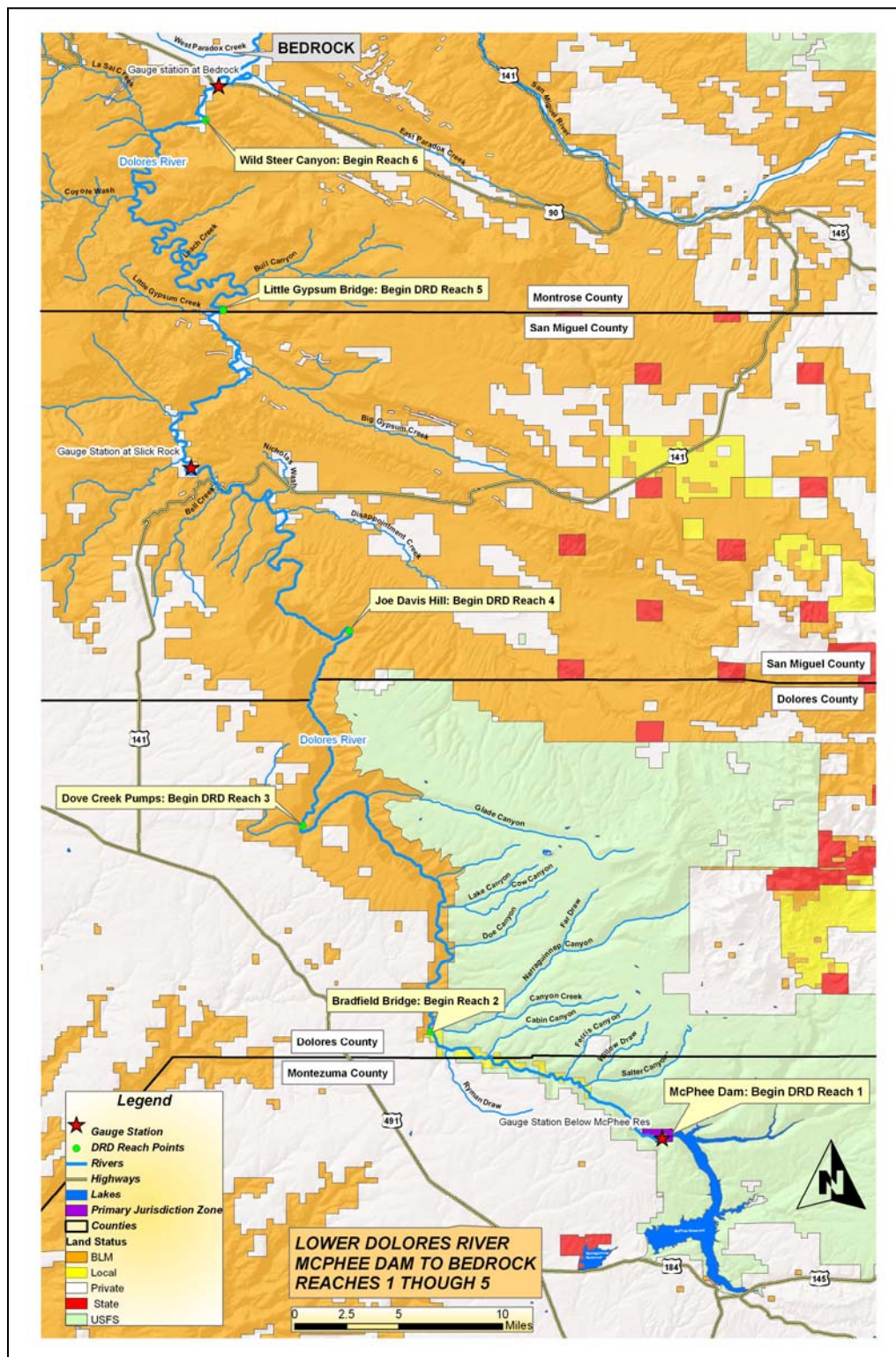


Report to the Dolores Public Lands Office (USFS/BLM)

from the Lower Dolores Plan Working Group



July 14, 2010

THANKS

The Dolores River Dialogue would like to thank everyone who made this report possible and most especially the Lower Dolores Plan Working Group Members (see Attachment C for a roster). These dedicated volunteers spent hours of time attending meetings and field trips, and working with one another to craft the recommendations in this report. Without their dedication to the cause and their collaboration, this project would not be possible. The DRD would also like to thank Steve Beverlin and Shauna Jensen with the Dolores Public Lands Office (USFS/BLM) for their help and technical assistance. Additional thanks go to:

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(click on "Lower Dolores Plan Working Group" on the left)

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Lower Dolores Plan Working Group

Final Report to the Dolores Public Lands Office (USFS/BLM)

Introduction and Overview

In December of 2008, the Dolores River Dialogue (DRD) kicked off a project known as the *Lower Dolores Plan Working Group* (hereinafter referred to as the “Working Group” or “group”). The purpose of this effort is to make recommendations to the Dolores Public Lands Office (USFS/BLM) (hereinafter referred to as the “DPLO”) prior to the Agency updating a 20-year-old Dolores River Management Plan. Specifically, this process will provide the basis for an Environmental Assessment of the Proposed Action and a Decision Notice aimed at adopting a Dolores River Management Plan Update.

The Working Group was tasked with making recommendations related to this specific question:

What is the appropriate level of protection and protection tool(s) that should be recommended to the Dolores Public Lands Office (USFS/BLM) for the values identified and discussed in this planning process – both ORV (Outstandingly Remarkable Values) and others?

Note: The list of USFS/BLM-identified ORVs is in Attachment D.

In this context, the Working Group was further charged with exploring and evaluating alternatives to the current USFS/BLM finding of the Wild and Scenic River “Preliminarily Suitable” status that exists on the Dolores River below McPhee Dam. The Working Group’s challenge was to determine if an acceptable replacement for this official USFS/BLM finding could be developed. Please read on for more details about this important issue.

The Working Group numbered 51 and was organized through the Dolores River Dialogue (see Attachment C for a roster). The sectors represented are:

- Boaters (professional and private) including American Whitewater
- Colorado Water Conservation Board; Colorado Division of Natural Resources & Colorado Division of Wildlife
- Conservation Groups: The Nature Conservancy, Dolores River Coalition, San Juan Citizens Alliance, Trout Unlimited & the Wilderness Support Center
- County Commissions (Dolores, Montezuma and San Miguel)
- DRD Science Committee
- Federal elected officials (local staff)
- Land: Land owners, private property rights, and conservation groups
- Town of Dove Creek and City of Cortez

- Water: Bureau of Reclamation, Dolores Water Conservancy District, Montezuma Valley Irrigation Company, the Ute Mountain Ute Tribe, and private water rights holders
- Other: canoe club, private anglers, motorized use, archeology, grazing, and oil and gas
- Dolores Public Lands Office (USFS/BLM) (ex officio)

From 12/08 to 7/10, the Working Group met 16 times, went on three field trips and participated in a number of educational sessions and discussions to arrive at the recommendations presented in this document.

This report is from the Working Group to the ID Team staff at the DPLO who will be working on the Dolores River Management Plan Update. The report:

- provides an overview of the process including a detailed history;
- presents a series of recommendations; and
- offers detailed information produced from the meetings.

In this report, the Working Group gives recommendations related to a number of issues that will be covered by the ID Team as it develops the Dolores River Management Plan Update. The Working Group also selected Federal Legislation that, if passed, would establish a Special Management Area as being the alternative to the WSR suitability status that is currently on the river.

This report reflects hopes, concerns and opportunities framed by a very diverse group of stakeholders who use and enjoy the Lower Dolores River Area for personal, economic, recreational and/or social purposes. Many in the Working Group have been tied to the river and private and public lands for generations while others are relative newcomers who are engaged in the area's future. While it is recognized that there will be more opportunities for public involvement related to how the Lower Dolores is managed, the Lower Dolores Plan Working Group is proud of the consensus reached to date. The group is providing public land managers as well as other key stakeholders and the public at large with an important body of knowledge based on 19 months of hard work, learning and collaborative discussions.



Working Group Field Trip to the Slickrock Area. 9/09

History and Background

Several timely opportunities and a convergence of events set the stage for the Working Group. First, the Dolores River Dialogue (DRD) is an existing effort formed in 2004 and convened at the initiative of the San Juan Citizens Alliance (SJCA) and the Dolores Water Conservancy District (DWCD). This multi-sector coalition is working on strategies to improve downstream ecological conditions while honoring water rights and contractual obligations to protect: agricultural and municipal water supplies, fisheries, riparian areas, and the continuation of recreational enjoyment of the Dolores River. The DRD:

- *Acts* as the key resource in Southwest Colorado for a variety of issues, dialogue and collaborative effort related to the Lower Dolores River.
- *Created a Core Science Report* that documented information about four key issues: Geomorphology, the Cold Water Fishery and the Warm Water Fishery, and Riparian Ecology.
- *Published a Hydrology Report* and a *Correlation Report* which integrates hydrology and science findings into a Matrix of Opportunities.
- *Organized* a DRD Science Committee that both conducts science studies and efforts, and coordinates with other entities doing monitoring and science in the Lower Dolores River Area. The DRD has received a number of grants for science initiatives.
- *Regularly* hosts full DRD meetings to ensure the larger community is involved in a meaningful way(s).
- *Kicked off* and oversees the process for the Lower Dolores Plan Working Group.
- *Started* a watershed planning effort (known as the 319 Watershed Study) that is set to be completed in fall 2010.
- *Presented* information on the DRD at various conferences and meetings.
- *Updates* and keeps current an extensive Web site: <http://ocs.fortlewis.edu/drd/>.
- *Is continuing* to define, study and potentially act upon collaborative opportunities for flow management and for improving riparian and aquatic stewardship while honoring water rights and contractual obligations.

The existence of the DRD was a key factor in the formation of the Lower Dolores Plan Working Group.

Another circumstance leading to the formation of the Working Group is that in 2005, a Governmental Water Roundtable was convened by the San Juan Public Lands Center (USFS/BLM). The Government Water Roundtable was made up of federal, state and local government representatives to explore water-related issues that would be addressed in the *2007 San Juan Public Lands - Draft Management Plan Revision and Draft Environmental Impact Statement* (find it at: <http://ocs.fortlewis.edu/forestplan/DEIS/tocMain.asp>). The complex issues surrounding Wild and Scenic Rivers was taken up by the Governmental Water Roundtable and discussed for months.

In June 2006, there was a convergence of Dolores River Dialogue and Governmental Water Roundtable as a broad array of DRD participants convened as a “DRD Wild and Scenic Eligibility Review Committee” to comment on the proposed eligibility of stream segments under the jurisdiction of the DPLO including the Dolores River above and below McPhee Dam. A consensus letter was sent on June 28, 2006 to the Forest Supervisor/Center Manager with detailed comments on each segment (available upon request from the DRD facilitator).

Next, the 2007 *San Juan Public Lands - Draft Land Management Plan and Draft Environmental Impact Statement* addressed Wild and Scenic River issues in a manner that was responsive to input from the DRD comment letter of June 2006, and anticipated a role for the DRD in exploring alternatives to Wild and Scenic designation on the Dolores River as evidenced by this statement:

“The DRD process shows great promise in achieving enduring protections for this stream reach. Should the DRD make substantial progress in identifying and securing needed protections of the ORVs, the recommendations of the group could be used to supplement or replace this preliminary finding of suitability. Ideally, the DRD will be able to provide their recommendations for management of the lower Dolores River prior to the close of the public comment period for this draft Plan Revision. Input from the DRD could then be more fully considered in the final Plan and associated environmental analysis.” [Appendix D – Wild and Scenic Rivers Suitability, Page D-20]

Based on all of these events, discussions began between the DRD and the Manager of the DPLO on how to move forward. The strategy that came out of these discussions was presented and adopted at the February 27, 2008 meeting of the full DRD as quoted from the meeting summary below:

“Steve Beverlin, District Manager for the Dolores Public Lands office, proposed that the DRD take on the key leadership role in updating the 1990 Dolores River Corridor Management Plan. A copy of the plan was distributed. This plan needs updated and the DRD is a logical entity to help, Steve said. It would involve larger corridor issues including but not limited to the river. There was agreement that this is a good role for the DRD to take on. The work will be done in close concert with both counties (Dolores and Montezuma). The Technical Committee will meet and discuss the many specific details involved, and will be charged with bringing recommendations back to the next DRD. Questions such as cost, staffing, community involvement, processes to use, etc. will need to be worked out. Steve said he sees this as an opportunity for the DRD to form a new committee and begin to look at alternatives for corridor protection while addressing concerns raised by the DRD but also, the community at large.” [DRD Meeting Summary, February 28, 2008, Page 7]

Finally, a grant from the Colorado Water Conservation Board was obtained in July of 2008 and the Working Group planning process started in December of that year.

Working Group Proceedings and Steps

Note: all minutes and most meeting handouts are on the Web site:

<http://ocs.fortlewis.edu/drd/> (click on Lower Dolores Plan Working Group on the left)

The first meeting of the Working Group kicked off in a blinding snowstorm. Participants received a notebook and learned about how and why the Working Group came into being. DPLO staff provided background and explained how this process would interface with the DPLO's effort to update the current plan (called the *1990 Corridor Management Plan* and is on the Web site). The list of official ORVs was reviewed and the group defined other values as also being important to them.

From January to May of 2009, the Working Group learned about each ORV as well as "other values" through in-depth presentations from the DPLO staff and other speakers. The topics covered included:

- ✓ Recreation
- ✓ Rafting
- ✓ Riparian Ecology
- ✓ Fisheries
- ✓ Archeology
- ✓ Scenery
- ✓ Geology
- ✓ Grazing
- ✓ Minerals and oil and gas
- ✓ DRD Science efforts including a watershed study being developed (319 Study)
- ✓ A preliminary introduction to the various land/water protection tools
- ✓ Detailed background on the WSR Act and the finding of the "preliminarily suitable" issue

As the meetings progressed, a list of "*Issues, Opportunities and Concerns*" developed and was added to along the way (see Attachment E). It is recommended that the DPLO staff carefully study this list throughout the Dolores River Management Plan Update process because the list represents an exhaustive inventory of things the Working Group cares and/or is concerned about.

Notice of each Working Group meeting was in area newspapers, the Working Group and DRD email trees, and via the Web site. A series of "Information Sheets" was produced on the content topics both for the public and the Working Group. There was time on the agenda allotted to take public comment. The Web site has all the Working Group's handouts, meeting minutes, Power Points, agendas, etc. and of course, is accessible to the public and the media as well.

Over the summer and during the rafting, agriculture and irrigation seasons, many of the Working Group members went on three field trips that highlighted: a) rafting and

recreational plus archeology on a May 18th, 2009 raft trip down reaches 1 and 2; b) ecology and fisheries and DRD Science at the Bradfield Bridge Campground in July; and c) private land owner issues as well as grazing, riparian health, tamarisk removal, the rafting put in/take out issues, and land restoration at a Working Group Member's property (the Crocker-Bedfords in Slickrock) and on adjacent BLM lands in September. These field trips are chronicled on the Web site via photo essays. The field trips proved to be an excellent forum for the Working Group to build relationships and learn about the corridor's land and water issues through "on the ground" learning and dialogue. In this phase, a document was created over time that reflected a range of input. It is called "Issues, Opportunities and Concerns" and can be found in Attachment E.

Then from August to November, 2009, the Working Group dialed in even further on the corridor by studying the five DRD-defined reaches that are under the jurisdiction of the DPLO. Ann Oliver, who served as contract staff for the project, presented reach maps, trend information about the ORVs in that reach, and other information (see Attachment I).

At these meetings, the DPLO staff involved in this effort, Steve Beverlin and Shauna Jensen, posed key and pressing management questions to the Working Group pertinent to each reach. The Working Group broke into pre-defined and set small groups and answered each question, noting where consensus was reached and also documenting a range of ideas, questions, opinions and concerns. A recorder took detailed notes and a facilitator was appointed by each Working Group to help keep things on track. A master list of all the small group's questions and answers and input can be found in Attachment G.



Lower Dolores Plan Working Group – Small Group Discussions, Fall '09

At the November 2009 meeting, the Working Group, again convening in small groups, answered several questions related to “other” values in the corridor namely: minerals, oil/gas, grazing, and private property rights. This was done because, while there is an official list of ORVs that led to the WSR preliminarily suitable finding, many in the group wanted “other values” to get air time and discussion as well.

In November, the Working Group received a *Summary Document* (please refer to Attachment F). For each of the topics covered from January to November, information was summarized in these categories:

- ✓ Summary Statement
- ✓ Status
- ✓ Current USFS/BLM Goals
- ✓ EXAMPLES of Current Management Practices
- ✓ Working Group-Identified Issues, Opportunities or Concerns
- ✓ Relevant Management Questions for this ORV
- ✓ Working Group Ideas for Protection Tools/Strategies (taken from small group exercises)

In December, the Working Group developed its first set of consensus recommendations (see details below in the “Recommendations Section”). The definition of consensus used in this process is: You can live with the recommendation and will support it.

The Working Group then began to determine where consensus or a range of opinion might exist among the Working Group related to potentially crafting an alternative to the “preliminarily suitable” for WSR status. In February 2010, a panel discussion provided many views on tools that could be available including: In-Stream Flow; Special Legislation; Wilderness; using a BLM or USFS Management Plan(s) and Management Action(s) to protect ORVs; special management areas; and Wild Scenic Rivers. The group heard from each panelist and held an in-depth question/answer session.

At the March 2010 meeting, consensus was reached on an alternative and the specific language read as:

Pursue special legislation to protect the ORVs (Outstandingly Remarkable Values), as well as water rights, agriculture and private property rights, recognizing that preliminary suitability will stay on the table unless and until the special legislation passes.

At this point, the Working Group appointed a Legislative Subcommittee to develop the principles and parameters of the legislation. That group met many times and presented a series of drafts to the larger Working Group for consideration and approval. This work is reflected in a section below entitled: *Alternative to the WSR Preliminarily Suitable Finding (starting on pp. 21)*

Major Interests

Throughout the process, the Working Group was asked to define their recommendations bearing in mind that each member of the group cares about certain issues and values, and that the recommendations should aim to address as many of these diverse interests as possible (see list below). The Working Group requests that the DPLO carefully consider these interests in updating the Dolores River Management Plan. The identified interests are: (note: these are not listed in priority order)

ORVs and Other Natural Values

- *Protection of the ORVs (this is the charge to DPLO – USFS/BLM)*
- *Protection of the landscape and water for locals, visitors and future generations*
- *Ability of locals, visitors and future generations to enjoy the natural beauty, recreational options, wildlife and ecology of the area*
- *Biodiversity of plant and animal species*

Rights

- *Respect for and protection of private rights in the corridor including land, water and access (both general access and historical access)*
- *Protection of various land and water uses (economic and recreational)*
- *Desire for the fewest and least cumbersome regulations as is possible*
- *Desire to use one's land to make a living*
- *Privacy*

Level of Protection

- *Desire for permanent, long term and lasting protections*
- *Desire for flexibility in the protection mechanisms*
- *Local control and local input into Federal and State decision making, policy setting & rule making*

Economic

- *Jobs and economic development and vitality for the surrounding community(ies)*
- *A need to capitalize on future opportunities (for example, more rafting days or oil and gas development)*

Various Groups and How they Use the Land/Water

- *Finding solutions that make sense; that work “on the ground” for as many interests/groups as possible*
- *Avoid over use of the land by one group or another (for example, certain camp sites)*

Other

- *Desire to keep things the way they are*
- *Desire to see the area not impacted by too much use of one kind or another*
- *Protection of water quality and the health of the river*

Recommendations Re: Management

This section contains recommendations from the Working Group related to protection of the ORVs and management of the corridor in general. These recommendations were arrived at by a consensus of the Working Group members present when the consensus votes were taken. Consensus is defined as: *You can live with a recommendation and will support it.* The questions posed by the DPLO are in italics with the Working Group's recommendations following.

I) Archeology/Cultural Resources

How should the illegal OHV access into the Dolores Wilderness Study Area be managed?

How should the cultural sites currently being impacted from rafters be protected?

Should there be additional interpretation at Indian Henry's Cabin located in Bull Canyon?

Consensus Recommendation: The Dolores Public Lands Office should continue monitoring and documenting priority archeology and cultural resources when possible with available funding including finishing the survey which began in the summer of 2009. Additional management tools to protect this ORV should include targeted education and signage and erecting some physical barriers or "crowd control" apparatus where local managers deem important and "do-able." Any physical barriers put up should not deny access to grazing allotment holders. Where possible, the DPLO should develop or sustain existing partnerships with user groups, such as grazers, rafters and OHV groups, to facilitate protection of cultural resources via ongoing education. Finding creative ways for users of the corridor to "self police" is another recommended tool especially given the isolation of the area and the limited DPLO staff resources for ongoing enforcement in all reaches.

Discussion and Ideas: There is a concern among some in the Working Group that this is a situation that needs increased attention soon because artifacts are disappearing. Others in the group feel that the baseline data is not adequate to offer a full picture of how many artifacts are disappearing. Next, the point was made that the area is used by many types of recreationalists, not just rafters. So education needs to be targeted to diverse audiences/users. Other ideas for managing this issue:

- a) post messages about cultural resource ethics on Web sites that rafters use and check often including DWCD's;
- b) when BLM personnel can be present at put-ins and take-outs during high use times, that is the best type of education because it's personal; and
- c) work with the San Juan Mountains Association and other groups on instituting a Cultural Site Stewardship Program.

Please refer to the Summary Document and the write-up of the small groups in the Attachments for more ideas and information.

Consensus Recommendation: The Working Group supports doing additional interpretation at Henry's Cabin.

II) Scenery

What should the role of wild-land fire be within the corridor?

How should Ponderosa Pines be managed?

Consensus Recommendations: (SCENERY)

Wildfire is a topic that relates to the ORV of Scenery and the Ponderosa Pine forests that are part of the Scenery ORV. The Working Group recommends that wildfire be managed by the DPLO using their expertise, resources and experience. The Ponderosa Pines are a unique feature of the corridor in Reaches 2 and 3, and the DPLO should do all it can to protect this visual and ecological resource. Ensuring periodic burning as well as mechanical treatments and other management around wildfire are mentioned as strategies for consideration.

Discussion and Ideas: The Working Group generally believes that managed wildfire should be used very carefully in the corridor and under the right conditions. Further, the Working Group is giving the DPLO various ideas and thoughts on wildfire issues and management (please refer to the Summary Document and the write-up of the small groups in the Attachments).

