroat trout conservation. CPW recommends identifying the fish as Green Lineage Colorado River cutthroat trout, rather than greenback cutthroat trout. This matches recent genetic evaluations that have determined that the greenback cutthroat trout is not the native cutthroat trout to western Colorado (see Metcalf et al. 2012).

CPW appreciates the opportunity to review the Draft Wild and Scenic River Eligibility Evaluation for the Grand Mesa Uncompahgre Gunnison National Forest (GMUG) Plan Revision. We look forward to continued collaboration on the Plan revision as a cooperating agency. If you have any questions or would like clarification on any comment in this letter please contact Southwest Energy Liaison, Jon Holst at 970-375-6713.

Sincerely,



Heath Kehm, Acting SW Region Manager

xc: JT Romatzke, NW Region Manager
J Wenum, Area 16 Wildlife Manager
Renzo Delpiccolo, Area 18 Wildlife Manager
Kirk Oldham, Area 7 Wildlife Manager
Scott Wait, SW Region Senior Terrestrial Biologist
Brad Petch, NW Region Senior Terrestrial Biologist
John Alves, SW Region Senior Aquatic Biologist
Lori Martin, NW Region Senior Aquatic Biologist
Taylor Elm, NW Region Energy Liaison



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Colorado Water Conservation Board

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Gunnison National Forests
Attn: Plan Revision Team
2250 South Main Street
Delta, CO 81416

Dear Grand Mesa, Uncompahgre, and Gunnison Forests Planning Staff:

The Colorado Water Conservation Board (CWCB) appreciates the opportunity to participate and provide comments during the Grand Mesa, Uncompahgre, and Gunnison (GMUG) National Forests Plan Revision.

The CWCB recognizes the strength of a Wild and Scenic eligibility and classification determination as a land management tool and a means to protect outstandingly remarkable values (ORVs). The CWCB also acknowledges that an eligibility determination can hold implications for water rights and water development within the State of Colorado. The recommendations in this letter are intended to address the CWCB's water-related concerns while recognizing the environmental values that the Forest Service is working to protect. As emphasized in Colorado's Water Plan, our state is striving to meet water supply demands of our growing population while fostering a strong, resilient, natural environment.

Additional Planning Documents

The CWCB appreciates GMUG staff's review of Colorado Division of Water Resources information for water diversions and impoundments, U.S. Geological Survey data for ditches and reservoirs, and the use of Forest Service knowledge and data for ditches, headgates, diversions, and water developments. However, CWCB recommends that GMUG staff also consider the following new information for updating the eligibility and classification analysis. These documents provide detailed descriptions of the projects that local water leaders have identified for meeting the area's water needs.

- Colorado's Water Plan
- Gunnison Basin Implementation Plan
- Southwest Basin Implementation Plan
- Colorado Basin Implementation Plan
- Colorado Decision Support System
- Statewide Water Supply Initiative



Future Water Projects

Colorado's Water Plan contemplates the construction and/or enlargement of reservoirs to meet future water demands. Roundtable Basin Implementation Plans identify how that the region's municipal and industrial demand is expected to be met by investigating means of providing additional water, firming of existing supplies, and enlargement of distribution systems, with many of the necessary water rights already decreed.

The CWCB understands that the Forest Service may also use the eligibility and classification findings as a basis for the agency's comments on projects that have a federal nexus. For example, water projects identified in the Southwest Basin Roundtable's Basin Implementation Plan as Identified Projects and Processes may fall into this category. Attachment 1 includes a comprehensive list of Identified Projects and Processes that may be located in or near a proposed eligible Wild and Scenic segment.

It is unclear at this time whether the Forest Service or other federal agencies would consider the implementation of identified Basin Implementation Plan projects as unreasonably diminishing the flow related ORVs in the proposed Wild and Scenic segments. For projects with downstream eligible segments, a federal agency's determination that diminishment of an ORV would occur may lead to permitting delays and reduced yield from these future projects. We encourage you to work closely with the Basin Roundtables and the associated project sponsors if you proceed with an eligible designation in these areas.

Federal Reserved Water Rights

Historically, the CWCB has taken the position that federal reserved water rights are not the preferred method for protecting flow-related ORVs in river corridors. Rather, the CWCB's Instream Flow (ISF) Program may provide adequate protection of flow-related values in the subject stream segments. The 2000-2004 Pathfinder Project, a pilot program spearheaded by GMUG, the CWCB and other state agencies, and stakeholders, includes the ISF Program among a list of tools that the Forest Service can use to achieve instream flow protection without unilateral action and bypass flow requirements on special use permits. CWCB encourages the Forest Service to include the Pathfinder Project and its findings in the GMUG revised Forest Plan revision. The Pathfinder Project sets forth a strategy based on cooperation first, and moves to collective and coordinated efforts second. We especially encourage you to rely upon CWCB's ISF Program as a mechanism to protect flow-related values in lieu of pursuing federal reserved water rights, as set forth in the Pathfinder Project.

