# AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

**Agenda Item:** Visitor; Citizens Committee; Wild and Scenic Desig

**Action Requested:**

**Parties to the Agreement:**

**Term Begins:** **Term Ends:** **Grant Contract #:**

**Summary:**

Please see attached submitted by Mr. Downey

**Fiscal Impact:**

**Submitted by:** Josh Ost **Submitter's Email Address:** jost@gunnisoncounty.org

**Finance Review:** ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

**County Attorney Review:** ○ Required ◉ Not Required

Comments:

Reveiwed by: Discharge Date: Certificate of Insurance Required

Yes ○ No ○

**County Manager Review:**

Comments:

Reveiwed by: GUNCOUNTY1\jost Discharge Date: 8/18/2017

○ Consent Agenda ○ Regular Agenda ○ Worksession Time Allotted: 30

Agenda Date: 8/22/2017

*Revised April 2015*

Date: August 15, 2017

Gunnison County Commissioners;
Phil Chamberland
Jonathan Houck
John Messner

Subject: Wild and Scenic designation for the Crystal River in Gunnison County

Dear Commissioners:

Thank you for inviting our Citizens Group to discuss a modification to the Wild & Scenic plan for the upper Crystal River in Gunnison County that was presented in Marble, Redstone and Carbondale last summer. As before, this designation would start at the headwaters of the North Fork in the Snowmass-Maroon Bells Wilderness area and the main stem of the Crystal River below Scofield Pass and extend downstream to the headgate of the Sweet Jessup ditch, approximately seven miles below Redstone. To address concerns expressed by citizens in the Marble area last summer, we propose that the Wild & Scenic designation now specifically exclude all private lands along the Crystal River in Gunnison County.

Our Citizens' Committee has been pursuing Wild and Scenic designation for the Crystal River for the past several years. Our goal with this designation is simple and remains unchanged;

1) To prevent the construction of dams, impoundments, and reservoirs on the Crystal River,
2) To prohibit out-of-drainage water diversions from the Crystal River drainage, and
3) To preserve the natural flow of a wild river.

The included map shows the three river segments of Wild (orange), Scenic (yellow) and Recreational (purple). These three river segments were determined by the Forest Service in a 1985 study to explore rivers in the White River National Forest that are eligible for Wild and Scenic designation. The parts shown in white i.e. no color, are privately owned. Also shown is the Gunnison-Pitkin County line. Under this plan the designation would include about 16-river miles in Gunnison County and 10-miles in Pitkin County.