There was a range of opinions expressed among the Working Group with some believing in a “let it burn policy” and some believing in a more proactive “ensure period burn” policy. A let it burn policy is concerning for those who own land near the Public Lands and they do not prefer this policy for obvious reasons.

It is acknowledged that in some reaches pre-mitigation is not possible due to difficult access, so a “let it burn” policy is what is recommended for those reaches.

III) Rafting

Should there be any additional recreational opportunities in any of the existing sites (applies to other recreation as well)?

Consensus Recommendation: The Working Group gave various ideas and opinions. Therefore, it is suggested that the DPLO staff review this list and incorporate ideas from the list into the Environmental Assessment and eventually, in some cases, into the Dolores River Management Plan Update. Please refer to the Summary Document and the write-up of the small groups in the Attachments for more ideas and information.

Should the Bradfield launch site be permitted?

Consensus Recommendation: It is recommended that the Bradfield Bridge launch site not be permitted at the present time (please note: “permitted” means a physical permit is not required - it does not mean “allowed”). Thus, the recommendation is to keep the Bradfield Bridge launch site open to rafters and not require them to obtain a permit. It is further recommended that the rafting “community”, both recreational and commercial, may need to be consulted relating to any new changes to rafting management.

(more on next page)

Discussion and Ideas: Most rafters in the group expressed that they like having personnel at the put-ins and take-outs when possible. The group specifically expressed that they liked what Rick Ryan did to manage rafting and recreation because of his commitment, work style and the best practices he used. They said these should be replicated by the new River Ranger since Rick retired in March of 2010. The continual delivery of messages related to good ethics is also recommended (i.e. use of porta potties and fire pans and taking care of cultural resources). If more spills occur in the future, a permitting system may need to be put in place for recreational rafters. Please refer to the Summary Document and the write-up of the small groups in the Attachments for more ideas and information.

Does the DPLO have the appropriate mix of outfitter guides to meet public needs?

Consensus Recommendation: There is consensus that the mix appears to be meeting the public's needs.

How should the BLM/USFS interact with the private land owners to manage the Slick Rock boat launch?

Consensus Recommendations: It is recommended that a viable put-in/take-out remain in place in the Slickrock Area. It is acknowledged that the present site, owned by the Randolph family, is creating problems for the land owners and that a partnership between various entities (e.g., Dolores Public Lands Office (USFS/BLM), the land owners, CDOT, etc.) may need to emerge to better accommodate everyone's needs. Various ideas and solutions are being put forth by the Working Group as per the list above. These ideas were generated in the small group exercise and on the September, 2009 field trip where those in attendance heard from the Randolph's regarding problems they are experiencing at the site. The Working Group desires that private property rights be respected and desires that a put-in/take-out remain available in this reach. The Working Group further wishes that the DPLO will spend the necessary resources to manage and make available this recreational amenity.

Should the Big Gyp recreation site be maintained as is, improved or decommissioned?

Consensus Recommendation: It is recommended that the Big Gyp site not be decommissioned but additional management needs to occur around trash and weeds. One small group suggested putting another put-in facility at this site but the Working Group recognizes the physical limitations of this site.

Campsites

How should campsites in the Lower Dolores Area be managed?

Consensus Recommendation:

A "First Come/First Served" policy should continue to be used at the campsites. The Working Group recommends that the details around campsite management be left to the BLM professionals to protect the campsites and manage them in such ways so as to protect the ORVs. The Working Group supports the ideas forwarded by Rick Ryan during the process which were to allow camping in the 2 mile stretch between river miles 84 and 86 only at designated/posted campsites; post the existing campsites at the mouth of the wash, as shown on the river map, and perhaps establish and post 3 or more additional sites in the 2 mile stretch; new sites would be established out of sight and sound of each other; all sites in the 2 mile stretch would also be posted as large or small; and enforce the first season of implementation through a pilot project. (more on next page)

Education with users of the river and the camp sites should continue to be used as a key tool in helping protect this ORV (brochures, personnel on the river and at put/ins during peak season, encouraging an ethic of stewardship among river users, etc.). A threshold may need to be developed related to the management of the camp sites if degradation and over-use is a significant problem in the future.

Please refer to the Summary Document and the write-up of the small groups in the Attachments and also refer to the group's discussions about thresholds.

IV) Fish, Wildlife and Ecological: Invasive Species

How do we cooperatively fund invasive species inventory and treatment?

If tamarisk is removed from the main Dolores and associated tributaries, how active should the subsequent restoration efforts be?

Consensus Recommendation(s): *(covering both questions)*

Since tamarisk and other invasive plants are a threat to the health of the corridor, the DPLO should continue working in partnership(s) with landowners and other entities and coalitions. The agency should be actively participating and bringing expertise and funding to the table. Wise and targeted use of limited money is recommended, as well as increasing funding available for projects as opportunities arise. The Working Group recognizes that these issues are ongoing in the corridor. Whether passive or active restoration is done, it should be done using adaptive management and site specific remedies. There was concern expressed about water being used as a restoration tool.

V) Other Management Issues for Discussion

How should the Dolores Overlook site be managed?

Consensus commendation: Keep the site open, and improve and maintain it.

How should the Dolores office coordinate river management with the downstream offices?

Consensus Recommendation:

The Working Group recommends that everything possible be done to reduce burdens on private land owners who are active in this reach and whose land crosses two BLM units. Everything possible should be done to ensure that private land owners are involved in policy decisions that span both units, and planning should be closely coordinated.

How should the Box Elder Campground site be managed?

Consensus Recommendation:

There is not much change that needs to occur relating to management of this site. It is recommended that fees not be instituted, and maintenance and management be done as per the list of ideas given. The site should be easily accessible for community gatherings.

How should the 4x4 road/trail along the river from the Pump Station to Slickrock be managed?

Consensus Recommendation:

The Lower Dolores Plan Working Group agrees that the route from 2.4 miles north of the San Miguel/Dolores County line along the river to an exit to Highway 141 should remain “open” for recreational use, cattle driving and emergency services. Further, the group agrees that the current level of maintenance of the road (i.e., none) is desirable, and that the route should not be improved. However, the group recommends that the DPLO adopt specific criteria as a guide for when active management of “problem spots” along the road should be initiated (e.g. eroding river banks, spur routes/trails forming, impacts to riparian vegetation, etc.). The group supports the current seasonal closure, but also recommends that the DPLO make efforts to discern whether it is being respected or violated by users, and commit resources to enforce the closure. Finally, the group recommends that DPLO make an effort to document the level, type and timing of use of this route so that such baseline information can inform them about whether management thresholds/criteria are being met.

Discussion and Ideas: This issue received a lot of “air time” at group meetings. Some in the group feel that too many roads are being closed in USFS/BLM travel management planning and like this road being open for various reasons (cattle driving, recreation, etc.). Others feel that a road along the river (and in some cases in the river) is not desirable due to impacts on ethics, wildlife, erosion and noise. The recommendation to leave the road open was a compromise. Also, it was noted that on the west end, there may not be a viable exit through public lands that exists and thus, the DPLO may want to consider/include any private landowners’ concerns if the entire road does indeed remain open.

Representatives from the San Miguel County Commissioners were not present when this consensus was reached in December of 2009. They later met to discuss this issue and agreed to support the consensus of the group.

As part of the deliberations around this issue, project staff assembled a document called “History and Current Management of the Snaggletooth Road.” It is in Attachment H. Also, please refer to the Summary Document and the write-up of the small groups in the Attachments for ideas and information.

Input on Management Plan Update Vision, Goals & Objectives

What follows is a draft Vision Statement as well as Management Goals and Objectives. These goals are given as input into the DPLO as its ID Team develops updated goals/objectives for the updated management plan. What is below does not represent a consensus of the group. Rather, these are a version written by project staff to attempt to reflect what was being expressed in meetings.

Overall Vision

The Dolores River Corridor and the surrounding Theme 2 Management Area will remain a healthy natural landscape while continuing to provide a range of high quality recreational opportunities, as well as other compatible uses, for the benefit and enjoyment of local communities and the public at large for present and future generations.

Management Goals

- *Preserve* the regionally and nationally significant character of the Dolores River Corridor (Corridor) for the enjoyment of present and future generations.
- *Protect and enhance* the ecological, scenic and cultural resources, as well as Outstandingly Remarkable Values, of the Corridor while allowing for compatible uses.
- *Manage* the ecological, scenic, and cultural resources of the Corridor, as well as Outstandingly Remarkable Values, while allowing for compatible uses and addressing changes in the level of resource use.
- *Work with* partners to maximize benefits to the downstream ecology and recreation through management of water currently and potentially available for downstream uses while honoring water rights and Colorado water law, and protecting agricultural and municipal water supplies.
- *Enhance* the ability of the Dolores Public Lands Office to manage the resources by building, strengthening and enhancing partnerships with local user groups and interested organizations.
- *Respect, honor and protect* private property rights and valid existing rights (land, water, mineral, etc.) and property owners' access (both general access and historical access).
- *Maintain and monitor* water quality in the Lower Dolores River.

Management Objectives

Coordination:

1. Through coordination with other field offices and agencies, ensure consistent and/or compatible management of adjacent public lands, especially in terms of commercial uses, mineral leasing and permitting, facility maintenance/management, and travel management.

Cultural Resources:

1. Identify significant cultural resources and paleontological sites and implement appropriate management actions, including inventory, protection, interpretation, monitoring, and building partnerships to encourage site stewardship and preservation ethics.

Fish, Ecology and Wildlife:

1. Maintain or improve the present condition of riparian, aquatic and upland habitats, including areas which support plant and animal species considered to be rare, declining or unusual in the region.
2. Provide full protection to threatened and endangered species. Identify and manage all areas that provide habitat for federally listed, state listed, and BLM/USFS sensitive species to ensure the continued existence of such species and the conservation of their habitats.
3. Coordinate with CDOW for management of wildlife and fisheries resources within the corridor.

Mineral Development and Grazing:

1. Minimize potential conflicts between private landowners and among user groups and/or energy and mineral development of public lands by working closely with private landowners and users/permittees.
2. Maintain and manage livestock grazing in a manner compatible with the conservation of natural and cultural resources.

Recreation:

1. Provide and enhance year-round land and water-based recreational opportunities.
2. Maintain primitive and semi-primitive recreational opportunities.
3. Plan for and implement effective travel management with a priority to those uses impacting the ORVs in the Corridor.

Scenery:

1. Protect the scenic values of the River corridor.

Wild and Scenic Rivers and Minerals:

The *1990 Dolores River Corridor Plan* goals for these two areas are stated as:

- Reaffirm BLM's support for the inclusion of the Dolores River into the Wild and Scenic Rivers System (as per recommendation in the 1976 Dolores River Wild and Scenic River Report).
- Protect those public lands which are utilized intensively as recreational sites by exploring the need for and feasibility of withdrawing from mineral entry.

These two goal areas are being directly addressed through the legislation. First, if the legislation becomes law, the Wild and Scenic River suitability finding would be permanently removed. If the legislation is not successful, the Lower Dolores would remain suitable for the Wild and Scenic River status as it has been since the 1970's.

Also if passed, the legislation would require a mineral withdrawal subject to valid existing rights (i.e., valid existing rights are honored and protected) and there would be a mineral withdrawal (hard rock and fluid) for roughly the Theme 2 Special Management Area in the 2007 *San Juan Public Land Draft Land Management Plan* and Draft Environmental Impact Statement (which is generally the river corridor), and a legislated, non-waivable, No Surface Occupancy (NSO) stipulation for the rest of the designated area. If the legislation does not pass, the DPLO (USFS/BLM) will proceed with management planning and decision-making related to minerals in the areas where they have purview and oversight.

Not surprisingly, there is a range of opinion about both of these issues and potential planning alternatives/scenarios are reflected in the Summary Document, small groups write-up and in the meeting minutes (see Attachments).

Input on Thresholds

One of the questions posed to the Working Group by the Dolores Public Lands Office was related to thresholds -- meaning under what conditions or scenarios should management policies and actions be changed in the future? It was acknowledged by the group that this is a very complex topic and one that involves resource experts in given fields (i.e., hydrology, archeology, recreation, etc.). Therefore, what follows are comments and points made at the May 2010 meeting by the Working Group at which time this topic was brought up for open discussion. The below comments do not represent agreement but rather reflect a range of ideas.

Fish:

- The CDOW asked what the DPLO considers to be the threshold for fish.
- Shauna Jensen noted that the CDOW has jurisdiction over the fisheries.
- It was noted that the U.S. Fish and Wildlife Service (FWS) can step in to act when other jurisdictions fail to protect an endangered species (in other words, outside forces have the power to determine when thresholds are crossed).
- One person thought the threshold has been crossed for the Roundtail Chub because, he said, the dam was great for many people but the losers were the fish.
- Another member said he didn't believe it is known that the threshold has been crossed yet.

General Comments:

- Thresholds will be different for every use. Thresholds will change and can't be decided now for 10 years in the future.
- Thresholds require a commitment to monitoring. First, a baseline has to be established and the status of the ORVs has to be assessed, and if an ORV is degrading, the next question is why.
- One person said the BLM, Forest Service, DOW and Bureau of Reclamation policymakers need to come to a consensus on their goals for the Lower Dolores.

Other Information:

- The Dolores River Dialogue and the CDOW science need to be considered in terms of information and research they are gathering or doing.

Rafting:

- When there is a good spill the river corridor is trampled, but in drier years it heals. Until there is a better flow-forecasting system and steadier releases, the rafting threshold needs to be flexible.
- The concept of capacity needs to be considered, e.g., how many people will fit in a campsite. User experience also must be considered: How many rafters do you see per day?

Visitor Days:

- Regarding a possible limit on the number of visitors/day in the case of impacts to ORVs, the group felt this would be difficult to monitor. For some users, such as hikers, it's difficult to know they are even there. Also, how do you know who's doing the damage? It was noted that not all impacts to ORVs are human-caused.
- Some in the group support ideas such as visitor logs to begin to understand visitation and get a baseline.

Weeds:

- The threshold for tamarisk should be no tolerance. This is a tough standard to meet, one person noted.
- The threshold for knapweed should also be no tolerance.
- In some cases, the threshold can't be zero (that's impossible) but should be to keep invasives at bay and control them.

Woody Debris:

- A threshold is needed for large woody debris in the area, one member commented, because the river corridor lacks such debris. This debris is needed to create pools and support bacteria and fungi that are fed on by insect larvae, which are then eaten by fish.

Alternative to the WSR Preliminarily Suitable Finding

Consensus Recommendation: Pursue special legislation to protect the ORVs (Outstandingly Remarkable Values), as well as water rights, agriculture and private property rights, recognizing that preliminary suitability will stay on the table unless and until the special legislation passes. The Working Group will be involved in crafting the legislation. A subcommittee was created to draft a framework for the legislative proposal and their work will be brought back to the larger Working Group. The sub-committee members were chosen by consensus and are: Mike Preston (DWCD manager); Al Heaton (private landowner); Amber Kelley (SJCA); Cole Crocker-Bedford (private landowner); Rick Gersh (town of Dove Creek), Jim Siscoe (MVIC manager); Peter Mueller (Nature Conservancy); Ernie Williams (Dolores County Commissioner); Jeff Widen (Wilderness Society) and Gerald Koppenhafer (Montezuma County). Steve Beverlin and John Whitney will serve in an ex-officio capacity.

Discussion: The Wild and Scenic River preliminarily suitable status on the Lower Dolores was the central issue the Working Group was asked to focus on. And clearly, issues surrounding the Wild and Scenic Rivers Act were the most contentious and complex ones the group tackled. At the March 2010 meeting, the group arrived at pursuing special legislation (*) as the alternative to the WSR status currently on the Lower Dolores River (see map on next page for specific segments).

The reason(s) this was selected by the group as the preferred course of action is that it would:

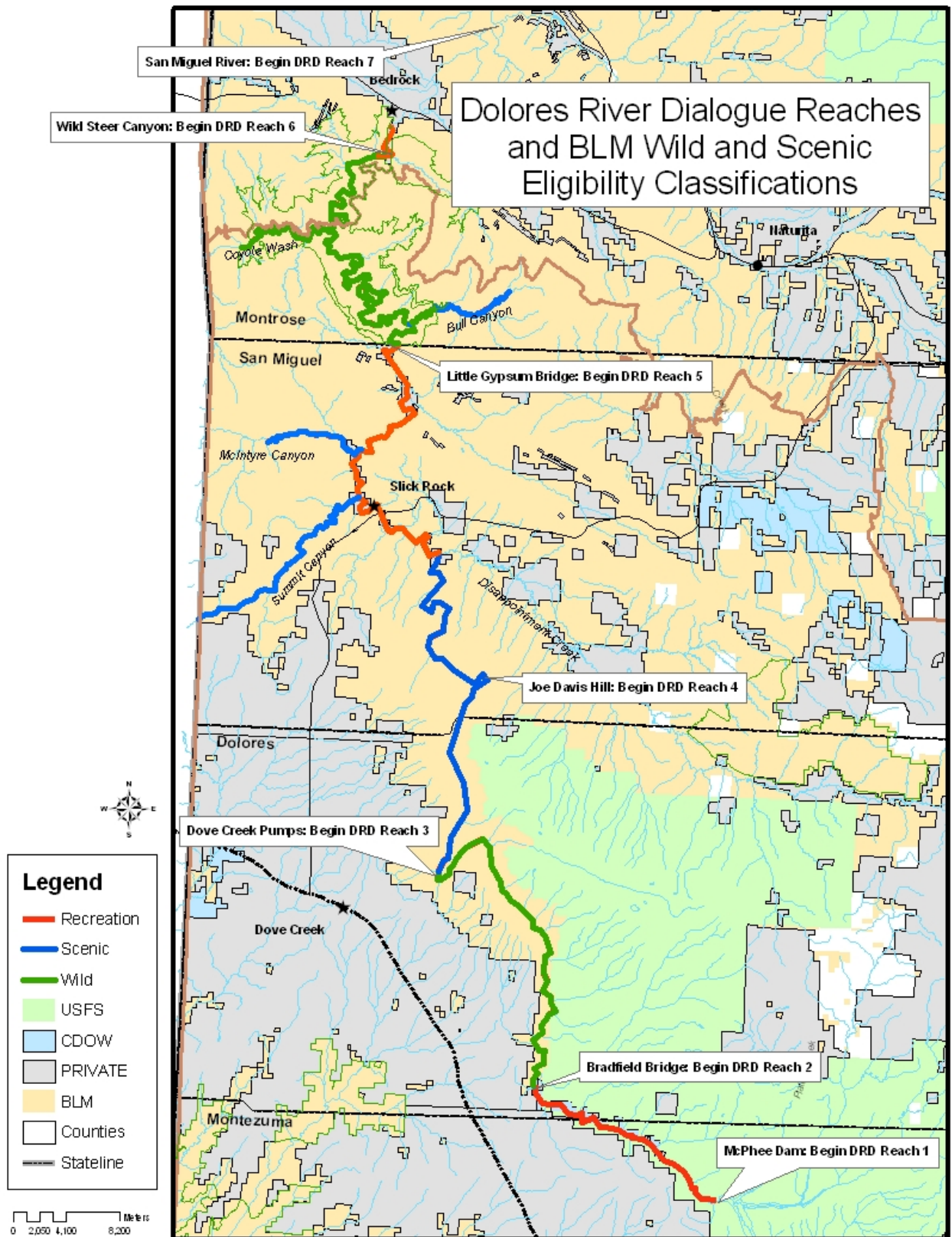
- provide certainty (which does not exist now)
- ensure protection of identified ORVs (see list in Attachment D)
- respect and protect private property rights, water rights and the Dolores Project allocations
- permanently remove the possibility of a federally reserved water right and permanently remove Wild and Scenic suitability
- ensure local input and collaboration across interests and help to guide the management of the area

This legislation, if it passes, would address the broad array of both issues and opportunities. It is thought that if the legislation were to pass, it could take up to two to two and one-half years. Thus, after the formal phase of the Working Group is over, there will be mechanisms designed so that members of the Working Group can continue to give input as the process goes forward. Also, many in the Legislative Committee and the Working Group feel that this legislation has been a key leverage point in further bringing the diverse interests to the table in collaborative processes to reach the DRD purpose statement. At this writing, discussions are ongoing about the legislative parameters. If certain actions or items are not included in the legislation about flows specifically, some feel that this provides an even greater impetus for the Dolores River Dialogue to continue its work and find ways to solicit, analyze and hopefully act on “do-able alternatives” and/or to support others in doing so.

In Attachment A, please find a draft working document that describes the principles and parameters of the proposed legislation. This document is a point in time version. Additional changes may be made to this document and so anyone interested should request the latest version from the DRD/Lower Dolores facilitator.

On the next page is a map of the WSR segments by type including the five DRD-defined reaches.

(*) The word “special” was later removed since federal legislation is not called “Special Legislation.”



Conclusions and Next Steps

The specific next steps are:

- This report is being forwarded to the DPLO - ID Team in July of 2010. The ID Team will review this report and use it, along with other information, to begin and complete a formal Environmental Assessment (EA) that will result in the Dolores River Management Plan Update.
- The Working Group's Legislative Subcommittee will continue to work out the details of the legislation and will bring information/agreements back to the Working Group for vetting (this process may take several months).
- The intention is to complete the legislative principles and parameters document (see Attachment A and note that this is draft), and for the legislation to be drafted and submitted to Congress as soon as possible but only after a good amount of consensus can be reached across stakeholders.
- If the legislation passes, a separate Management Plan will be done to establish the Special Management Area.
- Individuals, groups or entities involved in the Lower Dolores Plan Working Group may comment further on the EA and future draft of the Dolores River Management Plan. Their participation in this process does not prevent them from further weighing in on issues included in this document or not addressed within this document.

The Working Group requests that the DPLO (USFS/BLM) ID Team -- as well as other involved professionals with the USFS/BLM – read this report **in its entirety**. This is necessary to fully understand the recommendations of the Working Group and the issues, opportunities, concerns and ideas covered throughout the deliberative process.

A working group process like this one requires give and take, compromise, listening and consensus building if it is to be successful. It takes carefully understanding not only the technical issues and data, but each person's views, interests, fears and ideas for the future who is sitting around the table. The Lower Dolores Plan Working Group is a model for bringing together diverse people toward a common vision. That common vision, most simply stated, is that the Lower Dolores River area is a very, very special place and it needs protected while *a/so* ensuring that land and water rights and economic opportunities are respected. Increased use, some threats, and attention from people across the country call for new/revised management tools and resources to ensure that this special place can be used, protected and enjoyed far into the future.



Working Group Raft Trip, May 2009

Attachment A – Draft Legislative Parameters Document

The document is a *draft* and is included to show readers the areas being discussed as part of the legislation. Nothing in this Attachment A document should be considered final as of 7/14/10.