The following table lists the ISFs that are currently decreed or recommended to be decreed that are located within the proposed rivers eligible for inclusion in the National Wild and Scenic Rivers System:

Table 1: CWCB ISFs that are currently decreed or recommended to be decreed that are located within the proposed rivers eligible for inclusion in the National Wild and Scenic Rivers System

Stream	Case Number	Status
San Miguel River	4-02CW277	Decreed
Roubideau Creek	4-04CW162	Decreed
Tabeguache Creek	4-11CW144	Decreed
Copper Creek	4-80CW089	Decreed
Oh-Be-Joyful Creek	4-80CW093A	Decreed
Cow Creek	4-84CW420	Decreed
West Elk Creek	4-98CW225	Decreed
West Soap Creek	4-98CW226	Decreed
North Fork Escalante Creek	4-07CW036	Decreed
North Fork Tabeguache Creek	4-11CW143	Decreed
Kelso Creek		Recommended

Thank you for the opportunity to comment. If you have any questions please contact CWCB Stream and Lake Protection Section Chief Linda Bassi at 303-866-3441, ext. 3204.

Thank you,



Rebecca Mitchell
CWCB Director

Attachment 1: Southwest Basin Roundtable's Basin Implementation Plan Projects Relevant to GMUG Wild and Scenic Eligibility Evaluation

GMUG Wilderness Evaluation Area	Southwest Basin Implementation Plan Ref #	Project Name and Description	Project Sponsor(s)
Tabeguache Creek	26-SM	<p><u>Tabeguache Creek Native Fish Barrier Removal Project.</u> The project will remove existing barrier on the Tabeguache Creek in order to create passage for the native fish to move upstream, which will help protect and enhance habitat and restore populations of these native fish. The need for action is outlined in the Range-Wide Conservation Agreement and Strategy for three warm water fish.</p>	Bureau of Land Management, The Nature Conservancy, San Miguel Watershed Coalition
Near San Miguel Evaluation Areas	4-SM	<p><u>Montrose County Firming Project Phase 2.</u> The second phase of the Project will be to construct one or two reservoirs, in addition to the Nucla Town Reservoir Enlargement, and the direct flow points of the diversion. The Project will address the 3,200 acre-foot gap between existing water supplies and demands projected to occur by the year 2060 in the west of Montrose County, and will also allow for reservoir releases to provide non-consumptive piscatorial use and water quality improvements.</p>	Montrose County
Near San Miguel Evaluation Areas	4-SM	<p><u>San Miguel Project.</u> The project was authorized as a participating project in the Colorado River Storage Project (CRSP) and includes a large storage and diversion water right on the San Miguel River. Though the project as authorized is not likely to be constructed, the water right could be changed to meet future water needs in the San Miguel Basin.</p>	San Miguel Water Conservancy District

			As a participant in CRSP, power revenues are being accumulated in the name of the project and legislation might allow funds to construct a locally approved alternative to the authorized project.	
Near San Miguel Evaluation Areas	NEW Identified Projects and Processes		<u>San Miguel Stream Management Plan Pilot Project.</u> The San Miguel Pilot Project aimed to (1) characterize existing and historical conditions, (2) enhance understanding of spatial and temporal patterns in environmental and recreational needs, and (3) identify opportunities for cooperative projects and processes to optimize support for existing uses and important environmental and/or recreation needs.	Southwest Basin Roundtable
Near San Miguel Evaluation Areas	19-SM		<u>Town of Norwood.</u> The Town of Norwood holds water rights on the San Miguel River to provide for future municipal water needs. Use of the water rights would involve a diversion from the river and a small storage facility.	Town of Norwood
Near San Miguel Evaluation Areas	21-SM		<u>Norwood Water Commission.</u> This project would be for municipal needs when growth takes place and infrastructure would be updated and the water system expanded to enable Norwood Water Commission to serve unincorporated Montrose County (Phase III, as called out by the Norwood Water Commission Master Plan). This would provide additional back-up to the existing 10-inch mainline from the water treatment plant to Norwood.	Norwood Water Commission
Near San Miguel Evaluation Areas	23-SM		<u>Norwood Lawn and Garden.</u> The installation of a raw water irrigation system within Norwood for residents to use for outside watering. Norwood Water Commission would be able to utilize their	Norwood Water Commission

Near San Miguel Evaluation Areas	32-SM	119 shares of water for this project and residents would use less treated water for outside use. <u>Rehabilitation of Diversion Structures.</u> Rehabilitation of diversion structures that currently impede safe recreational boaters and/or create a barrier to fish passage in the upper San Miguel River.	The Nature Conservancy, San Miguel Watershed Coalition, water diverters
Near San Miguel Evaluation Areas	30-SM	<u>Reed Chatfield Diversion Structure Renovation.</u> This passage currently impedes safe recreational boaters and creates a barrier to fish passage into the upper San Miguel River.	The Nature Conservancy, San Miguel Watershed Coalition
Near San Miguel Evaluation Areas	31-SM	<u>Parkway Diversion Structure Renovation.</u> This passage currently impedes safe recreational boaters and creates a barrier to fish passage into the upper San Miguel River.	The Nature Conservancy, San Miguel Watershed Coalition

Note: This list was created by reviewing the Southwest Basin Roundtable's Basin Implementation Plan and Identified Projects and Processes list. The Identified Projects and Processes list was updated in the winter of 2017 but is an exhausted list. Many of the projects are in the process and feasibility stages, thus exact locations are not known at this time. General locations were used when determining if the projects would be impacted by a Wild and Scenic eligibility designation. Many of the proposed Identified Projects and Processes, such as the San Miguel Stream Management Plan, may be used for management actions that would provide similar benefits as a designation and supported by the local communities.