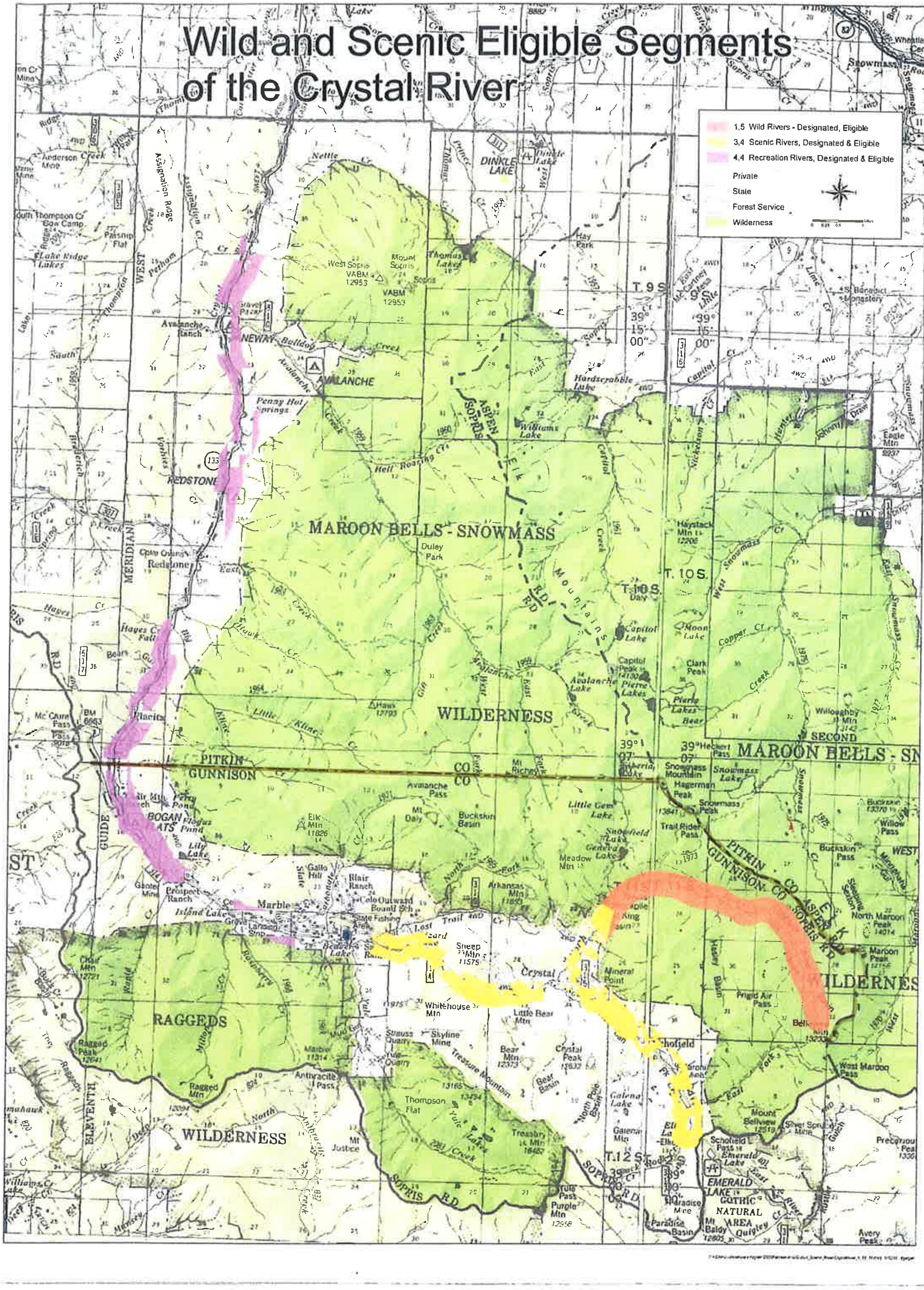
In meetings this past summer in Marble, citizens expressed support for protecting the river from dams and out-of-drainage diversions, but were concerned about government overreach impacting their private lands and water rights. Without protection with Wild and Scenic designation, threats from future dams and/or diversions would persist, primarily on lands owned and administered by the Forest Service. Hence, we propose Wild, Scenic and Recreational designation for the Crystal River in Gunnison County as it winds through county owned and Federal lands only. We believe that this will accomplish our primary goals stated above, while not impacting private lands or water rights.

The Wild and Scenic Rivers Act of 1962 allows each Wild & Scenic plan to be customized to fit the unique characteristics of a designated river and its surrounding environment and community. Specific things relating to issues such as protection of private water rights, Marble's domestic water rights, the protection of private property, and the maintenance of local control over land

use issues, etc. All of these special and unique issues then become an integral part of the Congressional Act. The only river in Colorado to be designated Wild and Scenic is the Cache la Poudre west of Fort Collins. This river has discontinuous river segments separated by private in-holdings and a host of appended special conditions, similar to the mix of private and public lands along the Crystal

At your August 22 Work Session we request that you consider the modified approach to Wild & Scenic designation for the Crystal River and decide whether it has sufficient merit to move forward with a plan to designate the Crystal River in both Gunnison and Pitkin Counties.

Respectfully,

Chuck Downey
427 Crystal Park Dr.
Carbondale, CO 81623

# Wild and Scenic Eligible Segments of the Crystal River