<p>Name of Designated Area (Subcommittee consensus reached)</p>	<ul style="list-style-type: none"> • Dolores River (Canyon?) National Conservation Area (NCA) • Revisit at end to be sure this fits (motorized on designated routes, protections no less than those on BLM land outside, has language that says only such uses that further purposes of NCA are allowed, mineral withdrawal)
<p>Boundary (Subcommittee consensus reached on principles)</p>	<ul style="list-style-type: none"> • Defining a final boundary will take a lot of effort, including getting out on the ground, etc. Therefore, it makes sense at this juncture to reach consensus on principles that will be used to determine the final boundary, rather than on the final boundary itself. • The subcommittee agrees that the basis of the boundary will be the river corridor and the viewshed, and that as the boundary is finalized it will not vary wildly from this basis. • Principles to be used when finalizing the boundary: <ul style="list-style-type: none"> ○ Length will be from just bellow McPhee Dam (outside of the Dolores Project Primary Jurisdiction Zone) to at least Bedrock, but preferably to the confluence with the San Miguel River. ○ Theme 2 management area from BLM’s Draft San Juan Plan, viewshed, and Dolores River Canyon WSA create a boundary to build from on width ○ Tributaries found suitable/eligible will be included ○ Consider Citizen Wilderness Proposal boundaries for the Dolores River Canyon wilderness boundary (these represent minor proposed additions to the existing WSA boundaries) ○ Consider the Snaggletooth Citizen Wilderness Proposal boundaries for the NCA boundary in that section of the designated area (consensus reached that the area will not be designated wilderness as part of this legislation, but that the proposed wilderness boundaries should be considered in determining the NCA boundary) ○ Consider biological/habitat data ○ Consider mineral maps
<p>Intent of legislation – Purposes (Subcommittee consensus reached)</p>	<ul style="list-style-type: none"> • Develop an alternative to wild and scenic suitability/designation. • Ensure protection of identified Outstandingly Remarkable Values (ORVs). • Respect and protect private property rights, water rights and the use of the Dolores Project and its allocations for consumptive use. • Wild and Scenic suitability will be permanently removed by the legislation.
<p>Management Plan (Subcommittee consensus reached)</p>	<ul style="list-style-type: none"> • Management Plan for designated area would be required by BLM within 3 years. • The Management Plan would incorporate recommendations from the Lower Dolores Working Group, and would incorporate a role for Dolores River Dialogue (DRD) science in formulating recommendations for protection of ORVs in keeping with the DRD Purpose Statement.** • The Secretaries of Interior and Agriculture will be required to appoint an advisory council made up of a diverse set of stakeholders. <ul style="list-style-type: none"> ○ The advisory council will set its own bylaws. ○ The advisory council should strive to work through consensus but a supermajority of nine out of twelve members will be used as needed, the

	<p>particulars of which would be defined in the bylaws.</p> <ul style="list-style-type: none"> ○ The council would have 12 members: <ul style="list-style-type: none"> ▪ County reps (3) ▪ Private landowner (1) ▪ Grazing – allotment permit holder (1) ▪ Water users (2) ▪ Ute Mountain Tribe (1) ▪ Conservation (2) ▪ Recreation (2) ○ Advisory Council’s purpose will be to advise and work with the Secretaries of Interior and Agriculture throughout development implementation, and monitoring of a Management Plan and on management of ORVs and other natural resource values for which the NCA was established. ○ Advisory Council shall consider scientific information from DRD Science, CDOW, and other sources of data to make recommendations to the Secretaries of Interior and Agriculture, and will be granted the ability to request peer review of science as necessary. Legislation will also authorize (<u>not</u> appropriate) funds to make this possible. <ul style="list-style-type: none"> ▪ Example language from Steens Mountain Cooperative Management and Protection Act of 2000: “The Secretary shall appoint, as needed or at the request of the advisory council, a team of respected, knowledgeable, and diverse scientists to provide advice on questions relating to the management of the Cooperative Management and Protection Area to the Secretary and the advisory council. The Secretary shall seek the advice of the advisory council in making these appointments.” ○ Duration of the advisory council shall be permanent. Members will have 4-year terms and terms shall be staggered. Members may be reappointed.
<p>Private Property (Subcommittee consensus Reached)</p>	<ul style="list-style-type: none"> ● Valid existing rights will be honored and protected. ● Acquisition of private property will only be allowed if there are willing sellers or through voluntary exchanges. ● Legislation will do nothing to infringe upon the rights of private property rights holders nor on the county governments in counties the private lands fall within (Montezuma, Dolores, San Miguel, and Montrose). Management Plan is for public land in designated area only. Nothing in the legislation or the management plan would dictate or prohibit actions on private property. ● Legislation will not burden any private landowner with costs associated with plan. ● Provide adequate and feasible access to private lands and state lands that are within, or are effectively surrounded by, federal land within the designated area. <ul style="list-style-type: none"> ○ Even if private or state land is not effectively surrounded by federal land within designated area, provide adequate and feasible access to private and state land across federal land, if the route across federal land has less environmental impact than the route through private or state lands. ● Authorize the Secretaries to lease easements and purchase easements on private lands from willing leasers and willing sellers for recreation, access, conservation, or other permitted uses. <ul style="list-style-type: none"> ○ The BLM/USFS should seek to improve access to federal lands across private property by the lease or purchase of access easements from willing leasers and willing sellers. ○ The BLM/USFS should seek less environmentally damaging routes to federal land by leasing or purchasing access easements across private property from willing leasers and willing sellers.

<p>Motorized Use (Subcommittee consensus Reached)</p>	<ul style="list-style-type: none"> • Motorized use will be on designated routes only. • Designated routes will be established as part of required management plan. • The creation of new routes will be in designated areas for administrative purposes, protection of public health and safety, reasonable access to private property, etc. • It is the intention of the subcommittee that the portion of the road along the river north of the Snaggletooth rapid should remain open. The subcommittee recognizes that the legislation itself may not be the place to determine that route status, but will work toward that goal.
<p>Grazing Management (Subcommittee consensus Reached)</p>	<ul style="list-style-type: none"> • Within the designated area in general there will be no change in management from current management. • Within wilderness, grazing guidelines as established by the Wilderness Act will be used and preexisting livestock grazing will be allowed. Historical access will be granted, even if motorized, for things like stock pond maintenance.
<p>Minerals (Subcommittee consensus Reached)</p>	<ul style="list-style-type: none"> • There is agreement that both oil and gas development and mining should not cause surface impacts or be visible within the river corridor or its viewshed. • Subject to valid existing rights (i.e. valid existing rights are honored and protected), there will be a Mineral withdrawal (hard rock and fluid) for roughly the Theme 2 Special Management Area in the Draft San Juan Plan (generally the river corridor), and a legislated, non-waivable, No Surface Occupancy (NSO) stipulation for the rest of the designated area.
<p>Disposal (Subcommittee consensus Reached)</p>	<p>Subject to valid existing rights (i.e. valid existing rights are honored and protected), withdrawal of all public lands within the designated area from disposal laws. This is typically found in these types of legislation.</p>
<p>Wilderness (Subcommittee consensus Reached)</p>	<p>Dolores River Canyon WSA:</p> <ul style="list-style-type: none"> • Committee agrees on designation of this area. Montrose County seems to be okay with this and is interested in being involved as final recommendations are reached. Subcommittee plans to meet with them soon. • Committee generally agrees that the boundary could include some of the proposed additions, but that conversation needs to include Montrose County and 2 BLM offices. • Wilderness boundary will not include the river itself, but will be defined as the edge of the water on each side of the river. Again, Montrose County needs to be part of conversation. <p>Snaggletooth Citizens Wilderness Proposal:</p> <ul style="list-style-type: none"> • This area spans San Miguel and Dolores Counties with the majority of the area falling in Dolores County. There is general agreement that the area should stay the way it is – that there should not be developments, etc. • A compromise has surfaced in which the area is not designated as wilderness as part of this legislation, but receives protections in the legislation such as prohibition of new roads, a mineral withdrawal, etc.
<p>Water (Still Discussing)</p>	<ul style="list-style-type: none"> • Legislation is subject to valid existing rights and Colorado water law. • Future water development activities (not meant to include things like small diversion dams or stock ponds) on federal land in the watershed must determine that they will not jeopardize ORVs within the designated area prior to development. <u>Needs more vetting.</u> • There will be no further consideration of the Dolores River and tributaries within the designated area boundary under the Wild and Scenic Rivers Act (effectively eliminates Wild and Scenic eligibility/suitability). (more on the next page on water) Water continued...

	<ul style="list-style-type: none"> • No federal reserved or appropriative water rights express or implied will be established as part of the legislation. • State adjudicated water rights will not be violated. Water rights and water rights holders will not be injured by this legislation. • Nothing in this legislation will prevent currently decreed water rights from being put to beneficial use now or in the future. • Nothing in the legislation will preclude access to valid existing water diversion, storage and management facilities established under state decrees or pursuant to USBR laws and contracts. • McPhee Reservoir will be operated in conformance within Reclamation Law and current Dolores Project Contracts and the original Project purposes as amended in the future. <u>Needs more vetting.</u> • There would be a prohibition on new dams in the designated area. (Clarification: this is meant to encompass large water facilities like storage facilities and hydroelectric facilities, but not to include things like small diversion dams or stock ponds). • No power lines or pipelines would be allowed in river segments that were found suitable for wild river designation (Ponderosa Gorge, Dolores River Canyon WSA). Power lines and pipelines should never travel along the river corridor, subject to valid existing rights being protected. • There shall be language directing the Secretaries to protect and enhance all of the ORVs (scenery, rafting, archaeology, geology, native fish, ecology), to the extent practicable and feasible without adversely affecting private property rights or Dolores Project Contracts. • The possibility of lease or purchase of water from willing sellers for non-consumptive use is recognized as a tool to protect ORVs and the viability of native fish populations. Nothing in this act shall limit the existing authority of willing leaser/seller to lease/sell water downstream for the benefit of ORVs and other natural resource values provided that said lease/sale complies with existing State and Federal law as well as Dolores Project Contracts. • The Secretaries shall appoint an independent study to identify the needs of native fish in cooperation with the Colorado Division of Wildlife, the Colorado Water Conservation Board, DRD Science, and US Fish and Wildlife Service. The Bureau of Reclamation or other parties are encouraged to implement opportunities to protect viability of native fish (Roundtail chub, Bluehead sucker, Flannelmouth sucker) within constraints of Colorado water law and available water supplies. • The Secretaries shall appoint an independent study to identify spill guidelines in a multi-year context and within legal constraints to best support all flow-dependent ORVs in a manner that does not reduce injure water rights or Dolores Project water supply. The study will be done in conjunction with Colorado recreational boating and other interests. <u>Needs more vetting.</u> • Water managers are encouraged to use available tools to improve forecasting. • The legislation shall authorize funds to improve water forecasting, and conduct aforementioned studies to identify best management practices to support ORVs.
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****DRD Purpose Statement:** *The DRD is a coalition of diverse interests, whose purpose is to explore management opportunities, build support for and take action to improve the ecological conditions downstream of McPhee Reservoir while honoring water rights, protecting agricultural and municipal water supplies, and the continued enjoyment of rafting and fishing. (11/09)*

Attachment B

Alternatives to Wild and Scenic River Designation on the Dolores River Submitted by the Dolores River Dialogue to the CWCB (July 31, 2008)

Overview of Purpose and Institutional Outcomes

The purpose of this application is to obtain funding to expedite the first year of a proposed 18 month process to develop and evaluate alternatives to Wild and Scenic River designation on the Dolores River below McPhee Dam using an update to the 1990 BLM Corridor Management Plan as the vehicle. The Draft San Juan Forest/BLM Plan Revision states that Wild and Scenic River designation “would create a federal reserved water right with quantification left to the federal agency that manages the river.” Wild and Scenic designation, and the Federal Reserved Water Right that could result, could very well conflict with one of the founding principles of the Dolores River Dialogue (DRD) process, which is committed to working within existing water rights and contractual obligations. This application is designed to support a process that will look at other ways to protect the ORVs that have resulted in a Wild and Scenic preliminarily suitable classification in the Draft Plan Revision.

The DWCD submits this application to CWCB with the support of the DRD Technical Committee to develop alternatives to Wild and Scenic designation. The DRD has been working since January of 2004 on strategies to manage McPhee Reservoir in order to improve downstream ecological conditions while honoring water rights and contractual obligations to protect: agricultural and municipal water supplies, fisheries, riparian areas, and the continuation of recreational enjoyment of the Dolores River. This foundational commitment of the DRD to protect and enhance the ecological health and recreational enjoyment of the Dolores River with the absolute assurance that water rights and allocations will be protected provides the context for the update to the 1990 Corridor Management Plan to explore other ways to protect what have been deemed as “Outstandingly Remarkably Values” (ORVs) without putting water rights and water supplies at risk.

The other condition that sets the stage for a successful effort is the opportunity created in the San Juan Forest/BLM Draft Plan Revision for the DRD to play a role in finding alternatives to WSR designation, coupled with DRD support for using an update to the 1990 Corridor Management Plan as the vehicle for finding alternatives to WSR designation for protection of ORVs.

The one-year process outlined below in Phases 1-3, that the requested funding will support, will be followed by an additional six-month phase (Phase 4) for completion of a formal Environmental Assessment and Decision Notice for adoption of the update of the 1990 Corridor Management Plan. The process will be organized by the Dolores River Dialogue (DRD), a collaborative multi-agency Dolores River stakeholder group, in cooperation with the Dolores Public Lands Office of the San Juan Public Lands Center which manages land and recreation for BLM and National Forest Lands along the Dolores River from the headwaters of the Dolores River to McPhee Reservoir and from McPhee Reservoir to eight miles below the confluence

with the San Miguel River. This process will provide the basis for an Environmental Assessment of the Proposed Action and a Decision Notice aimed at adopting a Dolores River Management Plan which will commence in October, 2009 at the end of Phases 1-3 as described below.

Other parties involved in the Dolores River Dialogue will also have the opportunity to apply the outcomes of this process in addressing their respective management responsibilities. The DRD is a collaborative group of water managers, land managers, recreationists, government representatives and conservationists. Existing participants in the DRD include representatives from the Dolores Water Conservancy District (DWCD), San Juan Citizens Alliance (SJCA), The Nature Conservancy (TNC), Trout Unlimited, Montezuma Valley Irrigation Company (MVIC), Colorado Division of Wildlife (CDOW), U.S. Bureau of Reclamation (BOR), Colorado Water Conservation Board, Colorado Division of Water Resources (CDWR), Colorado Division 7 Engineer, Dolores District San Juan Public Lands (U.S. Forest Service/BLM), Montezuma County, Dolores County and The Colorado Water Trust. The SJCA represents a coalition of river users.

Historical Context and Convergence of Events

Dolores River Dialogue Process: The Dolores River Dialogue was convened in January of 2004 at the initiative of the San Juan Citizens Alliance (SJCA) and the Dolores Water Conservancy District. The evolution of the DRD is chronicled (“Milestones in the Flow of the Dolores River Dialogue”) and all foundation documents and science studies are linked to the DRD website at: <http://ocs.fortlewis.edu/drd/>

The DRD spent 2004 through the spring of 2005 defining collaborative opportunities for flow management, riparian and aquatic stewardship, and collaborative action while honoring water rights and contractual obligations. This effort was carried forward by the development and adoption of a “Plan to Proceed”, which included the formation of a Technical Committee to oversee the development of a Hydrology Report, a Core Science Report, and a Correlation Report which integrates hydrology and science findings into a Matrix of Opportunities. The Core Science Report addressed Geomorphology, Cold Water Fishery, Warm Water Fishery, and Riparian Ecology. All related documents are found on the DRD website.

The spring of 2005 saw the first spill on the Lower Dolores since the drought began in 2001. DRD science contributed to spill management planning, and was evaluated with oversight of the DRD science coordinator by pre and post spill videography, photo points, and monitoring at the Big Gypsum study site which was originally established by CDOW and a geomorphologist from Mesa State.

Governmental Water Roundtable, San Juan BLM Forest Plan Revision: As the DRD was busy addressing the 2005 spill, a Governmental Water Roundtable, convened by the San Juan Public Lands Center convened for the first time on May 10, 2005. The Water Roundtable was made up of federal, state and local government representatives to explore water related issues that would be taken up in the joint San Juan Forest/BLM Plan Revision. In September of 2007 Wild and

Scenic River Eligibility and Suitability was taken up by the Roundtable and became a primary topic of controversy and discussion through their most recent meeting on March 12, 2008. Meeting summaries, documents and presentations from the Governmental Water Roundtable can be found at <http://ocs.fortlewis.edu/forestplan/roundtable>.

Convergence of Dolores River Dialogue and Governmental Water Roundtable:

On June 8, 2006 a broad array of DRD participants convened as a “DRD Wild and Scenic Eligibility Review Committee” to comment on the proposed eligibility of stream segments under jurisdiction of the Dolores Public Lands Office (USFS and BLM) including the Dolores River above and below McPhee. A consensus letter was sent on June 28, 2006 to the Forest Supervisor/Center Manager with detailed comments on each segment.

Draft San Juan Plan Revision - Role of DRD in Wild and Scenic Issue: The Draft Plan released in January of 2008 addressed Wild and Scenic issues in a manner that was responsive to input from the DRD comment letter of June 2006, and anticipated a role for the DRD in exploring alternatives to Wild and Scenic designation on the Dolores River. The DRD comment letter had opposed going to WSR Suitability in the Plan Revision, but dealt very specifically with which stream segments could be justified as eligible. Appendix D of the Plan Revision kept most of the upper and lower Dolores, a total of 233 miles, on the eligible list. A “preliminary suitability determination” was made in the Draft Plan which was limited to 109 miles from McPhee to Bedrock, which the DRD Review Committee agreed were eligible, and 20 miles of tributaries to the Lower Dolores (which the Review Committee was divided on). The Dolores River above McPhee was not deemed by the Draft Plan Revision to be preliminarily suitable.

The Draft Plan Revision also recognized the role of the DRD in finding alternatives to Wild and Scenic designation:

“The DRD process shows great promise in achieving enduring protections for this stream reach. Should the DRD make substantial progress in identifying and securing needed protections of the ORVs, the recommendations of the group could be used to supplement or replace this preliminary finding of suitability. Ideally, the DRD will be able to provide their recommendations for management of the Lower Dolores River prior to the close of the public comment period for this draft Plan Revision. Input from the DRD could then be more fully considered in the final Plan and associated environmental analysis.” [Appendix D – Wild and Scenic Rivers Suitability, Page D-20]

DRD Works with San Juan Public Lands to Structure Exploration of WSR

Alternatives on the Dolores River: Discussions began between the DRD and the Manager of the Dolores Public Lands Office on how to move forward with the opportunity presented in Appendix D of the Draft Plan Revision. The strategy that came out of these discussions was presented and adopted at the February 27, 2008 meeting of the full DRD as quoted from the meeting summary below:

“Steve Beverlin, District Manager for the Dolores Public Lands office, presented the idea to the group of the DRD taking on the key leadership role

in updating the 1990 Dolores River Corridor Management Plan. A copy of the plan was distributed. This plan needs updated and the DRD is a logical entity to help, Steve said. It would involve larger corridor issues including but not limited to the river. There was agreement that this is a good role for the DRD to take on. The work will be done in close concert with both counties (Dolores and Montezuma). The Technical Committee will meet and discuss the many specific details involved, and was charged with bringing recommendations back to the next DRD. Questions such as cost, staffing, community involvement, processes to use, etc. will need to be worked out. Steve said that he sees this as an opportunity for the DRD to form a new committee and begin to look at alternatives for corridor protection while addressing concerns raised by the DRD and the community at large.” [DRD Meeting Summary, February 28, 2008, Page 7]

It is the above consensus, arrived at during a Dolores River Dialogue meeting, based on the Draft San Juan Forest/BLM Plan Revision, that is the basis for the proposed project and funding request.

The Dolores Water Conservancy District, in an April 10, 2008 letter commenting on the Draft Plan Revision, included this endorsement of the DRD strategy:

This update of the 1990 Plan will provide an opportunity to evaluate current protections, consider additional options and make a set of recommendations that could be implemented as an Amendment to the Dolores River Management Plan. Montezuma County, a Cooperating Agency in the Plan Revision, agreed to participate in this effort as did Dolores County. An invitation will also be extended to San Miguel County.

The DWCD requests that the Final Plan Revision specify the update of the 1990 Dolores River Management Plan as the mechanism for reconciling the obligations of the San Juan Public Lands Center to protect: resource values with the obligations of the Dolores Water Conservancy District; Dolores Project water rights, allocations and contractual obligations; and current and future water needs and water development options within the District. DWCD further requests that the collaborative relationships and science base of the Dolores River Dialogue be used as a foundation for this process.

With the Dolores River Management Plan amendment process in place, DWCD requests that the language in the passage above from page D-20 of the Draft Plan be changed from “supplement or replace” to “replace this preliminary finding of suitability.” A positive outcome to the Dolores River Management Plan Amendment process can also provide a very constructive resolution of DWCD’s concern (#2 above) about federal reserved water rights. [Pages 5- 6, CWCB April 10 Comment on Draft Plan Revision]

The DRD science base that will be applied in the proposed process and funding request is spelled out in more detail in the DWCD April 10 letter of comment on the Draft Plan Revision:

The Dolores River Dialogue which involves the SJPLC, CDOW, TNC, TU and other academic and conservation entities, working with water management entities, has developed a core science report, is conducting field science activities, and coordinating with CDOW fish survey work which is addressing the roundtail chub and other warm water fish species in conjunction with work on riparian vegetation. DWCD allocations include approximately 30,000 acre feet of water that is released annually for the benefit of the fishery. In spill years, this pool is supplemented by the policy that no flows are charged to the fish pool during the spill, which in 2008 is currently projected to provide an additional 10,721 acre feet saved for the fish pool over an 88 day spill event.

In addition to the work being done to address the native fishery, the DRD is working in cooperation with the DOW and Trout Unlimited biologists to evaluate and develop opportunities to improve the health of the trout fishery below McPhee through a combination of flow management, geomorphic flushing and in-channel restoration. The DWCD requests that the Final Plan acknowledge the current and future role of the DRD in coordinating field science on the Dolores River between McPhee and Bedrock with the active participation of the SJPLC (Concern #3 above). [Page 7, DWCD April 10 Comment on Draft Plan Revision]

Use of DRD Science and Collaborative Relationships to Address ORVs: The WSR Appendix D quoted above emphasizes the DRD making “*substantial progress identifying and securing needed protections of the ORVs.*” The ORVs listed in the Draft Plan Revision include: “*Recreation and scenery, Fish and wildlife, Geology, Ecology and Archeology.*”

The science work of the DRD has focused in depth on warm and cold water fish, riparian ecology, and geomorphology. DRD participants and recommendations were incorporated into the 2008 Spill Committee which integrated rafting and ecological goals into a managed spill that has been recognized by all interests as highly successful. The DRD has not spent a lot of time on archaeology, but there is a depth of knowledge that the staff of the DPLO will bring to the process.

