

January 10, 2012

Karl Mendonca, Acting Field Manager
U.S. Bureau of Land Management
Colorado River Valley Field Office
2300 River Frontage Road
Silt, CO 81652

Via U.S. Mail and email
kmendonc@blm.gov

Dave Stout, Field Manager
U.S. Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459

Via U.S. Mail and email
dstout@blm.gov

Leigh D. Espy, Deputy State Director
U.S. Bureau of Land Management
Resources and Fire
2850 Youngfield Street
Lakewood, CO 80215

Via U.S. Mail and email
lespy@blm.gov

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

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

Re: Draft Resource Management Plan/Draft Environmental Impact Statement documents (DRMP/DEIS documents) for U.S. Bureau of Land Management (BLM) Kremmling and Colorado River Valley Field Offices and U.S. Forest Service (USFS) White River National Forest.

Dear Mr. Mendonca, Mr. Stout, Ms. Espy and Mr. Fitzwilliams:

These comments are submitted on behalf of the Upper Colorado River Wild and Scenic Stakeholder Group (SG), which is comprised of the following entities:

American Whitewater
Aurora Water
Blue Valley Ranch
Colorado River Outfitters Association
Colorado River Water Conservation District
Colorado Springs Utilities
Denver Water
Eagle County
Eagle Park Reservoir Company
Eagle River Water and Sanitation District
Grand County

Middle Park Water Conservancy District
Municipal Subdistrict, Northern Colorado Water
Conservancy District
Northern Colorado Water Conservancy District
Northwest Colorado Council of Governments
Summit County
The Wilderness Society
Trout Unlimited
Upper Eagle Regional Water Authority
Vail Associates, Inc.

This broad-based group of Stakeholders, including environmental groups, water users, recreational users, private landowners, and local governments, has worked together and in consultation with several divisions within the Colorado Department of Natural Resources since 2008 to develop the proposed Upper Colorado River Wild and Scenic Stakeholder Group Management Plan (SG Plan or Plan) to protect the outstandingly remarkable values (ORVs) identified in the BLM and USFS Eligibility Reports for Segments 4 through 7 of the Upper Colorado River. All references hereinafter to Segment 7 of the Colorado River are intended to include BLM Segment 7 and USFS Segments 1 and 2 of the Colorado River. The Plan has been endorsed by the members of the SG and the Colorado Water Conservation Board, and has been identified as the federal agencies' Preferred Alternative B2 in the DRMP/DEIS documents.

The Stakeholder Group has invested substantial effort to date in the development of this collaborative SG Plan and believes it is the best approach for balancing permanent protection of the ORVs, certainty for the stakeholders, water project yield, and flexibility for water users. We request that the federal agencies approve the proposed SG Plan as the means to address Wild and Scenic River values in the above-referenced segments of the Colorado River.

The following three points are critical to the SG. We ask that BLM and USFS carefully consider them in proceeding with their land use planning process and developing their RMP/FEIS documents and records of decision:

1. As BLM and USFS are aware, there exists a divide among members of the SG between those who believe Segments 4 through 7 may be suitable or not suitable. The SG Plan was able to move forward based upon a fundamental principle that the Plan is contingent upon the agencies' "neutral" deferral of making any suitability determination for these segments for so long as the Plan is in effect (SG Plan Guiding Principles, p. 9). We request that the BLM and USFS utilize an approach similar to the USFS process adopting the South Platte Protection Plan, where the basis and rationale for protective management of the ORVs is found in the current eligibility status. We specifically request that the agencies defer evaluation of the potential suitability of Segments 4 through 7 in the analysis for the Final Suitability Report, Final EIS, and records of decision, should the proposed SG Plan in Alternative B2 be approved.
2. A related and equally important principle of the SG Plan is that, should the SG Plan terminate, the BLM/USFS should proceed as expeditiously as possible with an evaluation of whether or not Segments 4 through 7 are suitable, providing an opportunity for and consideration of additional public comment at that time. It is our understanding that this process would likely involve issuance of a revised draft/final suitability report addressing the status of those segments. We request that BLM/USFS confirm this procedure in their respective decision documents.
3. The principles and elements of the SG Plan have been developed by means of a broad-based consensus process and are supported by the SG. Members of the SG view it contrary to the spirit of the Plan and this group's commitment to be united in supporting the Plan for individual stakeholders to comment now on aspects of the Wild and Scenic issues addressed under the SG Plan or on the merits of suitability/non-suitability for Segments 4 through 7 of the Upper Colorado River¹. For this reason, the SG collectively requests a subsequent 30-day opportunity for submission of comments on these issues for these four segments if the SG Plan in Alternative B2 is not selected.

¹ Aurora Water and Colorado Springs Utility plan to resubmit comments previously submitted outside the scoping public comment period strictly for purposes of preserving the administrative record.

We anticipate that individual SG entities may submit separate comments on other aspects of the DRMP/DEIS documents.

Included with these comments is an updated January 2012 version of the SG Plan reflecting modest refinements to the February 2011 Plan submittal which do not change the SG Plan in a significant way. These changes address the current status of the Upper Colorado Instream Flow water rights filings, provide year-type definitions for the recreational floatboating provisional resource guides, and other minor non-substantive edits. The attached January 2012 version retains all of the ORV protective measures included in the February 2011 submittal.

Should you have questions regarding this SG comment letter or the updated January 2012 SG Plan, please let me know at your earliest convenience.

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

A handwritten signature in black ink that reads "Rob R. Buirgy". The signature is stylized with a large, sweeping flourish at the end.

Rob R. Buirgy, Project Manager
462 Blue Lake Trail
Lafayette, CO 80026
(970) 690-4655
rbuirgy@gmail.com

Enclosure

cc via email:

James Cagney, U.S. Bureau of Land Management
Steve Bennett, U.S. Bureau of Land Management
Roy Smith, U.S. Bureau of Land Management
Kay Hopkins, U.S. Department of Agriculture, White River National Forest
Rich Doak, U.S. Department of Agriculture, White River National Forest
Jennifer Gimbel, Colorado Water Conservation Board

Stakeholders and Consulting Agencies (via email only):

American Whitewater	Grand County
Aurora Water	Middle Park Water Conservancy District
Blue Valley Ranch	Municipal Subdistrict, Northern Colorado Water Conservancy District
Colorado Division of Wildlife	Northern Colorado Water Conservancy District
Colorado River Outfitters Association	Northwest Colorado Council of Governments
Colorado River Water Conservation District	Summit County
Colorado Springs Utilities	The Wilderness Society
Colorado Water Conservation Board	Trout Unlimited
Denver Water	Upper Eagle Regional Water Authority
Eagle County	Vail Associates, Inc.
Eagle Park Reservoir Company	U.S. Bureau of Reclamation
Eagle River Water and Sanitation District	