Attachment C – Lower Dolores Plan Working Group

Chester	Anderson	B.U.G.S. Consulting
Terra	Anderson	Senator Bennet's Local Office
		Colorado Water Conservation Board (CWCB)
Linda	Bassi	Dolores Public Lands Office
Steve	Beverlin	Senator Bennet's Local Office
Ann	Brown	City of Cortez
Chris	Burkett	Montezuma Valley Irrigation Company
Randy	Carver	Senator Mark Udall's local office
Wanda	Cason	BOCC Montezuma County
Steve	Chappell	Ute Mountain Ute Indian Tribe
Scott	Clow	interested citizen/OHV user
Clint	Cressler	property owner
Cole	Crocker-Bedford	Montezuma County
James	Dietrich	Recreational boater
Carolyn	Dunmire	American Whitewater
Nathan	Fey	Dolores Water Conservancy District
Jim	Fisher	Montezuma Valley Irrigation Company
Lynn	Gardner	Town of Dove Creek
Rick	Gersch	San Miguel County Commissioner
Art	Goodtimes	Bureau of Reclamation
Vern	Harrell	Livestock/grazers/property owner
Al	Heaton	Dolores Public Lands Office
Shauna	Jensen	Dolores River Coalition
Amber	Kelley	Dolores County Commissioner
Julie	Kibel	BOCC Montezuma County
Gerald	Koppenhafer	Colorado Water Conservation Board (CWCB)
Ted	Kowalski	
Tony or Peggy	Littlejohn	Rocky Mountain Canoe Club
Andy	Logan	Mining/Minerals/Oil & Gas
Brian	Magee	Colorado Division of Wildlife
Joe	Mahaffey	Dolores Water Conservancy District
Meghan	Maloney	San Juan Citizens Alliance
Joan	May	San Miguel County Commissioner
Karel	Miller	property owner
Rebecca	Mitchell	CWCB
Peter	Mueller	The Nature Conservancy
Ann	Oliver	DRD Science Coordinator
Mike	Preston	Dolores Water Conservancy District
Larrie	Rule	BOCC Montezuma County
David	Schneck	San Miguel County
Don	Schwindt	Dolores Water Conservancy District
Leslie	Sesler	Natural History/Science/Archeology
Jim	Siscoe	Dolores River Science Committee

Bruce	Smart	Dolores Water Conservancy District
Dale	Smith	Recreational fishing
Doug	Stowe	Dolores County Commissioner
Rowdy	Suckla	Livestock/grazers/property owner
Steve	Trudeau	Dolores Water Conservancy District
David	Vackar	Trout Unlimited
		Representative Salazar's Local
John	Whitney	Office
Jeff	Widen	Wilderness Support Center
Ernie	Williams	Dolores County Commissioner

	Staff:	
Marsha	Porter-Norton	Facilitator
Kathy	Sherer	Project Assistant
Gail	Binkly	Recorder
Gina	Espeland	Logistics/Grant Admin, DWCD
Brooke	Childrey	AmeriCorps/VISTA Volunteer

	<u>Alternate:</u>	
	David Graf	Colorado Division of Wildlife
	Jon Callender	Mining/Minerals/Oil & Gas
	Mely Whiting	Trout Unlimited
	Bill Kees	American Whitewater
	John Sanderson	The Nature Conservancy

Attachment D

Outstandingly Remarkable Values -- DRD Reaches 1-5

DRD Reach	Archeology	Fish, Wildlife and Ecological (plants)	Geology	Recreation	Scenery
1	* rare and exemplary prehistoric sites	* Roundtail Chub (rare in this reach)	* sandstone cliffs	* Rafting	* cliffs,
2	- rare and exemplary prehistoric sites * large Anasazi pueblos	* Roundtail Chub	* sandstone cliffs * linear canyons	* Rafting	* cliffs, linear canyons and groves of old growth ponderosas
3	- rare and exemplary prehistoric sites	* Roundtail Chub	* Sandstone cliffs * linear canyons	* Rafting	* cliffs, linear canyons and groves of old growth ponderosas
4	- rare and exemplary prehistoric sites	* Roundtail Chub * Canyon Tree Frog (and Summit Canyon) * NM Privet* Eastwood's Monkey Flower (and McIntyre Canyon)	* Sandstone cliffs * linear canyons	* Rafting	* cliffs, linear canyons and groves of old growth ponderosas
5	* Rare and exemplary prehistoric sites *sacred site (rock art panel)	*Roundtail Chub * Canyon Tree Frog *NM Privet *Eastwood's Monkey Flower * Kachina Daisy (Coyote Wash)	*Sandstone cliffs * linear canyons	* Rafting * Hiking to Pools (Bull Canyon) * Hiking sandy wash(Coyote Wash)	*cliffs * linear canyons

Attachment E - Issues Opportunities and Concerns

Issues Opportunities and Concerns Raised in the Lower Dolores Plan Working Group – Planning Process

Topic: Recreation

Issues: The Lower Dolores Area is used by recreationists of all types (boaters, rafters, hunters, hikers, sport fisher men/women, ATVers, 4-wheel drivers, etc.). Recreation is growing in the area - particularly boating and rafting. There are consequently some impacts to the values and resources and, at times, conflicts among user groups occur.

Concerns:

- vehicle access and emergency rescues via a County Road in the area
- carrying-capacity of the river and corridor; rafters camping close to each other and resulting conflicts (sounds, drinking, loud parties, dogs, fireworks etc.); a permit system may be needed for non-commercial rafters (concern and opportunity)
- declining native fish species in the Dolores River below the dam; must be addressed or there could be a federal Endangered Species listing
- people camping on private land along the river and liability for landowners around firefighting costs (opportunity: agreement to limit liability for the private landowner)
- over-promotion and use of the Lower Dolores = attracting more users = harm to the resources

Opportunities:

- provide vehicle access for rescues and recreation on County Road
- revitalize the coldwater fishery below the dam to Bradfield
- a permitting system for recreational rafters to better manage use
- better flow management; creating steady flows will give more paddlers an experience
- manage flows for irrigation and rafting in a compatible manner
- increase tourism by stretching out the experience for smaller craft such as canoes by having more days with lower but consistent flows (concern expressed that this does not meet the needs of the majority of river boaters who utilize rafts)
- continue to allow historical uses (e.g., Al Heaton has a permit to take people on horseback trail rides in the fall)
- change number of commercial permits allocated
- a rafting permit system for everyone (also cited as a concern)
- rafting permits only on weekends and holidays

Topic: Wildlife, Fish and Ecology

Issue: There is an abundance of wildlife and ecological resources in the Lower Dolores River Valley. Managing these resources in relation to human uses and impacts is a challenge. The fisheries in the Lower Dolores River Valley have received considerable attention including much focus and research on the part of the Dolores River Dialogue and state agencies (e.g., CDOW). Some fish species are declining. The dam, spills, and water flows are managed under contracts and obligations.

Concerns:

- human impacts to wildlife from industry, grazing, recreation, and water use and water management
- the river has been diverted for a hundred years; humans have been impacting the native species for a long time; it's hard to determine what's native and what's non-native
- restoration of some plants
- non-native plants and impacts on water quality and amounts - especially Tamarisk (Tamarisk channelizes the stream, sucks salt out of the water and stores it in its leaves, then drops the leaves, creating a saline environment)
- address conflicting goals (restoring native fish, improving the sport fishery, restoring cottonwoods, providing irrigation water, etc.)
- need to prioritize all these concerns and issues; how?
- finite amount of habitat available for the native fish species; wish to keep them present in the river (i.e., bluehead suckers, flannelmouth suckers, and roundtail chubs); they cannot be supported by many other streams in the State of Colorado
- challenge: maintaining historic uses while keeping the resources healthy and intact
- Tribal traditional uses on public lands; this mostly involves plant gathering, and specifically riparian plant gathering (cottonwood, sumac, willow, etc.) – also fits in wildlife category (via email from Scott Clow)
- MVIC is studying the potential of a water lease program through the Colorado Water Conservation Board

Opportunities:

- examine the historic hydrology – present information about how the river used to flow pre-McPhee and compare to post-McPhee conditions
- continue Tamarisk removal
- provide more detailed mapping of wildlife species and their range and habitats, including along tributaries and into uplands
- preserve and protect habitat for the three native fish – avoid federal ESA listing
- re-develop (fish) pools and remove silt

- create off-channel or in-channel sediment traps to improve pools and reduce sedimentation occurring from some tributaries (some of it is naturally-occurring)
- keep current policies in place because they are apparently successful – the sheep and fish are still there and many activities are enjoyed throughout the corridor
- solve some problems together
- preventing overuse of some rafting campsites
- change the constraints on water use (timing and amounts)
- continue to use DRD to coordinate science efforts and to keep things transparent
- continue to use the foundation of the DRD -- which is to address these issues within the context of existing water rights and contracts, and available flows/spills
- to put woody debris into the river downstream from the dam (e.g. dumping logs into the river) to create fish habitat

Topics: Geology, Archeology and Scenery (also included a discussion of a potential Wild and Scenic River designation)

Issues: Cultural resources are abundant in the Lower Dolores River Valley. Some are being impacted by human use particularly some key sites by the river. There are not enough resources to document and protect all of them. There is outstanding scenery and geology in the Lower Dolores River Valley.

The Lower Dolores River has been found to be suitable for a Wild and Scenic River designation in the current draft Land Management Plan published by the San Juan Public Lands, USFS/BLM. A WSR designation would provide permanent protection of important ORVs in the valley. However, there are many concerns relating to how a WSR designation would affect private property and water rights as well as operations of the McPhee Project.

Concerns:

- how much water is needed to protect the ORVs and how do we determine this amount?
- places such as the Lower Dolores are getting more and more rare – a Wild and Scenic River (WSR) designation could prevent other federal entities from doing something to damage the area
- impacts of such a designation to grazing, historical uses and private property rights
- a WSR designation would bring attention to the corridor and draw more people and more impacts to the land and water
- threat of inaction and failing to protect the Lower Dolores resources – opportunity to permanently preserve it for future generations
- a WSR designation could hurt private landowners; possible condemnation of private land for scenic or access easements (by all levels of government);

loss of property values and lack of motivation to put land in easements or conservation programs

- if all uses can happen under WSR (grazing, recreation, etc.), why do we need it... what does it accomplish?
- impacts of WSR designation on other water rights, including conditional rights, and on other water-users and upstream users

Opportunities:

- save the area for future generations and protect it from impacts from federal agency decisions
- look at WSR status without a federal reserved right (question: is this possible?)
- invite speakers on WSR and in-stream flows
- find an alternative to the WSR suitability status and designation that protects the identified ORVs and addresses concerns raised in the planning process
- if WSR were to move forward, craft any language in the legislation to address concerns raised in this process

Topic: The Planning Process and General

Issue: The Lower Dolores Plan Working Group has been meeting since December. The facilitator asked the group to discuss their issues, opportunities and concerns about the process itself.

Concerns

- impacts of any WSR designation on private landowners; they should not be harmed
- water in McPhee is a private property right and must not be harmed
- mineral interests are private property rights
- counties' and citizens' interests must be considered
- if private land is put into easement or accepted by (for example) the Land and Water Conservation Fund (or a non profit group) this means a loss of property-tax revenues for counties and schools
- protection for important values (ORVs and otherwise) in the Lower Dolores River Valley and finding ways to deal with increasing uses which in some cases are degrading the resources

Opportunities

- provide information to evaluate alternatives to WSR designation
- study the Dolores River according to its different reaches and evaluate alternatives to WSR designation for each
- write protections for private landowners into any recommendations
- make sure all tools are evaluated in detail as to their pros and cons

(See list at the end for the management questions raised to date in the planning process submitted by the DPLO.)

Topic: Oil/Gas/Minerals and Grazing:

Issue: The Working Group has been studying ORVs that are designated by the USFS/BLM. The community has identified other values in the corridor that relate to economic activity including grazing and oil/gas/minerals. Recommendations generated by the Working Group will need to strike a balance between protection of the ORVs and these two uses of the land that are occurring.

Oil/Gas/Minerals Concerns:

- footprint of the infrastructure (roads, pipelines, etc.)
- water uses and amounts
- waste disposal and impacts on local environment/people
- timing of activity esp. seismic
- drilling in bottom of canyon and impacts on ORVs and other values (e.g. grazing)
- impacts of drilling on ORVs in the entire corridor

Oil/Gas/Minerals Opportunities:

- perhaps more energy security via a resource that can be gathered locally
- to continue to enhance the counties' tax base from this resource
- local jobs and income for related businesses
- to understand a projection of wells that will be in the Lower Dolores planning area (request to BLM made)

Grazing Concerns:

- sediment going into river/streams
- one bad apple can ruin the reputation for all grazers
- impact of a Wild and Scenic River designation on landowners - need flexibility

Grazing Opportunities:

- good grazing = good ecology
- wildlife habitat
- good management of land = profits for ranches = more open space
- reduces wildfire risk (grasses are eaten)
- land taken care of by ranchers, for the most part
- monitoring

Additional Things Raised at the Panel Discussion (2/16/10 and at the Remaining Meetings) regarding Landscape and Water Protection Tools:

- how would a wild and scenic designation impact a property owner's ability to build a check dam in order to take water out of the river?
- impacts of the Colorado Compact
- concern re: Federal Reserved Water Right
- how would the upper area be affected if the Lower River becomes WSR?
- need to articulate what needs changed – what is broken?
- goal should be: reduce conflict with federal agencies (speaker)
- group needs to work out the level at which any recommendations would be voluntary
- group needs to work out how permanent the recommended solutions are
- how would an NCA address property and water rights -- what can we write into law that will stick
- concern about what Washington and Congress (and their staff) would do to any consensus

Attachment F – Summary Document

Lower Dolores Plan Working Group

Summary Document:

- ✓ Outstandingly Remarkable Values Issue Briefs:
 - Summary Statement
 - Status
 - Current Management Goals
 - Examples of Management Practices
 - Working Group Identified Issues, Opportunities and Concerns
 - Working Group's Ideas for Protection Tools and Strategies

- ✓ Brainstormed List of Landscape and Water Protection Tools and Strategies along with Summarized List of Issues, Opportunities and Concerns by Topic

- ✓ Range of Options Related to Management Questions Given to the Working Group by the DPLO

- ✓ Range of Ideas and Options Covered at the 11/09 meeting

This document is provided to the Lower Dolores Plan Working Group as a working paper. The document summarizes material presented in meetings along with the Issues, Opportunities and Concerns handout from July 7th and ideas brainstormed in the small groups discussions held from August to November of 2009. This document was prepared to summarize information presented and discussed to date in preparation for extended workshops. These workshops will help the group formulate its recommendations to the DPLO. Information given in this document does not represent any final decisions.

Revised Version: January 2010

Archeology/Cultural Resources, Scenery and Geology

ORV Issue Brief: Archeology/Cultural Resources

Summary Statement: Archeology is an ORV throughout each of the five Reaches studied due to rare and exemplary prehistoric and/or sacred sites, quarries used for stone tool-making, and/or the existence of large Pueblos. There are 1,500 estimated sites in Reaches 1 through 5.

Status: There are concerns about damage from recreationists and livestock. The disappearance of important artifacts is a concern. Funding to survey, monitor and protect this ORV is very limited. The BLM estimates that only 3.6% of all sites in Reaches 1-5 have been systematically surveyed. However, funding has now been secured and surveys began in summer 2009.

Current USFS/BLM Goals: The management goals stated in the 1990 Plan include:

1. Protect important cultural values from damage caused by the public, erosion and vandalism
2. Develop suitable resources for public access and use (e.g. interpretive signs)
3. Identify and evaluate significant sites and resources
4. Periodically monitor resources to assess for impacts
5. Complete a Cultural Resource Project Plan after an intensive inventory

EXAMPLES of Current Management Practices to Protect the Archeology/Cultural Resources: (reaches denoted in parentheses)

- Limit motorized use to designated trails/roads
- No surface occupancy
- Manage interface with rafters and other visitors in certain areas (e.g. Reach 2)
- Do site stabilization, mapping and interpretation at identified sites
- Complete recently funded field work and surveys
- Note: Site-specific management actions are listed in the 1990 Management Plan (e.g. for Shaman Cave, panel near Bull Canyon, Coyote Wash campsite, etc.)

Working Group-Identified Issues, Opportunities or Concerns:

None listed in Working Group handout specifically for archeology. There was discussion of a need for long term protection of the corridor coupled with concerns about any designations.

Relevant Management Questions for this ORV and Working Group Ideas for Protection Tools/Strategies for Archeology/Cultural Resources: (from small group exercises)

1) How should the illegal OHV access into the Dolores Wilderness Study Area be managed?

- Put up permanent posted signs big enough to see
- Put up a physical barrier in Bull Canyon and Silvey's Pocket
- Answer the question: What is the damage being done?
- Do more education; don't let up

2) How should the cultural sites currently being impacted from rafters be protected?

- Recommend that Shaman Cave be day-use only
- Put up signs about cultural resource ethics at launch sites and at registers, and in other key places
- Crowd Control: put up small fences or low fences or other barriers; close some social trails; plant poison ivy
- Close camping @ archeological sites
- Use education/signage/peer pressure; target a brochure to outfitters and guidebook information to other users/visitors

3) Should there be additional interpretation at Indian Henry's Cabin located in Bull Canyon?

- Yes: need sign and history of cabin; should protect it and offer education about history of cabin

ORV Issue Brief: Scenery

Summary Statement: Scenery is an ORV throughout the corridor and is a key reason recreation is prevalent and popular. The specific elements of this ORV include: cliffs, linear canyons, and old-growth Ponderosa Pine groves. Various activities occurring may have impacts on this ORV. The abundance of young "doghair" ponderosa puts the old growth groves at risk for catastrophic wildfire.

Status: In all five reaches, there have been no significant man-made changes since 1990 and the Ponderosa Pine stands are in "good condition."

Current USFS/BLM Goals: The management goals stated in the 1990 Plan vary by reach.

Examples include:

1. Retain character
2. Minimize changes to landscape
3. Reduce impacts from management activities
4. Provide a naturally-appearing environment

EXAMPLES of Current Management Practices to Protect the Scenery: (specific reaches denoted)

- No commercial gravel operation (3 and 4)
- No motorized watercraft (3 and 4)
- No surface occupancy and other extraction policies (3 and 4)
- OHV on designated routes only (3 and 4)

- Land acquisition; seasonal road closure (3 and 4)

Working Group-Identified Issues, Opportunities or Concerns:

Opportunity: long-term protection tools such as a National Conservation Area or WSR designation

Concern: consequences and impacts of long term protection tools on private property and rights, water rights and land uses including concern about a federal reserved water right; visual regulations would impact a property owners' rights to build in the corridor

Concern: oil and gas and its impacts on scenic values: drilling in the bottom; footprint of the oil/gas/minerals infrastructure; general impacts of extraction; uranium leasing (below Disappointment); mineral leases between Disappointment and Big Gyp do not include NSO (as of 1990 Plan) (Reach 4); and incompatible mineral exploration/extraction at Bed Rock and Gyp Valley (Reach 5)

Opportunity: jobs and income that come from the oil and gas industry

Concern: desire to keep County Road open

Concern: Slick Rock: private land access issues and potential BLM road access restrictions

Relevant Management Questions for this ORV and Working Group Ideas for Protection Tools/Strategies for Scenery: (from small group exercises)

1) What should the role of wild-land fire be within the corridor?

- Use prescribed fire carefully
- Suggested Policy: let wildfire burn under right conditions; use as a tool when it makes sense
- Protect scenic values (suggest as a goal)

2) How should Ponderosa Pines be managed?

- Managed to maintain this feature
- Use fire in some way to help them regenerate without burning them down; ensure periodic burn
- Weed management

Reach 1:

- Controlled burn
- Protect recreational and scenic values, cottonwoods and archeology and private property
- To enhance wildlife habitat

Reach 2:

- Use fire to control danger of catastrophic fire due to dog hair ponderosa and sustain and enhance the unusual/relic populations of ponderosa
- Let it burn under the right conditions
- Consider burning after mechanical treatment (thinning)
- Protect Archeology

3) Is there a threshold for use that, if approached or exceeded, would mean further restrictions should be implemented? If so, what is the threshold(s) and what potential restrictions might these be?

Ideas for Threshold Indicators:

- Degradation of the natural environment is a threshold (use BLM guidelines)
- Trashy camps
- If campsites exceed a certain level of saturation, then a permitting system might be needed
- Archeology (damage to and/or impacts on sites)
- 10 groups per day plus use days
- 20% of use season or number of launches per day
- If exceeded: potentially restrict permit; designate camps; voluntary sign-ups; no small groups at large sites
- Use biology to determine – indicators could be:
 - Reach 1: salient values (fishery and cottonwoods); Reach 2: ponderosa, scenery, ecological baseline.
 - Other Ideas
 - Saturation per BLM management guides for assessing campsites
 - Monitor and evaluate – baby steps
 - Weekend permits only

4) Should we withdraw lands in the Dolores River Wilderness Study Area from mineral entry?

- No, surface occupancy stipulation should be enough
- Yes, they should be withdrawn

ORV Issue Brief: Geology

Summary Statement: Geology spans 100 million years in the corridor and is an ORV for Reaches 1 - 5 due to dramatic cretaceous sandstone cliffs and linear canyons. The northerly flow of the river is rare within the region and illustrates the geologic uplift of the Colorado Plateau and the subsidence of the Paradox Basin. The linear pattern of the canyon demonstrates unusual rapidity of the area's tectonic processes

and the speed of the corresponding downward cutting of the river. There are paleontological resources in some places. The geology obviously relates to the ORV of scenery.

Status: The rock layers range from Wingate Sandstone at the bottom, dating from Early Jurassic Period about 200 million years ago, to the Dakota Sandstone at the top, which is approximately 100 million years old. Toll (1971) noted existence of sheer-walled Wingate Sandstone, Kayenta Formation, Navajo Sandstone with some Entrada sandstone and Morrison Formation above.

Current USFS/BLM Goals: The management goals stated in the 1990 Plan include:

1. Protect and enhance the resource through identification, documentation and monitoring, and take appropriate management actions (e.g. paleontological sites may need managed).
2. Conduct paleontological overview of geological formations to determine scientifically important and interpretable fossil remains. Remains that are significant scientifically would be protected from unauthorized collection.

EXAMPLES of Current Management Practices to Protect the Geology:

- No surface occupancy in most reaches
- Control incompatible mineral exploration at some sites (e.g. Mountain Sheep Point)
- No commercial gravel operations
- Interpret Dinosaur tracks near La Sal Creek Rapid; put in place associated monitoring or protective measures

Working Group-Identified Issues, Opportunities or Concerns:

None listed

Relevant Management Questions for this ORV and Working Group Ideas for Protection Tools/Strategies for Geology: (from small group exercises)

- 1) Should we withdraw lands in the Dolores River Wilderness Study Area from mineral entry?
 - No, surface occupancy stipulation should be enough
 - Yes, they should be withdrawn

Recreation: Rafting and Hiking

ORV Issue Brief: Hiking in Bull Canyon and Coyote Wash

Summary Statement: There are hiking opportunities in Bull Canyon and Coyote Wash accessible mainly to rafters on day hikes or from campsites and roads at the top of these canyons. The pools in Bull Canyon are unique. In Coyote Wash, the

usual flat sandy wash with vertical canyon walls are reasons hiking is an ORV in this section of the corridor.

Status: Oil, gas and mineral potential is high at the upper (non WSA) reaches of both Coyote Wash and Bull Canyon (DLMP). Upper reaches of both canyons are accessible by local, non-maintained roads.

Current USFS/BLM Goals: (1990 Plan)

1. Maintain isolation from sights/sounds of others
2. No more than 3 encounters per day between users
3. High risk, nature experience and self reliance

EXAMPLES of Current Management Practices to Protect the Hiking:

- Resource protection (pack out trash and use porta-potties, regulate fires, monitoring and patrols, temporary closures, rotation of camp sites, etc.)
- Visitor services and education encouraging voluntary compliance with rules
- Limit rafting from Big Gyp Valley
- Limit those entering the WSA on weekends
- Permits for commercial groups

Working Group-Identified Issues, Opportunities or Concerns: “Social carrying capacity”: people being nice and ability to find campsites. These places can reach “saturation” on weekends and holidays in a predictable flow year. Careless OHV use is destroying pools and vegetation near Coyote Wash with OHV drivers coming into WSA from Utah side. There was discussion about potential for rafting permits for recreational boaters to limit access to the canyon. This was also cited as a concern. Please refer to the rafting Issue Brief for more information. (Rick Ryan, BLM Ranger, gave some input here.)

Relevant Management Questions for this ORV and Working Group Ideas for Protection Tools/Strategies for Hiking: (from small group exercises)

- 1) How should the illegal OHV access into the Dolores Wilderness Study Area be managed?
 - Put up permanent posted signs big enough to see
 - Put up a physical barrier in Bull Canyon and Silvey’s Pocket (concern: physical barrier won’t work or will block Suckla’s)
 - Better answer the question: What is the damage being done?
 - Do more education; don’t let up

NOTE: Please refer to questions on rafting issue brief because they relate to this ORV since these areas are predominately accessed by rafters.

ORV Issue Brief: Rafting

Summary Statement: Rafting is an ORV in each of the five reaches. Rafting opportunities are considered “regionally significant.”

Status: The number of days of rafting at or above 800 cfs greatly fluctuates from year to year depending on the water availability out of the dam and the timing, and it is highly unpredictable. There are varying ideas on what qualifies as a “rafting day” (in terms of Cubic Feet Per Second). There are currently 16 commercial multi-year permits. “Social carrying capacity issues” (noise, trash, human waste, etc.) are occurring. At certain times (e.g. holidays and weekends) and places (e.g. WSA), use may reach “saturation.”

Current USFS/BLM Goals: Goals vary by reach but examples include:

1. Manage to offer degree of risk and challenge and infrequent contact with other users
2. Manage to protect resources (requirements around trash, human waste, etc.)

EXAMPLES of Current Management Practices:

- Permits required for commercial rafters
- Management of campsites, raft put-ins/take outs, bathroom and trash facilities
- Use of education and other visitor services (literature, sign in, Ranger contact, hot line, cooperative agreements)
- Water release management by BOR/DWCD (cfs, timing, ramping, communication, peaks, duration of “boatable flows”, etc.)
- Allocate use (launches) according to season
- If possible, acquire private property immediately upstream from the Slick Rock bridge (only if current access point becomes inaccessible)

Working Group-Identified Issues, Opportunities or Concerns:

Issues and Concerns:

- ✓ Adequate flows: balance adequate rafting flows out of the Dolores Project with water for other uses (e.g. fisheries, irrigation, municipal, industrial)
- ✓ Vehicle access via Dolores County Road to 1 mile below Snaggletooth Rapid
- ✓ Issues with too many people and interactions between rafting parties
- ✓ Some rafters camping on and using private land
- ✓ Concern about designations (e.g. WSR) and their impact of bringing in additional people (which impacts resource threshold issues and private lands)

Opportunities

- ✓ Keep County Road access open
- ✓ Permitting system for recreational rafters (also cited as a concern)
- ✓ Better spill management
- ✓ Do more permits but perhaps use permits only for busiest weekends (e.g. Memorial Day)

Relevant Management Questions for this ORV and Ideas for Protection
Tools/Strategies for Rafting: (from small group exercises)

1) How should water managers balance rafting with flushing flows for management of other resources?

Options:

- Implement DRD science recommendation for habitat restoration on “big water years” over consistent 800 cfs for boaters; continue the work of the DRD because it is addressing these issues; keep science driving the process
- Set priorities between the fisheries and rafting
- General management should focus on rafting and ecology and trying to balance the two

2) For all reaches, should the outfitter and guide permits have reserved campsites?

Options:

- Keep First Come/ First Served policy
- Designate one camp in each for commercial trips
- Institute policy that outfitter and guide permits get reserved campsites (enforcement mechanisms would have to be created)
- Handle this through education (i.e., signage for private parties that they are reserved for commercial)
- Institute program of “preferred campsites” versus “permitted/assigned” (use signage to indicate)
- Monitor the situation and if it becomes worse, consider this policy

3) Should there be any additional recreational opportunities in any of the existing sites (applies to other recreation as well)?

- Institute a longer season for Ferris & Cabin recreation sites (after Labor Day through the end of hunting season)
- Keep policy(ies) the same; nothing needs changed
- Bradfield: maintain presence during boating & hunting seasons; education over enforcement; public play area at bridge (CDOW site); put-in at Metaskas site to accommodate day trippers
- Reach 2: appears adequate; designate campsites/capacities; some active management (poison ivy control)
- Reach 2: designated sites; voluntary sign-ups; specific reaches (Coyote Wash, Slick Rock WSA)
- Institute a Policy: Yes but let usage dictate what needs done
- Disperse the campsites and regulate (more-so)

4) Should the Bradfield launch site be permitted?

- No, do not do it
- No, do not do it -- but do more education

- Before you make the decision, rafting industry needs to be consulted
- 5) Does the DPLO have the appropriate mix of outfitter guides to meet public needs?
- Yes
 - Monitor situation because of concern about impacts to camp sites
- 6) Should there be reserved camp sites on the river during rafting season?
- Institute a few campsites for commercial use that can be reserved
 - Use signage to manage this problem: *"If nobody is here by X o'clock its yours, otherwise you must give it up."*
 - First/Come-First/Served (can't do this idea without a permit system)
 - Educate small groups not to use large sites (idea: have a place to sign in and write what camp site they will try for and include a map at sign in that shows sites and size)
 - Reach 1: No
 - Reach 2: Yes (applies to Coyote Wash & Slick Rock WSA)
 - Don't make anything mandatory but institute new system based on honor system
- 7) Is there a threshold for use that if approached or exceeded, would mean further restrictions should be implemented? If so, what is the threshold(s) and what potential restrictions might these be?

Ideas for Threshold Indicators:

- Degradation of the natural environment is threshold (use BLM guidelines)
- Trashy camps
- If campsites exceed a certain level of saturation, then a permitting system might be needed
- Archeology (damage to and/or impacts on sites)
- 10 groups per day plus use days
- 20% of use season or number of launches per day
- If exceeded: potentially restrict permit; designate camps; voluntary sign-ups; no small groups at large sites
- Use biology to determine – indicators could be:
 - Reach 1: Salient values (fishery and cottonwoods)
 - Reach 2: Ponderosa, scenery, ecological baseline

Other Ideas

- Saturation per BLM management guides for assessing campsites
- Monitor and evaluate – baby steps
- Weekend permits only

- 8) How should camp sites along Reaches 3 and 4 be managed?
- Implement stricter rules about trash, waste, etc.
 - Manage as demanded by use - when level of use justifies, when conditions warrant a change, adjust management (related idea: watch for thresholds laid out in the 1990 plan)
 - Do not designate camp sites in these segments
 - Be respectful of private property (Reach 4) – (BLM work with land owners to coordinate private property signage...help boaters know where boundaries are)
 - Put up signage at put-in for river etiquette
 - Do not put signs at campsites; continue to manage as primitive campsites
 - BLM Ranger/BLM gives out better information and more river patrols; add more BLM staff to do river patrols; cross-train staff to do their jobs and patrol the river when they are out there
 - Continue current management
- 9) How should the BLM/USFS interact with the private land owner to manage the Slick Rock boat launch?
- Consensus from one group: BLM should actively pursue a permanent access point with willing landowner or on BLM land - BLM should help ensure that waste, etc. is managed appropriately
 - BLM should commit more resources to help the land owners manage the site (i.e. signage); try to keep it open but accommodate land owner concern
 - Get CDOT involved and make it a rest area and then CDOT manages the site (idea: joint lease between BLM and CDOT)
 - Move the launch site to BLM land
 - BLM would purchase land or do land swap to acquire it (if landowners willing and using fair market price)
 - Launch at boat ramp, but move parking somewhere else (to BLM lands)
- 10) Should the Big Gyp recreation site be maintained as is, improved or decommissioned?
- No: the site does need sanitary facilities and better management of weeds and trash
 - Consider adding another put-in

Fish, Wildlife and Ecological

ORV Issue Brief: Roundtail Chub

Summary Statement: The Roundtail Chub is a warm-water fish native to the Colorado River Basin. The DPLO (USFS/BLM) identifies it as an ORV for the Dolores River from Reach 1 - 5. The Roundtail Chub has disappeared from about 45% of its historical range in the upper Colorado River Basin (Bezzarides and Bestgen 2002). The fish is listed as a BLM Sensitive Species, USFS Sensitive Species and a Colorado State Species of Special Concern. The CDOW identifies flows, flow management, and non-native predator fish as issues facing this species on the Lower Dolores River.

Status:

Reach 1: Historic habitat for roundtails, but now they are rare due to cold water flowing out of McPhee Dam.

Reach 2 and Reach 3: Assumed to be common (versus abundant or rare) (J. White, CDOW, personal communication) based on spotty data (walking surveys just below Dove Creek Pumps). Reach 2 is probably colder now than what they prefer, due to the dam (J. White, CDOW, personal communication). Non-native predator fish are just appearing in Reach 2, prevalent in Reach 3.

Reach 4 to Disappointment: 2008 survey: very few natives; most abundant were smallmouth bass and brown trout.

Reach 5: 2007 survey: abundance of natives was low but species composition was mostly native fish.

Current USFS/BLM Goals: (Reach 1 to Disappointment Creek only)

1. Identify all riparian and key wildlife areas in less than good condition: initiate actions to improve.
2. Monitor all key areas to maintain an overall condition class rating of good.
3. Determine present distribution of aquatic/macroinvertebrate species: implement actions to enhance conditions.
4. Determine factors influencing habitat conditions or restricting species from maintaining viable populations.
5. Survey and map all areas which provide unique habitat for species considered relic or unusual to area.

EXAMPLES of Current Management Practices:

- Inventory aquatic, fishery and riparian habitats to the Montrose District Boundary.
- Identify essential wildlife habitat areas throughout corridor; monitor to ensure that downward trends do not develop.
- Establish permanent aquatic habitat monitoring sites. At least 2 sites in warm water sections. Monitor at least once every 5 years.
- Develop agreement with CDOW to sample fish populations in the Dolores every 5 yrs.
- Allow no vehicle use from approx. 1 mile downstream of Snaggletooth Rapid to ~1 mile upstream from Disappointment Creek between Feb. 1 and June 30.

Working Group-Identified Issues, Opportunities or Concerns:

Issues and Concerns: Fisheries received much focus and research from DRD and state agencies; some species are declining; water flows managed under contracts and obligations; river diverted for 100 years; hard to determine what's native and what's non-native; difficult to address conflicting goals (restoring native fish, improving the sport fishery, restoring cottonwoods, providing irrigation water, etc.); need to prioritize; finite amount of habitat available for native fish; wish to keep them present in the river; not supported by many other streams in CO; MVIC studying potential for water lease to CWCB

Opportunities: Examine the historic hydrology; compare pre and post McPhee conditions; preserve habitat for 3 native fish; avoid federal ESA listing; re-develop pools; remove silt; create sediment traps to improve pools and reduce sedimentation; keep current policies - apparently successful; change current water management to help native fish; solve problems together; prevent overuse of rafting campsites; change the constraints on water use (timing and amounts); use DRD to coordinate science efforts and keep things transparent; address these issues within the context of existing water rights and contracts, and available flows/spills

Relevant Management Questions for this ORV and Ideas for Protection Tools/Strategies for Roundtail Chub: (from small group exercises)

- 1) Is there a threshold for use that, if we approach or exceed, we would need to implement further? (See previous answers in Rafting Section)
- 2) How do we cooperatively fund invasive species inventory and treatment?
 - Use partnerships with other groups/entities; use outside means; incorporate other people's work (graduate students; Tamarisk Coalition; DOL Tamarisk Action Group; Walton Family Foundation); develop unlikely partnerships (coordinated effort already underway, but emphasis is on land agencies working with DOW and others); engage counties
 - Be more flexible in management and budgeting
 - Acquire more funding for BLM to use
 - Continue to inventory and do abatement and leverage other efforts
 - Force BLM/USFS Agency to manage money and opportunities better (an example was cited of bureaucratic procedure/rules interfering with ability to spend funds on control of invasives)
- 3) How should the 4x4 road/trail along the river from the Pump Station to Slickrock be managed?
 - Should be open but not maintained (two groups had consensus)
 - Seasonal closure (one group had consensus on this); if it's recommended to close seasonally it should be safeguarded by signage and/or

surveillance, especially if the reason for closure is lambing – also should be closed to camping

- Monitor current level of use to see if damage is occurring – close road if ecological damage is occurring – science first
- Maintain road along river as it is now
- Keep it open all the way to Slickrock (*this was added January, 2010 after more review of the small groups' output*)

4) If tamarisk is removed from the main Dolores and associated tributaries, how active should the subsequent restoration efforts be?

- Passive (because it's in WSA, but water could be an active restoration tool to release floods to improve habitat for cottonwoods and willows)

5) How should water managers balance rafting with flushing flows for management of other resources? How should water managers balance rafting with flushing flows for management of other resources?

Options:

- Implement DRD science recommendation for habitat restoration on “big water years” over consistent 800 cfs for boaters; continue the work of the DRD because it is addressing these issues; keep science driving the process
- Set priorities between the fisheries and rafting, and riparian ecology
- General management should focus on rafting and ecology and trying to balance the two
- Do everything possible to avoid a federal listing
- Institute a lease program between willing parties
- Use existing water availability and management to deal with this issue

Also refer to overall protection tools by Reach (below)

ORV Issue Brief: Plants

Summary Statement: Two plant species and one plant community are identified as Ecological ORVs for the Lower Dolores: the Eastwood's Monkey Flower, the Kachina Daisy and the New Mexico Privet Riparian Shrubland.

Status: The New Mexico Privet riparian shrubland is only known to occur in Colorado and Utah. In Colorado, it is only in the Dolores River Basin. It is common on the Dolores and the trends in condition and extent are unknown. Concerns about this plant are: it requires a high water table and it's habitat could be threatened by invasive plants (e.g. tamarisk). The Eastwood's Monkey Flower is only found in canyon lands of the Four Corners on the Gunnison, Dolores, Colorado and San Juan Rivers. It is listed as a BLM Sensitive Species. The trends for this plant are unknown. Drying of seeps is a concern and some human uses and activities may be

a concern for this plant (e.g. energy development, hiking impacts, etc.). There are 15 known occurrences of the Kachina Daisy in the world, together comprising an estimated 7,600 plants. Three of those occurrences are in Colorado. Coyote Wash has the largest population of this plant in Colorado. It is also a BLM Sensitive Species.

Current USFS/BLM Goals: (1990 Plan)

1. Protect and enhance the natural and cultural resources of the Corridor while allowing compatible uses.
2. Maintain or improve the existing quality of riparian and wildlife habitat by identifying and implementing management opportunities and strategies.
3. Determine the present condition and ecological structure of riparian and aquatic communities. Identify areas which provide unique habitat features for species considered relic or unusual to the region.
4. Provide full protection to threatened and endangered species. Determine distribution of and identify all areas that provide habitat for federally listed, state listed, and BLM Sensitive Species to ensure the continued existence of such species and the conservation of their habitats.

EXAMPLES of Current Management Practices to Protect Ecological ORVs:

- Survey and map all areas that provide unique habitat for species of plants and animals considered to be relic or unusual to this area of Colorado.
- Initiate management opportunities and/or strategies.
- Determine the present condition and ecological structure of riparian and aquatic communities.
- Apply stipulations and mitigating measures to all BLM actions to prevent/mitigate degradation.
- Cooperate with the recreational program to develop interpretive material and signs.
- Manage grazing.
- No specific management is listed for Eastwood's Monkey, nor for New Mexico Privet Shrubland.

Working Group-Identified Issues, Opportunities or Concerns:

Issues and Concerns: problems with tamarisk; conflicting goals and lack of priorities (in relation to fisheries and recreation); protecting the resource while allowing people to use the land; Tribal plant gathering on public lands; concern about the federal Endangered Species Act and its influence/impact on economic goals

Opportunities: restoration of native plants; continue tamarisk removal programs; manage recreation to protect resource

Relevant Management Questions for this ORV and Working Group Ideas for Protection Tools/Strategies for Plants: (from small group exercises)

- 1) Is there a threshold for use that, if we approach or exceed, we would need to implement further restrictions for use? What thresholds and restrictions?
 - *This question was posed for rafting but could be used to discuss plants.*
- 2) How do we cooperatively fund invasive species inventory and treatment?
 - use partnerships with other groups/entities; use outside means; incorporate other people's work: graduate students; Tamarisk Coalition; DOL Tamarisk Action Group, Walton Family Foundation; develop unlikely partnerships; coordinated effort already underway, but emphasis on land agencies working with DOW and others; engage counties
 - be more flexible in management and budgeting
 - acquire more funding for BLM to use
 - continue to inventory and do abatement and leverage other efforts
 - force BLM/USFS agency to manage money and opportunities better (an example was cited of bureaucratic procedure/rules interfering with ability to spend funds on control of invasives)

ORV Issue Brief: Canyon Tree Frog

Summary Statement: The Canyon Tree Frog is identified as an ORV for all 5 Reaches and for Summit Canyon. It is listed as a Colorado State Species of Special Concern and a BLM Sensitive Species. This frog breeds in canyon bottom pools often bounded by solid rock.

Status: There are 6 occurrences known on the DPLO lands: 1 in Summit Canyon, 1 in Reach 4, and 4 in Reach 5. The exact trend is unknown. It is thought to be in "stable condition" according to www.natureserve.org.

Current USFS/BLM Goals: (1990 Plan) For some reaches:

1. Identify all riparian and key wildlife areas which are in less than good condition. Initiate management to improve those sites. Monitor to maintain good condition.
2. Determine the present distribution of aquatic species. Develop/implement actions to enhance conditions.
3. Monitor selected aquatic species to determine factors influencing habitat conditions or restricting maintenance of viable populations.
4. Survey and map all areas which provide unique habitat for species of plants and animals considered as relic or unusual to this area of Colorado.

EXAMPLES of Current Management Practices to Protect the Canyon Tree Frog

- Inventory
- Monitoring

Working Group-Identified Issues, Opportunities or Concerns:

- None listed.

Relevant Management Questions for this ORV and Working Group Ideas for Protection Tools/Strategies for the Canyon Tree Frog: (from small group exercises)

There were no specific questions related to this ORV. However, questions relating to the management of uses in the corridor could relate to the Canyon Tree Frog as well as the question about thresholds and potential restrictions if thresholds are exceeded. Please refer to other issue briefs.

Overall Land and Water Protections and Other Management Issues For Discussion (based on DPLO questions)
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Background

A stated charge to the Lower Dolores Plan Working Group is exploring the Wild and Scenic Rivers issue from many angles, including alternatives. During the Working Group meetings to date, the WSR issue, along with ideas about alternatives, is receiving attention in the form of presentations and discussions. What follows represents Issues, Concerns and Opportunities registered by the group in the meetings as well as a list of ideas for consideration in the upcoming extended workshops. Note: nothing written in this section constitutes a final decision made by the Working Group.

Also, after the discussion of the WSR issues and alternatives, there is a list of DPLO-developed questions that the Working Group covered in their small group discussions. These questions did not fit with any specific ORV, but do pertain more generally to management and protection of the corridor and its values.

Landscape and Water Protections including WSR Issues and Alternatives (Please note: this topic is also addressed in other sections.)

Issues and Concerns:

- Desire to revitalize the fisheries below the dam
- Want better flow management for fisheries
- Want to continue to allow historical uses of the area
- Respect private property and land owner rights (they should not be harmed)
- Protect the special Lower Dolores River area and preserve it for future generations – it's a rare place; places like this are getting rarer; it needs long-term protections
- Questions (and concerns): If the river were a WSR: What types of uses would be allowed? What impacts would there be to private property owners and their rights? What impact would the designation have on water rights? Would it come with a federally reserved water right? What would the impact be for conditional rights and on other water users, including those upstream?
- Find ways to deal with any degraded/degrading resources in the corridor
- Without some type of a designation, the area will not be preserved

- Need to put more protection in place now before population pressures become too great
- Any federal intervention (Wilderness, NCA, Wilderness) are too restrictive

Opportunities

- This is the opportunity for local people to craft a recommended plan for the best management of the river (WG Member quote: *If we don't come up with our own plan, we'll be handed a plan*).
- Find an alternative to the WSR suitability status or designation that protects the ORVs and addresses concerns raised in the process
- Determine a strategy/tool that will protect the ORVs but account for economic issues, private property and land owners' rights and water rights, allocations and management
- MVIC is currently studying a water leasing program
- Continue to let the DRD do it's work around science, flows and solution-finding – working within the context of existing water rights and contracts, and available flows/spills
- Preserve and protect habitat for three native fish; avoid federal ESA listing
- Change the constraints on water use (timing and amounts)
- Do channel work to help fish (more pools, reduce sediment)
- Keep doing what the DPLO is doing; the area doesn't seem degraded; the 1990 Plan seems to be working ok – just needs tweaking
- Determine how much water is actually needed to protect the ORVs
- Solve problems together
- Become more educated on the WSR issues and alternatives
- Is there a way to craft WSR language to take into account concerns (e.g. property and water rights)?
- Can we discuss alternatives for each segment versus dealing with the whole stretch?
- Evaluate all tools and make sure the pros and cons are discussed
- Use Wilderness as a tool for protection (stand alone)
- Manage the extractive issues (grazing and mining) with another tool besides WSR

Overall Protection Tools

(Note: Some of these tools could be considered across reaches but are presented by reach because that's the way the small group discussions were structured.)

Overall, what protection tools might be recommended in Reaches 1 and 2?

- Leasing water for cold water fishery
- Support augmenting the minimum in-stream flow
- Budget money for monitoring
- Some type of conservation area or special management designation set up via legislation (one that doesn't come with a Federal Reserve water right)

- Keep the current 1990 plan in place (the intent, actions, goals, etc.) as it's doing a decent job

Specific to Reaches (from one small group)

- Reach 1: DOW management for wildlife is a good protective tool – continue to manage for recreation
- Reach 2: WSR designation makes sense
- Reach 2: This reach protects itself due to topography

Overall, what protection tools might be recommended in Reaches 3 and 4?

- Maintain current levels of protection at least
- Better management of flows to improve ecological system (consensus from one group)
- No surface occupancy for mineral/gas development is a tool
- Designate the BLM Little Glen Canyon land as Wilderness River miles 52-55
- Leave private land out of any designation – research how adjacent property(ies) will be affected
- Physical protection during seasonal closure (gate) to prohibit motor access and camping
- Recommend that the S.M. County road that has been abandoned and now managed by BLM be closed permanently to all motorized

Overall, what protection tools might be recommended in Reach 5?

- Existing plan does a good job
- WSA should be designated as Wilderness
 - already pre-scripted as WSA
 - recommended for designation
 - language w/o federal reserved water right
- Protect the WSA in Reach 5 (general agreement from one small group)
- Enforce everything in the current 1990 Plan now
- Proposal and agreement from one small group: remove Suitability in Reach 5 and just focus on Wilderness designation; solve the water rights language to meet approval of water community and wilderness community
- Keep it suitable but don't get it be designated as W&S (because of Federal Reserve Water Right)

Because property rights and property owners' concerns have received much discussion in relation to protection tools, the answers to this question are stated again:

How should BLM/FS interact with private land owners to protect private property values? Please note: this topic is also addressed in other sections.

- All private property rights should be respected

- Leave the reach of the river from the Slickrock area through Big Gypsum Valley out of any W&S proposal due to high # of private properties in relation to the rest of the corridor
- BLM should work with rules with land owners regarding rafting
- Develop a whole spectrum of tools along the river...not one tool fits all five reaches
- Use what works now from current plan
- The Plan should give guidance, standards and directions to the BLM and other managing agencies to accomplish the following:
 - BLM should have authority to enforce rules to prevent impacts such as human waste management
 - allow vehicle access across public lands to private lands on historical routes
 - minimize the impacts of allowing reasonable access to private property on the landscape
 - the BLM should not assert that a bridge across the river, necessary to allow “reasonable access” to private property, will affect the Outstanding Remarkable Values on the river
 - do not use condemnation to acquire private property, trail access or scenic easements
 - the BLM should be directed to consider the value of privacy to the private property owner
 - encourage the BLM to acquire riverfront lands from willing sellers via trade or direct payment and value these lands as if historical access routes were legal access easement
 - ensure that federal appraisals will assume county zoning and ordinances as of 2004 – prior to the most recent W&S Eligibility Assessment
 - BLM/USFS should not take action that encourages the county or state to zone against development along the river
 - BLM/USFS and the appropriate county should develop and enter an MOU regarding future management and zoning (future effects to property value) in exchange for promises from the private land owner regarding future land use/development on their property

Other Management Questions Discussed by the Working Group

The following questions and ideas are ones that did not fit in any of the ORV-specific issue briefs:

1) How should the Dolores Overlook site be managed?

- Keep it open – maintain current management
- Bathrooms need maintenance
- Interpretive sign would be fine - of river resources and geology
- Consensus that it is well managed
- Signage to the overlook through the County Roads is not very good or clear - needs to be improved

2) How should the Dolores office coordinate river management with the downstream offices?

- Should coordinate management plan so management doesn't change when management boundaries are crossed
- Already coordinated – needs more private land owner input
- Makes sense to change management at end of WSA (not in the middle)

3) If you were granted one wish for the Dolores River, what would it be?

- Management plan is now good, with a few exceptions – would like to see plan more permanent – would like to keep 1990 plan (not everyone wished)
- Leave alone, limit advertising
- Manage spills for ecological benefits
- Rafting remains informal
- BLM retain and improve management
- Keep it a secret
- Long-term protection
- Keep it as it is and has been
- Not so many tourists
- Provide access to most of the river – provides important recreation area for low income folks

4) How should the Box Elder Campground site be managed?

- Do not preclude or discourage local historic community gatherings
- Better enforcement
- Negligible fees, especially for non-profit events/organizations
- Doesn't make sense to have a boat launch there
- It is well used
- No fee is good
- Bathrooms are good
- Group did not feel that the Box Elder Campground reached full capacity very often
- Consensus (of one group): signage to get there is good
- Consensus (of one group): fees not appropriate now, but donation box could be placed
- Improved parking through area – at campground and put-in

5) What is your input on the 1990 Plan management goals and objectives? Are there goals or management objectives missing from the current list?

1990 Dolores River Corridor Plan -- Overall Goals and Objectives (Current)

1. Protect and enhance the natural and cultural resources of the Corridor while allowing compatible uses.
2. Maintain or improve the existing quality of riparian and wildlife habitat by identifying and implementing management opportunities and strategies. Determine the present condition and ecological structure of riparian and aquatic communities. Identify areas which provide unique habitat features for species considered relic or unusual to region.
3. Provide full protection to threatened and endangered species. Determine distribution of and identify all areas that provide habitat for federally listed, state listed, and BLM Sensitive Species to ensure the continued existence of such species and the conservation of their habitats.
4. Coordinate with CDOW for management of wildlife and fisheries resources within the corridor.
5. Protect and enhance cultural resource values by identifying significant cultural resources and paleontological sites and performing necessary documentation. Identify and implement appropriate management actions.
6. Conduct planning for the Dolores River within a "regionalized system of rivers" context.
7. Maximize availability of impounded water released for river management opportunity by coordinating with DWCD.
8. Provide for recreational opportunities in the fall and winter seasons in addition to standard spring/summer activities.
9. Maintain primitive and semi-primitive experience opportunities by limiting and/or distributing visitor use and commercial guide/outfitter use.
10. Protect those public lands which are utilized intensively as recreational sites by exploring the need for and feasibility of withdrawing from mineral entry.
11. Develop recreation sites as prescribed in the Dolores Project ES, the Dolores River Downstream Site Report (as modified) and in accordance with BLM's MOU with BOR and USFS.
12. Minimize potential conflicts with recreational use of public lands by working closely with private landowners and users. Maintain options to develop BOR funded sites if private enterprise chooses to close area to public.
13. Ensure consistent and/or complementary management of adjacent lands, especially in terms of commercial use and facility maintenance/management by coordinating with the US Forest Service and the Lone Dome Mgt. Plan.
14. Reaffirm BLM's support for the inclusion of the Dolores River into the Wild and Scenic Rivers System (as per recommendation in the 1976 Dolores River Wild and Scenic River Report).

Input from the Working Group on Goals/Objectives

Note: This list is a summary of small group comments made at the 11/16/09 meeting. This list does not represent a revised goals/objectives statement(s) nor does it represent consensus.

General Feedback

- Recreation shouldn't be on the top of the priority list – prioritize needs
- Add a goal that addresses the respect of/ protection of private property rights (land & water)

- Need to adequately protect private property in the face of increasing recreation and energy development
- Concern: there isn't enough water for the Roundtail Chub; it's important to link with the DRD; look back to intent of DRD (improving ecological conditions downstream while respecting private rights, water contracts, allocations, etc.)
- Roundtail Chub – unknown if they need more water or if we can use existing pools to manage them
- Consensus of one group: reaffirm that the ORVs need protected (*how* this should be done is where differences of opinion exist)
- Comfortable with goals and objectives, but can't assess how well they've been accomplished
- Disseminate Dolores River Corridor Plan Update with other downstream BLM/USFS offices (Uncompahgre & Grand Junction); prefer to disseminate rather than be controlled
- Water policy and decisions happening across the state affect the Dolores River and what we're doing here (i.e., if a recovery plan for the fish is ever mandated)
- Don't jeopardize private land owner water rights or values that are not included as official BLM/USFS-defined ORVs – these other values can be left out and should not be
- Need to add fishing as a recreational ORV or value

Feedback on #14 (dealing with Wild and Scenic Rivers)

- Range of opinion on Goal #14
- Focus on protecting ORVs reach-by-reach – that will result in tools more appropriate other than W&SR because the W&SR designation has baggage (namely federal reserved water rights)
- BLM should maintain suitability until an Alternative to W&SR is actualized
- Explore other options (other than just W&SR) such as leasing as allowable under Colorado water law
- The suitability standards will stay if the Working Group does not generate ideas on alternatives
- If BLM has been following the 1990 Plan up until now, and the quality of the river today is still high, and the W&SR status has been protected through management, it seems like the W&SR, the rivers topography, and the 1990 Plan have been effective in protecting the W&SR values
- One person wants the continued protection that suitability for W&SR ensures
- Need something that is flexible, by reach...maybe not W&SR throughout (question: can you have some kind of W&SR river designation with gaps in it?)
- Federal legislation offers consistency over time in the priorities for guiding management
- #14 – can't support or not support until after Dolores River Working Group is finished; we can reaffirm support of ORVs and a variety of other values

Input Specific to Other Goals/Objectives

- #6: Sounds interesting and forward thinking...want clarity on what it means
- #6 is also an opportunity to maximize or leverage outcomes in coordination with regional efforts
- Regionalized context (#6) – Why is this here? What does it mean?

- Goal #7: The fish pool in McPhee is a large right and should be acknowledged – Input: do not use the word “maximize” – should focus on utilizing what’s there or maximizing the already available water to help protect ORVs
- #7 – suggest change: maximize availability of “managed” water rather than “impounded” water
- #7 suggested wording: “Maximize recreation and ecological benefits from fish pool and managed spills”
- On #8: reword to say “BLM shall provide recreational opportunities year-round”

6) Are there any additional thoughts or recommendations your group would like everyone to consider related to property owners and property rights?

Note: These statements are written as suggested policies, tools, strategies and actions as per small group work. None of these represent a consensus at this point.

Note: There is additional feedback regarding this question in other sections.

- Institute a policy around scenery that ensures property values are NOT lowered (issue: if a land owner can’t build because he/she has to protect people’s views, then values are impacted)
- Policies should be flexible to deal with individual property/ies
- Respect for private property rights; plan should not harm these rights (suggested as a guiding principle of the Plan)
- Control wildfires to protect mineral lease property values
- Valid existing rights should be honored, preserved and protected – and this should be stated specifically in the document (and legislation if legislation were to occur)
- If W&SR is designated, take out provision in W&SR Act prohibiting changes in use on private land, subject to applicable Colorado land use regulations
- Review the Sept. 12 Slick Rock field tour notes that provide more insight into these issues (*available from Marsha and on the Web site*)
- Access should consider what is proper for the environment, not just ownership boundaries
- Consideration of any future protections should not jeopardize access that currently services private land owners or private property rights
- Slick Rock launch site: BLM should consider defacto management lease for private land used publicly and should divert recreationists to another location away from private land
- BLM should respect autonomy of local government planning and zoning and should not encourage zoning against development on the river as included in the 1976 Corridor Plan
- BLM/USFS and county should enter into a MOU with each individual land owner on future management and zoning (at the initiative of the land owner)
- Use of voluntary conservation easements for willing sellers/buyers is a tool that the BLM should support

7) Are there any additional thoughts or recommendations your group would like everyone to consider around water issues?

(Note: These are written as suggested policies, tools, strategies and actions as per small group work. None of these represent a consensus at this point.)

- Listing for threatened or endangered species such as the Roundtail Chub should be avoided; the relevant players should explore ways to address this issue
- Utilize existing (river) pools to address those needs
- Explore leasing water from willing rights owners in accordance with Colorado water law
- Consider base flow management, spill management, and leasing from willing rights owners in accordance with Colorado water law
- Prioritize downstream needs; rafting/recreation shouldn't necessarily be the priority every year – prioritize through a public process
- Protect valid existing water rights
- Management of water could be balanced between releases for rafting and releases for fish/ecology
- Consensus by one group – ecology should take precedence over rafting
- Institute as many flushing flows as the hydrology (i.e., water availability) allows
- Need to have some spill every year, no matter how small
- Water issues need to be addressed within the framework of Colorado water law and adjudicated water rights, and allocations out of the Dolores Project
- Do not harm conditional water rights holders (they could be potentially harmed by a W&SR designation)
- Improve fish habitat for lower downstream flows through large woody debris (toss the large debris caught by the dam into the Lower Dolores)
- Institute a Federal Reserved Water Right because it is a good protection tool
- Two water protections in place: the Fish Pool and the CWCB in-stream flow right (support for these tools)
- Could build Plateau Creek or build a bigger dam for more water storage (this stored water could be released at key times to help the downstream ecology and fish)

8) What are your group's specific thoughts on how oil and gas should be managed in the Lower Dolores River Corridor?

(Note: These are written as suggested policies, tools, strategies and actions as per small group work. None of these represent a consensus at this point.)

- There should be different tools used for each reach of the river: 1) Dam to bridge at Slickrock – no drilling in the corridor, but don't see a problem with drilling above the rim with directional drilling, and 2) Slickrock to downstream – set a buffer from the river a half mile or so
- Regarding drilling....the alternatives suggested are: a) one should not be able to see rigs/wells on the rim from the river – visual impacts should be avoided; b) consensus of one group: NSO (No Surface Occupancy) stipulations should be maintained ¼ mile (from the rim?); c) NSO stipulations – should be a buffer around river depending on ecological, visual, environmental conditions; and d) no changes...manage just like it is managed now
- Input: the group needs some clarification on the definition of "corridor" for the purpose of NSO stipulations
- Withdraw all minerals in the corridor while honoring existing lease rights
- Do not withdraw all minerals because there could be future economic opportunities

- There should also be no exploratory activities taking place in the corridor
- Manage uranium impacts/opportunities as well
- BLM policies should be put in place, including best practices, that avoid fracturing and drilling disturbance to ground water
- Propose that mineral extraction only be allowed in extreme situations, with no surface occupancy
- No new roads in corridor

9) Does your group have any input on grazing issues or management?

(Note: These are written as suggested policies, tools, strategies and actions as per small group work. None of these represent a consensus at this point.)

- The policy should be to generally support grazing as it is occurring now and continue this use in the corridor
- Grazing should not be detrimental to riparian community
- The implementation should be left to range specialists and grazing lease holders
- Encourage best management practices and maintain proper functioning conditions
- Emphasize winter grazing rotation in lower river – reach 4 & 5
- The Plan should have a preamble about grazing and its contributions to the local economies and to the area’s “Western heritage”

10) Are there any other protection tools related to the ORVs and the corridor in general that your group would like the Working Group to think about as we move into the final stages of this process?

(Note: These are comments given at the small groups. **There are additional ideas and input in other sections.**)

- Use management tools specific to different reaches of the river
- Protect existing users – protect from being shut down and also from being over developed
- Need a big picture tool that “holds the corridor together” – special management around NCA
- A legislated community-based plan seems like the solution
- One group: interested in a community-based legislated plan for the Dolores – there are concerns and caveats, but a very productive discussion
- Needs to be local control of any “special tool” or “legislation” – watch for it being high jacked from those outside the community
- Question: “What are we trying to protect against – what are the threats?”
- Some ORVs are not directly dependent on federal reserve water right, so look to other tools
- Special management area – rethink ORVs in relationship to segments – manage each reach a little more specifically – use legislation
- Need more science to determine how much water is needed to support ORVs
- Need to review existing science on water as necessary

- One group: final analysis & consensus on Dolores River Corridor Special Management Area – use this SMA to remove Dolores River from W&SR river suitability
- Want education on other, non W&SR possibilities
- Need long-term protection
- Source water protection plan and watershed planning effort(s)
- Long term tool: use Theme Level management suite - Theme 2, appropriate emphasis on leave like it is/minimum human impact/natural focus

11) Are there any other issues or concerns that have not been addressed in the discussions to date that your group would like to discuss?

(Note: These are comments given at the small groups.)

- Not ready to reaffirm W&SR until versed on other federal protection options
- Missing many values because we are focusing on “official” ORVs – we are missing recreational fishing, OHV, private land owners, and hiking in other canyons - this could skew management to not protect these important values – could add these in Opportunities and Concerns - 1990 Plan does not focus on ORVs exclusively
- Recreational facilities from dam to Bradfield Bridge - no boat launch at dam – decommissioned campground should be reopened
- Hiking trails, ATV or horse trails – do we need more?
- Travel Management Plan – what is the current plan for travel management? Right amount of trails now
- Traditional Ute management practices need to be considered in management
- Introduction of condors
- Keep grizzlies out
- No wolves either

Attachment G

Write up of Small Groups' Answers Re: ORVs and Other Issues

12/10

Note: This Summary Document includes all data from the small groups so there is repetition in some answers. There were between four to five small groups active at each meeting from August to November, 2009.

Reaches 1 and 2 – Management Questions
Small Groups Exercise – Combined Answers by Question
8/21/09

Overall Management Goals & Objectives

- Upgrade on-the-ground conditions for management
- Roundtail Chub is a prime example of conditions that may have changed
- Does timing of fish surveys affect results?
- Having a way of assessing how management goals are being implemented – are they successful?
- Use other resources like non-profits, etc. to help fund management – find other partnership
- Use outside resources to fund research
- We think many are ok, but perhaps need more specific action steps – don't need to start over for plan
- But, we felt that we need to get this stuff in advance so we can think about it and have it in front of us – can we revisit in a future meeting?

Reach 1: (diverse thoughts that do not represent consensus)

- Underutilized by recreation users
- Perception that it is a poor fishery
- Could bring more water
- Allow wildland fire
- Pursue acquisition of private lands, provided willing buyer and willing seller
- Actively manage elk winter range for wildlife:
 - Manage fields for wildlife feed
 - Use water rights to manage for wildlife
 - Currently nothing to keep elk there
 - Cost share with farmers to plant elk food crops
- Manage as a sustainable wildlife corridor

Reach 2: (consensus)

- Actively manage fire in ponderosa:
 - Control doghair ponderosa
 - Use prescribed fire
 - Prevent catastrophic fire
 - Use cattle as a tool to control fine fuels

1. What should be the role of wildland fire within the river corridor?

- Thorny issue – need more data
- What is current management for ORV?
- Reach 1: range land fire is a good tool for regeneration – use where it makes sense as a management tool

- Reach 2: controlled burns or other mitigation to benefit the ponderosa, which needs fire to reproduce
- Reach 1: protect structures, otherwise let it burn
- Reach 2: prescribe fire, avoid catastrophic burn
- Protect Structures in Reach 1 (consensus).

2. How should the ponderosa pine be managed within the river corridor?

- If ponderosa's burn, is it still scenic?
- If they do prescribed burn, is it still wild?
- Managed to maintain this feature
- Make sure target shooting is not happening down there
- Use fire in some way to help them regenerate without burning them down
- Ensure periodic burn; weed management

Reach 1:

- Controlled burn
- Managed fire
- Protect recreational values
- Protect scenic values
- To enhance wildlife habitat
- Protect private property
- Protect archeology
- Protect cottonwoods

Reach 2:

- Use fire to control danger of catastrophic fire due to dog hair ponderosa and sustain and enhance the unusual/relic populations of ponderosa
- Let it burn under the right conditions
- Consider burning after mechanical treatment (thinning)
- Protect archeology

3. Should there be any additional recreation opportunities in any of the existing sites?

- Longer season for Ferris & Cabin recreation sites (after Labor Day through the end of hunting season)
- None needed
- Bradfield: maintain presence during boating & hunting seasons; education over enforcement; public play area at bridge (CDOW site); put-in at Metaskas site to accommodate day trippers
- Reach 2: appears adequate; designate campsites/capacities; some active management (poison ivy control)
- Reach 2: designated sites; voluntary sign-ups; specific reaches (Coyote Wash, Slick Rock WSA)
- Some suggested: yes, as public use demands, i.e. let usage dictate

- Some in the group would prefer to see single, dispersed campsites available, but with regulation to emphasize common sense
- Agreement that these sites actually get little use

4. Should the Bradfield launch site be permitted?

- Very difficult to permit due to uncertainties associated with flows
- Permitting could help pay for rescue
- In general, no good reason
- Hard to do – timing is an issue
- Over saturation is a reason to do – many people monitor it themselves
- Probably doesn't make sense, but education is important – encouraging people to sign in and note where they plan to camp
- No – concentration DS or Coyote Wash
- Agreement that the rafting industry needs to be consulted
- Agreement that not until demand dictates
- Agreement that the fact that it is not permitted represents one of the outstanding values of the Dolores

5. Do we have the appropriate mix of outfitters and guides to meet public needs?

- Yes – consensus
- Yes – no need for more, no need to promote more commercial to come in
- Yes – concentration DS or Coyote Wash

Various views:

- Yes
- Do as the market dictates
- Might need to limit use in order to protect campsites

6. Should there be reserved campsites on the river during rafting season?

- Have a few campsites for commercial use that are or can be reserved – or maybe are designated for commercial use
- How to do this without permits - first come, first serve
- Encourage small groups not to take large sites
- Education is important – have a place to sign in and write what camp site they will try for
- Include a map that shows sites and size
- Reach 1: No
- Reach 2: Yes (see #4 comment) applies to Coyote Wash & Slick Rock WSA
- Could do – perhaps only sites for commercial groups – agreement: reserved campsites are needed for commercial groups
- Employ signage for large campsites: e.g. “if nobody is here by X o'clock its yours, otherwise you must give it up”
- Depend on honor system

- Will need enforcement

7. Is there a threshold for use that, if we approach or exceed, we would need to implement further restrictions for use? What thresholds and restrictions?

- Degradation of the natural environment is threshold
- Trashy camps
- Saturation per BLM management guides for assessing campsites
- If campsites exceed a certain level of saturation, then a permitting system might be needed
- Use is short in a year and not always every year, so hard to figure out a way to change management
- Threshold has no predictability – hard to pin down
- Archeology and litter should be considered when thinking about thresholds
- 10 groups per day plus use days
- 20% of use season or number of launches per day
- If exceeded: potentially restrict permit, designate camps; voluntary sign-ups; no small groups at large sites
- Monitor and evaluate – baby steps
- Use biology to determine – indicators could be:
 - Reach 1: salient values (fishery and cottonwoods)
 - Reach 2: ponderosa, scenery, ecological baseline
- Weekend permits only
- There was lots of conversation regarding the fact that climate change may cause the volume of water to decrease while population pressures are causing demand to increase

8. Are there management activities we need to implement to support a cold water fishery in these two reaches?

- Get the water – through basins – augment minimum in-stream flow
- Nutrient problems – study to determine cause and solutions
- Support Dolores River Dialogue and incorporate these findings into ID team
- Think about temperatures from releases at different levels of the dam, but don't let invasions out of the reservoir
- Put more emphasis on Reach 1 as cold water fishing
- Consider more fish habitat improvements
- Cooperative management – re-visit objectives
- Add big pile of H2O
- Temp/Nutr/D.O. work
- Habitat (sediment)

Reach 1 (ideas, not consensus):

- Get more water
- Implement flushing flows
- Create real pools

- Reduce nutrients/algae growth
- Roundtail Chub should not be an ORV in reaches 1 and 2 (too cold)
- Agreement: keep Reach 2 : “no motor vehicles”

9. How do we cooperatively fund invasive species inventory and treatment?

- Use other groups
- Use outside means
- Be more flexible in management
- Be more flexible in budgeting
- Incorporate other people’s work: graduate students; Tamarisk Coalition; Walton Family Foundation; unlikely partnerships
- Coordinated effort already underway, but emphasis on land agencies working with DOW and others
- BLM needs to try to acquire more funding
- Tamarisk Coalition, DOL Tamarisk Action Group, other volunteers (Fort Lewis): inventory, abatement, leverage other efforts
- Engage counties, but the canyon is not a high priority for them
- Work with CDOW
- Force bureaucracy to manage \$ and opportunities better: an example was cited of bureaucratic procedure/rules interfering with ability to spend funds on control of invasives

Overall, what protection tools might be recommended in these reaches?

- Leasing water for cold water fishery
- Support augmenting the minimum in-stream flow
- Budget money for monitoring
- Legislate conservation area that would preclude Wild & Scenic and Federal Reserve water right
- Opinions that the above would never fly in Montezuma & Dolores counties
- 1990 plan is doing a decent job
- Concern that designation is not a protection tool
- Concern that without designation it will not be well protected
- Need for special management designation to get long term protection
- Don’t want to see people lose the right to be on public lands
- Tools should be put in place now before population increase puts too much pressure
- Balance – protect what’s there without losing it
- Reach 1: DOW management for wildlife is a good protective tool – continue to manage for recreation
- Reach 2: some thought Wild & Scenic appropriate here, but others thought that it self protects due to topography Comment: CDOW is doing too much trapping of mountain lions.
- Archeology: (consensus) fund better and staff better; use “Volunteer Stewards:

- Roundtail Chub (various views)
- Shouldn't be ORV for these 2 reaches
- Transition zone
- Allow unlimited take of Brown trout
- Some legislative protection

**Reaches 3 and 4 – Management Questions
Small Groups Exercise – Combined Answers by Question
October 19, 2009**

REACH 3:

1. How should the Dolores Overlook site be managed?

- Keep if open – maintain current management
- Bathrooms need maintenance (Al thinks bears tear down the fence)
- If there are concerns about cattle, fencing could be modified
- Interpretive sign would be fine - of river resources
- Maintain site as it currently is
- Consensus that it is well managed
- A geologic interpretation would be nice – could be used by school groups for service projects such as minor cleanup, etc.
- 6 out of 9 group members have visited this site
- Not very visited
- Signage to overlook through the County Roads is not very good or clear - needs to be improved
- Might need restrooms, once you are out there
- Interpretation would be good
- Same as it is now – open to off road vehicles, hunting, recreation – a few signs – people picnic there
- Nasty road when wet
- Consensus: no concern to change management

2. How should the Box Elder Campground site be managed?

- Concern about an old music event being shut down – due to a fee and number of people
- Fees and management should not preclude local historic community gatherings
- Is local government a filter group to help with appropriate use?
- Still needs to be some framework of numbers, but we aren't sure how to frame it
- See problem with enforcement
- Negligible fees, especially for non-profit events/organizations
- Doesn't make sense to have a boat launch there
- It is well used
- No fee is good

- Bathrooms are good
- A lower use site
- Used a lot seasonally (bluegrass festival in July)
- Good site: not very impacted
- Nice composting toilets - they are a definite improvement
- Pretty clean
- Good self-policing by users
- A campsite had begun to be developed some time ago downstream - what is the status of that site?
- Group did not feel that the Box Elder Campground reached full capacity very often
- Consensus: signage to get there is good
- Consensus: fees not appropriate now, but donation box could be placed
- Some suggested that special designation could bring additional management dollars - some disagreed, having observed fees being implemented as a result of special designations in Arizona
- Improved parking through area – at campground and put-in
- Access problems so under-used
- Starting point for 4x4s and rafters, and mobility in the area is difficult

3. How should the 4x4 road/trail along the river from the Pump Station to Slickrock be managed?

- From the pumps to the county line is Dolores County road and they don't intend to close
- Confusion about portion in San Miguel County – is it officially abandoned or is it just not maintained?
- Ernie thinks that beyond the closure should be open to 4x4, but doesn't need to be maintained
- Concern about how the motorized use will impact the sheep lambing period and concern that users are not complying with the closure as is
- Question about the time of the closure – is that the right time – why do sheep need the closure – would through the 15th of April be enough?
- Use of road, especially if it is maintained for full size vehicle use, may be detrimental to river corridor
- Road is a piece of infrastructure that should be kept – OHV community likes to use this road
- Seasonal closure – no change
- Great fall color drive that can't be accessed by boaters
- Might need to monitor current level of use to see if damage is occurring – close road if ecological damage is occurring – science first
- Maintain road along river as it is now
- Dolores County maintains to 1 mile below Snaggletooth
- San Miguel does not maintain
- Dolores County would like the road to be maintained all the way through
- Crosses river 3-4 times

- Getting really bad in some places
- Some people ride horses down there and Al Heaton brings guests down
- Lots of mountain bike riding
- Consensus: seasonal closure is a positive thing - used to be controversial with locals, but they have settled into it
- Road represents some economic potential for Dove Creek
- Concern about closing to motorized
- Non-motorized has more opposition than motorized
- Should be some motorized
- Consensus: keep motorized to point it is today - do not improve the road
- Some suggested that it could be shut down by Scenic Eligibility classification if San Miguel doesn't want the road
- Others pointed out and felt that it is not incompatible with rafting and the scenic values in the reach, as you cannot see it from the river
- Partly County Road until you get to San Miguel Road
- Closure past Snaggletooth seasonally – no maintenance at all in S.M County – abandoned
- Section in Dolores County – do they maintain it?
- If it's recommended closed seasonally it should be safeguarded by signage and/or surveillance, especially if the reason for closure is lambing – also should be closed to camping
- Point made about if the road should be able to be used for river emergency
- Counterpoint – road is not needed for rafters
- Low disturbance because of rafters in recent drought, but vehicle access could still be causing disturbance to lambing
- Signage and enforce current closure and add camping
- We can't make a rule we can't enforce
- Do rafters need that camping?
- Most rafters do this section in one day
- Summary: seasonal closure split between views; a) all closure for camping, biking, vehicles; b) all motorized traffic

4. How should camp sites along Reaches 3 & 4 be managed?

- Pack out what's packed in
- Rafters are very clean and respectful in general – implement stricter rules about trash, waste, etc. – most rafters are pretty good about it already
- Boaters feel self-policed
- No need to designate camp sites in these segments
- Be respectful of private property (Reach 4) – do owners want coordination with BLM for signage? – boaters should know where boundaries are – maybe BLM can help
- Signage at put-in for river etiquette
- Not that much control over how people camp
- Signs at campsites are not good – ranger/BLM gives out better information
- Continue to manage as primitive campsites

- Manage as demanded by use - when level of use justifies, when conditions warrant a change, adjust management
- Watch for thresholds laid out in the 1990 Plan
- Manage the people, rather than closing the land off with Wild and Scenic
- Some feel that Wild and Scenic will bring in so many people that you will then need a permit system
- One member observed that the number of campers at Bradfield Bridge increased hugely after the last round of Wild and Scenic hearings
- Need to find middle ground in order to maintain values
- Permit system would make it locals only, because of lack of predictability of flows
- Is designation a good way to go - doesn't it suggest that BLM is not doing a good enough job at managing - it would be better to stay off the radar screen as long as possible
- Currently, the only thing protecting archeological sites is the lack of visitors to those sites (member cited the Grand Canyon analogy)
- Put more people on the river to help patrol (more support for Ranger Rick, who is just 1 person)
- Cross-train staff to do their jobs AND patrol the river when they are out there
- Continue current management

REACH 4:

1. How should BLM/FS interact with private land owners to manage the Slickrock boat launch?

- Semi's and oil trucks are a bigger problem than rafters, but they sell water to trucks
- Responsibility for BLM to address private land owner's concerns – maybe money to manage
- Maybe BLM pays for signage
- Accommodate land owner concerns, but try to keep it open
- Many people think it's a "rest area" and think that CDOT owns it – maybe they need to be involved as well
- Put launch site on BLM land, either upstream or downstream
- Purchase land or land swap
- Launch at boat ramp, but move parking somewhere to BLM
- Restraint area could be an alternative launch – different land owner
- Landowners are threatening to shut down - they are "sick and tired" of managing it
- BLM should actively look at leasing or buying the put-in site
- BLM should offer fair market price
- Acquire at fair market value - could include language to this effect in any legislation for special designation
- Impacts to the site are coming from motorists - maybe CDOT should manage the site
- BLM should investigate a joint lease with CDOT

- Consensus: BLM should actively pursue a permanent access point with willing landowner or on BLM land - BLM should help ensure that waste, etc. is managed appropriately
- One member recalled that the 1990 Plan specified that BLM (or BOR) should acquire the site
- Doesn't seem like a concern if the private owners close it
- Encourage BLM to set aside money to compensate land owners, possibility of leasing to BLM (example of similar situation: Access Fund)
- Also idea of moving put-in/take-out to BLM land
- Problem remains if BLM leases that if it's not fenced then BLM could encounter some non-rafting season impacts

2. How should BLM/FS interact with private land owners to protect private property values?

- All private property rights should be respected
- BLM should rule with land owners regarding rafting
- Concern that W & S can take away rights of private property owners – condemnation clause, property value
- Al has concern that mining and resource values should be managed some way other than W & S – he doesn't think that Reach 4 to the first private land is eligible – but if not W & S then what? – long term protection is important
- Ernie – if we don't come up with our own plan then we will be handed a plan
- Ernie – Reach 4 managed for recreation
- We don't have agreement
- If W & S is not the tool then what is? – need to have a tool that still protects ORVs
- Don suggested a spectrum of tools along the whole river
- Amber was concerned that management should be consistent
- Legislation specifically crafted for the river could be palatable to the group – look to current management plan – if something was put in place that was similar, then not a bad idea
- We see a need to specifically tailor special legislation to this area
- Access – private property owners should have access to their property, however, access is a travel management plan issue
- BLM should have authority to enforce rules to prevent impacts such as human waste management
- More information at boat launches about where private land is – stay on river through private land
- Cole Crocker Bedford, who is a private landowner along the river below Slickrock, presented the group with a list of suggestions in response to this question. The group then began to discuss Cole's concerns and written suggestions.
- Coles first and second written suggestions were that BLM should:
 - Include a standard and guideline in the corridor management plan and in the RMP to allow vehicle access to private lands over historical

- routes. Grant an easement if landowner agrees to improve the access when and if that improvement is needed for residential access.
- Include a standard and guideline in the corridor management plan and in the RMP that promises that they will not assert that a bridge across the river will affect the Outstanding Remarkable Values on the river.
- Cole feels that road access restrictions are a problem because they affect the value of private property. He asserts that for the BLM, topography is not accounted for when it comes to granting “reasonable access”.
 - Some agreed that BLM should provide reasonable access in a manner that minimizes impacts to ORV’s and the landscape. Others noted that they would like to hear from BLM why they wanted otherwise.
 - Feds should acquire lands at fair market value. Coles 3rd and 4th written suggestions were:
 - Include a standard and guideline in the management plan and RMP that promises not to condemn trail access or scenic easements and promises to consider the value of privacy to the private property owner.
 - Corridor Management Plan and RMP should encourage BLM to acquire riverfront lands from willing sellers via trade or direct payment and value these lands as if historical access routes were legal access easements.
 - One member pointed out that if legislation is sought, you can address these specific issues within the legislation, e.g., you can put “no condemnation” in the legislation.
 - Cole pointed out that, if the language is not incorporated into the local BLM plans, the chances of such language staying in any legislation through the “sausage making” process is very low. Other members acknowledged this point.
 - Cole suggests inclusion of “from willing sellers only” language into the Dolores Management Plan, whether or not there is any legislation.
 - David pointed out that BLM only makes the plans. It does not draft or dictate legislation.
 - Consensus: group comfortable with language in 1990 plan: “acquire only from willing sellers”
 - Cole asserted that a 1976 BLM plan (Wild and Scenic Recommendation) suggested that BLM seek county zoning to protect the river. His 5th and 6th written suggestions were:
 - Include a standard and guideline that federal appraisals will assume county zoning and ordinances as of 2004 – prior to the most recent W&S Eligibility Assessment.
 - BLM/USFS should not take action that encourages the county or state to zone against development along the river.
 - Discussion began on this point, but the group ran out of time for further discussion of Cole’s 2 remaining proposed ideas in answer to this management question.

- Why should this reach be considered W & S? – because of private property
- This section is deemed recreational
- Proposed that the private land be left out completely of W & S designation
- We want to see what impacts of W & S on public land would have on adjacent private landowners
- Can the language of the designation be customized to protect private land values?

Overall, what protection tools might be recommended in these reaches?

- Maintain current levels of protection at least
- Some support for improvement of current ecosystem
- Keep travel management in travel management
- Don't mess with private property
- Consensus: better management of flows to improve ecological system
- Permanent protection of river
- Consensus: Tamarisk removal is getting positive results – continue efforts
- This is the opportunity for local people to craft a plan for the best management of the river
- Big Gyp BLM put-in should be kept viable to function as is, but the closure of Slickrock could put a lot of stress on the area
- Sustain the no surface occupancy for mining
- Designate the BLM Little Glen Canyon land as Wilderness River miles 52-55
- Leave private land out of designation – also research how adjacent property will be affected
- Physical protection during seasonal closure (gate) to prohibit motor access and camping
- Recommend that the S.M. County road that has been abandoned and now managed by BLM be closed permanently to all motorized
-

**Reach 5 Management Questions
Small Groups Exercise – Combined Answers by Question
9/21/09**

1. Similar to all reaches, should the outfitter and guide permits have reserved campsites?

- First come, first served, or designate one camp in each for commercial trips (no consensus)
- Is this a non-issue? Not much guiding and outfitting
- Very limited campsites
- How can we enforce?
- First come, first served most practical
- Yes, might help organize and address issues
- Since they have to have permits (to launch) anyway
- How can you enforce?

- Educate private parties with signage
- But a lot more bureaucracy – enforcement is a challenge
- How about “preferred campsites” versus assigned? (use signage to indicate)
- Wait until it’s a bigger problem and solve it then

2. Should we withdraw lands in the Dolores River Wilderness Study Area from mineral entry?

- No, surface occupancy stipulation should be enough
- Range – need oil – NSO working
- Stick with NSO and BMP’s because we need the energy (some agreement)
- Others: prefer withdrawal, but NSO good as long as stipulation cannot be waived
 - Volume of gas is small
 - Focus on energy alternatives
- Geology restricts anyway - don’t really know what volume/value is there - don’t trash the place

3. Should the Big Gypsum recreation site be maintained as is, improved, or decommissioned?

- Need sanitary facilities, otherwise no improvements – also, better management of weeds in recreation site
- Decommissioned is unrealistic
- Better maintenance – trash issues
- Improvement – better maintained
- Don’t decommission
- Don’t know much about site
- Best access to river in area
- No strong need for improvements – don’t improve because detracts from values
- Is it not meeting demand?
- The actual put-in ramp is very small - consider adding another put-in

4. How should the Dolores office coordinate river management with the downstream offices?

- Should coordinate management plan so management doesn’t change when management boundaries are crossed
- What does “coordination” mean between districts?
- Already coordinated – needs more private land owner input
- By telephone
- Makes sense to change management at end of WSA (not in the middle)

5. If tamarisk is removed from the main Dolores and associated tributaries, how active should the subsequent restoration efforts be?

- Should be passive because it's in WSA, but water could be an active restoration tool to release floods to improve habitat for cottonwoods and willows
- Knapweed control and seed sowing
- Not many weeds upstream of Coyote Wash
- Passive – grasses and willow and cottonwood will come back
- Should be active, at least to restore grasses and prevent invasion by knapweed and tamarisk (general agreement)
- Be realistic: don't get overambitious – it's extremely challenging to manage plants
- Make an honest effort
- What do you do if the bugs get there first?

6. How should the illegal OHV access into the Dolores Wilderness Study Area be managed?

- Permanent posted signs big enough to see – most people may not know – are there multiple entry points? – physical barrier might help in Bull Canyon and Silvey's Pocket
- Physical barrier won't work or will block Suckla's
- Enforcement nearly impossible
- What is damage?
- "Actively discourage" illegal use – a few motorcycles already signed
- Education - don't let up
- Signage (although some have heard that signs routinely get removed)
- Start slow, don't get too heavy handed
- Figure out where they are coming from, although others added: this is obvious, they are using the existing old road

7. How should the cultural sites currently being impacted from rafters be protected?

- Recommend that Shoman Cave be day-use only – signage at major sites – visitation ethics posted at launch sites and registered – closing some social trails
- Remote sensing?
- Wild & Scenic – more damage, more people
- Spill – more people
- Education/signage/peer pressure
- Small fence or barrier
- Brochure with outfitters and guidebook information
- Education
- Close camping @ archeological sites
- 1% of the people cause the problem
- Use low fence around sites to remind people to keep a distance
- Plant poison ivy, etc.

8. Should there be additional interpretation at Indian Henry's Cabin located in Bull Canyon?

- Need sign and history of cabin
- None of us have been there
- Yes, should protect and in favor of education about history of cabin

9. How should water managers balance rafting with flushing flows for management of other resources?

- DRD science recommendation for habitat restoration should be implemented on "big water years" over consistent 800 cfs for boaters
- Time with spawning better
- 800 cfs steady siltation is problematic
- 2000 max? Notification needed downstream
- Need to understand flushing better – what is the needed Q
- This is the basic issue that DRD struggles with
- Rafting is the priority (question raised: isn't management for fishery also a stated priority?)
- Keep science driving process
- Keep DRD effort focusing on this question
- Could re-operate under EIS if science supports
- BLM management plan is the wrong document to address this question
- General agreement: management focus should be changed to address not just rafting but also ecology - comment: this is just the reality

10. If you were granted one wish for the Dolores River, what would it be?

- Management plan is now good, with a few exceptions – would like to see plan more permanent – would like to keep 1990 Plan (not everyone wished)
- Leave alone, limit advertising
- Manage spills for ecological benefits
- Rafting remain informal
- BLM retain and improve management
- Keep it a secret
- Long-term protection
- Keep it as it is and has been
- Not so many tourists
- Provide access to most of the river – provides important recreation area for low income folks

Overall, what protection tools might be recommended in this reach?

- Existing plan covers a lot
- Can have too many rules
- Wild & Scenic interpretation would help (Roy Smith)
- *Use good scientific information
- WSA should be designated as Wilderness
 - already pre-scripted as WSA

- recommended for designation
 - language w/o federal reserved water right
- Water rights are contentious in Wilderness issue, so look a different direction
- General Agreement: the WSA/Reach 5 is worth protecting
- Current Goal = “Not more than 3 group encounters per day between users”
- Is it realistic to be that specific?
- Raising the profile brings more people
- If we don’t act, the area might get overrun with people in the future
 - Better to be proactive than to have to react to protect the resource
 - There are 2 sides to wilderness issue: impacts by use/impacts for people
- Limit use, but don’t need Wilderness: Wilderness = an advertisement (like the Monument)
- Personal observation: Monument did not increase use of Sand Canyon, etc.
- Personal observation: Monument did increase use on north end, around Pleasant View
- Question: are we currently under the 1990 Plan? Yes, although not all of it is implemented/enforced
- Is there a plan that can be enforced?
- W&S water language even less tractable than Wilderness
- Proposal: remove Suitability in Reach 5 and just focus on Wilderness designation; solve the water rights language to meet approval of water community and wilderness community - general agreement of group.
- Agree as long as something happens to protect for the future
- Group member strongly supports the idea, would be pretty much the same management as currently exists - concerns:
 - Prior and existing rights must be protected and honored
 - Grazing must continue
- Could live with suitability if knew it wouldn’t get designated as W&S (because of Federal Reserve Water Right)

**Lower Dolores Plan Working Group
Small Groups Exercise
11/16/09 – General Issues**

This section captures information from the small groups conducted at the November 16th, 2009 meeting. In some cases a question was covered in previous meetings but covered again. In other cases, the questions are new ones.

1. What is your input on the 1990 Plan management goals and objectives? Are there goals or management objectives missing from the current list?

- Add a goal that addresses the respect of/protection of private property rights (land & water)

- Don said if ORVs are focused on in reach by reach method then there will be other tools appropriate other than W&S because the W&S designation has baggage, and if land managers recognized the baggage they could be pushed to look at other options. Chris has heard about the baggage but doesn't know what it is. Don said federal rescue water rights. Chris said a panel would be good.
- We realized that there is a #14 and there is some disagreement about this goal. The recommendation from the Working Group is to replace #14 – that's what we're here to talk about. BLM should maintain suitability until an alternative to W&S is actualized.
- Goal #7: The fish pool in McPhee is a large right and should be acknowledged. Don doesn't like the word "maximize" – should focus on utilizing what's there or maximizing the already available water to help protect ORVs.
- Ernie said recreation shouldn't be on the top of the priority list – prioritize needs, i.e., maybe do flush & flow.
- Chester said there's no water for Roundtail Chub.
- Don – management of spill and base flow spill – use these charts for other purposes as well
- Amber – worthwhile to explore other options such as leasing if willing seller and as allowable under Colorado water law
- Look back to intent of DRD (respecting private rights)
- Roundtail Chub – unknown if they need more water or if we can use existing pools to manage them - Chester thought this should be addressed in goals, but lots of unknowns so we're not sure
- Sometimes the goals and management objectives are written with broad strokes and need to be implemented using common sense – being too specific with management objectives may prove onerous
- Consensus by group: reaffirm BLM's support for the inclusion of the Dolores River into the W&S river system – change language to say "protect the Outstandingly Remarkable Values" and remove "Wild and Scenic River System" language
- Energy development and increased recreation – adequately protect private property in the face of increasing recreation and energy development
- On Objective #8 reword to say "BLM shall provide recreational opportunities year-round"
- Regionalized context (#6) – why is this here?
- Pike Minnow River Plan – ESA recovery driving/determining releases out of McPhee Reservoir, which would be bad – threat to how dam is operated
- #6 is also an opportunity to maximize or leverage outcomes in coordination with regional efforts
- Consider what others are doing, but can't make planning too cumbersome by keeping all information and issues coordinated
- Disseminate DR plan with other downstream offices (Uncompahgre & GJ) – prefer to disseminate rather than be controlled

- Shauna – 10 team direction to compare ORVs on the Dolores River - must be compared to regional rivers
- Water being moved out of Upper Colorado River Basin and diverted to Front Range out of Green River – water out of Green River will put pressure on Pike Minnow and affect the Dolores River for recovery plan – basin roundtable/interbasin compact commission is where these issues are handled (Eric M. proposal)
- #7 – maximize availability of “managed” water rather than “impounded” water
- #14 – W&S 1976 report – can’t support or not support until after DRWG is done – can reaffirm support of ORVs and variety of other values
- Don’t jeopardize private land owner water rights or OHVs that are not included as ORVs – these other values can be left out or “lose them” because they are not ORVs
- #7 suggested wording: “Maximize recreation and ecological benefits from fish pool and managed spills”
- Need to add fishing as a recreational ORV or value
- BS: More info should have been put out about the 1990 Plan – increase awareness
- DV: Comfortable with goals and objectives, but can’t assess how well they’ve been accomplished
- #6: Sounds interesting and forward thinking but what does it mean?
- #4: CDOW would say that BLM does not coordinate with them
- Doug: So the basic reasoning for this process is to address #14 when you get past all the smoke and mirrors
- DV: Seems like the consensus is to protect, but “how” is the problem.
- The suitability standards will stay if we don’t generate ideas
- Doug: If BLM has been following the 1990 Plan up until now, and the quality of the river today is still high, and the W&S status has been protected through management, seems like the WSA, the rivers topography, and the 1990 Plan have been effective in protecting the W&S values.
- DV: Yes, but the W&S suitability standards were already in place in 1990. How can we continue that protection?
- BS: This plan addresses varying uses in each zone: not the same management the whole way through – need something that is flexible – does Wild and Scenic have to be the whole way?
- DV: No, doesn’t need to be the same – WSA was inventoried in the 1980s
- BS: Can you have some kind of river designation with gaps in it?
- DV: Yes, in other rivers I’m familiar with (New Mexico, Oregon) Wild and Scenic with different standards, and some reaches without W&S, but still with a management plan.
- The only thing you gain with legislation is consistency over time in the priorities guiding management.

2. Are there any additional thoughts or recommendations your group would like everyone to consider related to property owners and property rights?

- Public Plan shouldn't negatively impact values of private property
- Private property rights should be respected
- Concerning mineral leases, wildfires should be controlled to protect mineral lease property values
- Consensus by group: valid existing rights should be honored, preserved and protected – and this should be stated specifically in document /legislation
- If W&S is designated, take out provision in W&S Act prohibiting changes in use on private land, subject to applicable Colorado land use regs (clarify these land use regs)
- What restrictions does the W&S Act place on current or future uses of private land in each category?
- Sept. 12 Slick Rock field tour notes are complete
- Not that hard to resolve these issues
- Access should consider what is proper for environment, not just ownership boundaries
- Consideration of any future protections should not jeopardize access that currently services private land owner or private property rights
- Slick Rock launch site: BLM should consider defacto management lease for private land used publicly and should divert recreationists to another location away from private land
- Priority lease or diversion should consider minimizing environmental impacts
- BLM should help/support honoring private property rights – Slick Rock has “private property” sign, not “no trespassing”
- BLM should respect autonomy of local government planning and zoning – should not encourage zoning against development on river as included in the 1976 Corridor Plan
- BLM/USFS and county should enter into a MOU with each individual land owner on future management and zoning (at the initiative of the land owner)
- It could be easier to negotiate a better situation and reduce development on the river through individual land owner wishes – especially important in counties with limited or no zoning for long term protection
- Appropriation setup considered for conservation easements on private lands for willing land owners/sellers to protect conservation values
- CM: Dad sold 600 acres to CDOW when the dam came in – he kept 20 acres. I'm concerned that the USFS's VRM Class II will lower my property value: if you can't build because you need to protect peoples view...
- Group discussed and concluded that USFS could not dictate what Carol can do on her own private property. Situation with respect to valuation different than Cole's property, because of Cole's issue around access through BLM land.
- CM: land might be beneficial to sell or exchange to public lands – also has a water right

3. Are there any additional thoughts or recommendations your group would like everyone to consider around water issues?

- Water rights around the Roundtail Chub should be considered - ESA listing should be avoided (see question #6) – explore ways to utilize existing pools to address those needs and explore leasing from willing rights owners in accordance with Colorado water law
- Some said to consider base flow management, spill management, and leasing from willing rights owners in accordance with Colorado water law
- Prioritize downstream needs as there isn't always enough water to make them all happen, i.e., rafting/recreation shouldn't necessarily be the priority every year – prioritize through a public process
- Concern that if rafting times are shortened then may need to limit number of rafters
- Protect valid existing water rights
- Doing a fair job of water management
- Management of water could be balanced between releases for rafting and releases for fish/ecology
- Consensus by group: ecology should take precedence over rafting
- Need a spring flush for aquatic and riparian health, and for boating? – flows as far as possible when hydrology allows
- We need to have some spill every year, no matter how small
- Water issues need to be addressed within the framework of Colorado water law and adjudicated water rights – allocation out of Dolores Project
- Concern that federal reserve water rights would be “senior” to conditional water rights holder that would be potentially harmed by W&S designation
- Lease of water should be considered from both DWCD and MVIC or other water rights holders that are willing sellers – lease a solution for meeting federal reserve water right requirement of W&S
- Improve fish habitat for lower downstream flows – specifically the lower river is lacking large woody debris – toss the debris that is caught by dam into the lower river
- JD: Montezuma County is very concerned to protect private property as long as federal water rights are not a part of it, there's lots to talk about
- BS: Water is polarizing – a bit of a sticking point
- DV: What tool could be as good as a Federal Reserved Water Right?
- BS: Well, there are already two water protections in place: the Fish Pool and the CWCB in-stream flow right.
- CM: Dam improves river by keeping base flows in the river. It's in better shape now.
- BS: Pre MVIC diversions you would have probably had a little less water than what you see @ Dolores.
- DV: Have you all seen the water rights language in the Dominguez Wilderness Bill? What amount of water is necessary for ecological values – protect it through some other tool?

- JD: This is an important point. If we leave the quantity to be determined by the feds, that is a problem. Need to address the ecology; there will not be much support from Montezuma County if it's just focused on flows for boating.
- DV: How do we sustain what we have now?
- Doug: Fish Pool shares shortages?
- BS: Yes.
- DV: Is it enough water? I hear that it is not.
- BS: DRD is focusing on this question/issue.
- JD: Which fish?
- BS: Too much water may propagate non-natives.
- Doug: When the dam was set up was it set up for a fishery?
- BS: Yes, it was designed for fishery.
- AO: It was designed for trout fishery.
- Doug: Should manage water to benefit the largest # of people. Would like to see trout fishery expanded.
- DV: Be careful, because the "largest number of people" may be national.
- BS: If there is a shortage where do you get that water?
- DV: Rafters can ride bikes, but fish suffer in a shortage. Sounds like we still lack the foundation for a consensus. In 5 -20 years alfalfa may not be that big a crop in this area.
- CM: Yes, maybe we'll be growing houses instead.
- AO: I'm taking my facilitator hat off. The challenge seems to be: in the face of potential ESA listing somewhere down the line for the Roundtail, and in the face of W&S suitability, what are the proactive local solutions to protect the roundtail?
- Doug: Build a bigger dam.
- BS: Plateau Creek, but very expensive.
- CM: What are the problems facing the roundtail?
- AO: Best available information says flows (could be amount, could be timing), and non-native predators.

4. What are your group's specific thoughts on how oil and gas should be managed in the Lower Dolores River Corridor?

- Ernie - it's different for each reach of the river: 1) Dam to bridge at Slickrock – no drilling in the corridor, but I don't see a problem with drilling above the rim with directional drilling, and 2) Slickrock to downstream – set a buffer from the river a half mile or so
- Chris – if you can directionally drill for long distances then you should be further away from the rim
- Amber – you should not be able to see rigs/wells on the rim from the river – visual impacts should be avoided
- Consensus: NSO stipulations should be maintained ¼ mile!
- Need some clarification on the definition of corridor for the purpose of NSO stipulations

- Amber suggested mineral withdrawal in the corridor while honoring existing lease rights
- Ernie is concerned about the track record of BLM on this, and there was concern about the future ability to get resources
- Aside from no drilling in the corridor, there should be no exploratory activities taking place there either
- Ernie supports oil & gas as important income to the county, but doesn't want to see exploration and development in the corridor
- Uranium impacts/opportunities should be managed as well
- Buffer zone around corridor to protect ORVs from oil and gas or minerals – minimum of 500 feet set back from rim (exclude private land) – it's currently managed in 40 acre segments and there is currently a setback for scenic values – what is it?
- No new roads in corridor
- Some mineral withdrawal
- Some no mineral withdrawal
- Legislated NSO
- NSO stipulations – should be a buffer around river depending on ecological, visual, environmental conditions
- Slick Rock area NSO is well done
- Hydrologic connection to springs – need to be careful of fracturing and drilling disturbance to ground water
- Doug: Manage just like now: NSO. As managed now, directional drilling allowed.
- DV: Would prefer legislation to permanently withdraw, so can't be changed in the future.
- CM: What about uranium?
- Doug: Yes, potential. Could legislation do both? Legislate NSO (allow to access directionally), but withdraw surface?
- BS: But I'm not sure, because we don't know what minerals will be viable in the future.
- Doug: Yes, like potash. Could be really important in the future.
- DV: There is more than 1 potash deposit, but there is only 1 Dolores. In most cases wilderness (or legislation) does require mineral withdrawal. But the Wilderness Act allows entry in extreme emergencies.
- Doug: Propose that mineral extraction only be allowed in extreme situations, with no surface occupancy.
- DV: Could probably craft something legislatively.

5. Does your group have any input on grazing issues or management?

- Generally support grazing as it is occurring, particularly grazing management strategy is important to consider
- Grazing should not be detrimental to riparian community – Al Heaton's grazing on Crocker-Bedford's place is a good example of how to do this

- Leave it to range specialists and grazing lease holders – encourage best management practices
- Grazing management on river corridor has been managed fairly well
- Maintain proper functioning conditions
- Continue grazing rights within sound range management practices
- Emphasize winter grazing rotation in lower river – reach 4 & 5
- JD: Montezuma County considers cows to be an ORV.
- All: Some livestock managers are better than others (consensus).
- All: Maintain grazing (consensus) as long as adhering to standards.
- All: Keep for “Western heritage”.
- JD: Would like to see BLM include language guaranteeing that grazing will continue (no permanent removal via grass bank, as in the Monument of the Ancients).
- JD: Language in proclamation for Escalante might work.
- DV: Not much use actually.
- Doug: Used to be winter grazing.
- JD: Important to community and culture.
- DV: Yes, include statement in “preamble” reaffirming grazing.
- BS: USFS demanding higher standards for range.
- DV: Some adapt better than others.

6. Are there any other protection tools related to the ORVs and the corridor in general that your group would like the Working Group to think about as we move into the final stages of this process?

- Ernie thinks we should use management tools specific to different reaches of the river: 1) trail management – some places have access and some don’t, 2) protect existing users – protect from being shut down and also from being over developed
- Amber agrees with above, but thinks there should be a big picture tool that holds it together – special management around NCA
- Almost agreement, but concern that this could get out of our hands or hijacked by the outside world
- But in theory, a legislated community-based plan seems like the solution
- The group is interested in a community-based legislated plan for the Dolores – there are concerns and caveats, but a very productive discussion
- Fear that process could be hijacked by forces outside of here – would need to be local control
- Interest in maintaining a say in an alternative as it would fuel actualization
- Critical question is “What are we trying to protect against – what are the threats?”
- We have to remember that we’re here because of W&S process and we need to make sure that the ORV’s weigh into our discussions
- Remember that some ORVs are not directly dependent on Federal Reserve Water Right, so look to other tools

- Special management area – rethink ORVs in relationship to segments – manage each reach a little more specifically – use legislation
- Need more science to determine how much water is needed to support ORVs
- Need to review existing science on water as necessary
- Final analysis & consensus on Dolores River Corridor Special Management Area – use this SMA to remove Dolores River from W&S river suitability
- Look into special federal legislation besides W&S to protect ORVs. Where are there examples of this? Rio Grande? Cuchara?
- W&S concerns because of federal control – want to be educated on other possibilities
- Need long-term protection
- W&S: consider Wilderness study area, don't change current management of existing W&S, avoid private land, consider converting W&S to Wilderness area, but concern over federal reserve water right must be considered
- National Conservation Area (NCA): landscape scale management – different from W&S – does not include federal reserve water right and condemnation
- NCA language – tailored to each area, enabling legislation unique for each area
- Funding can be better for NCA – managed by National Park Service
- Local government/county ordinances work with private land owners to create interface for protecting ORVs and other values (OHV, private rights)
- Chester: source water protection plan – watershed planning effort
- Source water protection plan driving water sources – filed with CDPHE – five grants currently being used to create plan from Rico to Dove Creek
- Long term tool: use Theme Level management suite - Theme 2, appropriate emphasis on leave like it is/minimum human impact/natural focus
- DV: W&S protects against power lines and corridors and pipelines, so we would need to incorporate such protections into any alternative legislation.
- BS: SWCO is the recipient of many utility corridors. The reality is that saying “none” is probably impossible. Good sentiment to guard against it, but probably not realistic.
- DV: Legislation could protect against utility corridors.
- BS: We probably will need more. Many already known.
- CM: Transmission lines are worse than pipelines.
- DV: Probably could look at certain places that are more appropriate than others.
- Doug: Exactly what Bruce said: you need flexibility based on past or current use, instead of one general management for all. For example: the WSA can stay as WSA (not go to Wilderness because of water rights issues). Make Bradfield to Pumps a WSA (protect Al Heaton's right to trail cattle). Keep above Bradfield as Multiple Use.
- DV: Leave the river as suitable? If so, will have to rehash every few years. Like with WSA, only congress can remove WSA status. Only congress can remove suitability.

- The way suitability works: either legislate to transfer to Wild and Scenic designation (a few rivers have removed the Federal Reserved Water Right) – or take other action to protect ORVs. Could be Special Management Area by legislation, where you list the things you want to protect/maintain but it never becomes W&S (removes suitability).
- BS: Could you use SMA plan through RMP? Enact protection specific to uses?
- DV: The way I see it the Dolores is an outstanding part of the west. A 10-yr management plan is too impermanent, too subject to politics for long term protection. In my opinion, the only way to protect values is through legislation with a management plan.
- CM: Enough protection to protect, but leave flexibility.

7. Are there any other issues or concerns that have not been addressed in the discussions to date that your group would like to discuss?

- Not ready to reaffirm W&S until versed on other federal protection options
- We are missing many values because we are focusing on “official” ORVs – we are missing recreational fishing, OHV, private land owners, and hiking in other canyons. This could skew management to not protect these important values – could add these in Opportunities and Concerns. 1990 Plan does not focus on ORVs exclusively.
- Recreational facilities from dam to Bradfield Bridge - no boat launch at dam – decommissioned campground should be reopened
- Hiking trails, ATV or horse trails – do we need more?
- Travel Management Plan – what is the current plan for travel management? Right amount of trails now.
- Traditional Ute management practices need to be considered in management
- Introduction of condors
- Keep grizzlies out
- No wolves either

Attachment H

History and Current Management of the “Snaggletooth Road”

Ann Oliver, Lower Dolores Plan Working Group, Project Staff

The “Snaggletooth Road” begins as Dolores County Road 10.00, which originates about a mile east of the Dove Creek Municipal Airport, heading north from the H.00 Road. County Road 10.00 enters the West Branch Canyon and follows it down to the Dolores River, where the Dove Creek Pumps and the Boxelder Campground are located. It then heads north along the west side of the river to the San Miguel/Dolores County line. Dolores County claims the road as a County Road for its whole length and maintains it in its Maintenance System. At the San Miguel/Dolores County line the road becomes San Miguel County Road 14F, and continues north along the west side of the Dolores River for 2.4 miles. This 2.4 mile section is maintained on a maintenance schedule by San Miguel County.

In 1999, responding to a request from the BLM Area Manager at the time, San Miguel County formally vacated a portion of their Right-of-Way for CR 14F, beginning at the 2.4 mile point and ending at a point 4.8 miles north of the San Miguel/Dolores County Line. (map available upon request). By this resolution, San Miguel County vested “all of [San Miguel County’s] right, title and interest” in the United States of America as the owner, and excluded that portion of the road from the San Miguel County Road Maintenance System. The vacated portion of CR 14F is 2.4 miles long. San Miguel County now considers this vacated portion of the road to be entirely under BLM management.

San Miguel County road maps suggest that San Miguel County has never recognized the 14F road as continuing all the way to Hwy 141. The county recognizes CR 13R (which intersects CO Highway 141 east of Slickrock). However, based on current information and county road maps, County Road 13R ends at the James Ranch private property, and therefore does not access the river.

Currently, the road continues beyond the 2.4 mile mark through San Miguel County as a BLM route. However, the Dolores Public Lands Office does not maintain this route: the canyon often slumps and slides over the route and the route does not access any residences, private land or mining claims; therefore, in the DPLO’s assessment, maintaining the road would not be an efficient use of taxpayer funds.

According to OHV recreationists, the route crosses the river five times, all on bedrock (some or all of these may be on private land according to Rick/Clint). The Dove Creek BLM 2001 Surface Management Status map shows the route climbing out of the Dolores Canyon downstream of Joe Davis Hill, and becoming the N14 Road (DeLorme Gazetteer) that eventually joins up with the 16R Road (DeLorme Gazetteer) and exits to CO Highway 141. According to OHV recreationists who use

the road, it is also possible to exit to Hwy 141 on the west side of the river canyon, via the Spud Patch.

Since 1990 there has been a seasonal closure of the BLM route to “casual vehicle use”, established under the Dolores River Corridor Management Plan (p. 32). This closure begins approximately 1 mile downstream of the Snaggletooth Rapid and extends to a point approximately 1 mile upstream from Disappointment Creek. This closure occurs every year, from February 1 to June 30. The purpose of the seasonal closure is to control vehicle use that “may disrupt habitat for fish, desert bighorn sheep, and peregrine falcons along this stretch of the river,” as well as “detract from the solitude and naturalness valued by boating recreationists.”

DRAFT Lower Dolores Plan Working Group Recommendations for management of the portion of the route under BLM’s jurisdiction:

- The Lower Dolores Plan Working Group agrees that the route from 2.4 miles north of the San Miguel/Dolores county line along the river to an exit to Highway 141 [LDPWG may want to consider whether a viable exit through public lands does exist – if not, may want to consider/include any private landowners’ concerns] should remain “open” for recreational use (although it might also be used for certain other uses such as cattle driving and emergency services).
- Further, the group agrees that the current level of maintenance of the road (i.e. none) is desirable, and that the route should not be improved.
- However, the group recommends that the BLM adopt specific criteria to guide when active management of “problem spots” along the road should be initiated (e.g. eroding river banks, spur routes/trails forming, impacts to riparian vegetation, etc.).
- The group supports the current seasonal closure, but also recommends that the BLM make efforts to discern whether it is being respected or violated by users, and commit resources to enforce the closure.

Finally, the group recommends that BLM make an effort to document the level, type and timing of use of this route (perhaps through sign-in boxes), so that such baseline information can inform whether management thresholds/criteria are being met.

Attachment I

Information Available on the Web site

<http://ocs.fortlewis.edu/drd/>

(click on "Lower Dolores Plan Working Group" on the left)

In order to save on paper and copying costs, the following handouts are on the Web site. If internet access is a problem, a copy of the handouts is located at the DRD's fiscal agent offices, the Dolores Water Conservancy District, 60 S. Cactus Street, Cortez – 970-565-7562.

- All meeting minutes (http://ocs.fortlewis.edu/drd/meetings_lodo.htm)
- Issue Fact Sheets (<http://ocs.fortlewis.edu/drd/factsheets.htm>)
- Meeting handouts and power points given by speakers (<http://ocs.fortlewis.edu/drd/handouts.htm>)
- Detailed presentations given by the project staff on each reach (DRD reaches 1-5) outlining current goals, information about ORVs in each reach, and management questions (<http://ocs.fortlewis.edu/drd/handouts.htm>)
- 1990 Dolores River Corridor Plan (USFS/BLM document) (<http://ocs.fortlewis.edu/drd/handouts.htm>)
- Information presented about Wild and Scenic River Issues(<http://ocs.fortlewis.edu/drd/handouts.htm>)
- Key maps(<http://ocs.fortlewis.edu/drd/handouts.htm>) and (<http://ocs.fortlewis.edu/drd/other.htm>.)
- Summary Document; list of Working Group-identified Issues, Opportunities and Concerns; Major Interests; Master List of Small Group's Answers by Question (also attached to this document) (<http://ocs.fortlewis.edu/drd/other.htm>.)
- Project media (<http://ocs.fortlewis.edu/drd/media.htm>)
- Information about the Dolores River Dialogue (DRD) (<http://ocs.fortlewis.edu/drd/default.asp>)

The DRD and the Lower Dolores Plan Working Group would like to thank Bill Ball and the Office of Community Services at Fort Lewis College for hosting and maintaining the Web site.