

Highlights of South Platte Protection Plan

The South Platte Protection Plan has been developed by local communities and interested parties to protect and enhance natural and recreational values on the South Platte and North Fork of the South Platte Rivers, while maintaining flexibility for water operations. The Plan covers the South Platte mainstem from below Elevenmile Dam downstream to the mouth of Waterton Canyon. The following represent notable highlights of the Plan and process for its enactment:

Comparisons Between the South Platte Protection Plan and Designation Under the Wild & Scenic Rivers Act

Issues	SPPP	Designation
<i>Area covered</i>	More extensive. Includes reservoirs and extends downstream to Waterton.	Limited by Act to not include reservoirs.
<i>Recreation</i>	Coordinates recreation management on federal and non-federal lands. Commits additional lands from Denver Water.	Recreation management on federal lands only.
<i>Streamflow Management</i>	Includes minimum flows; operating flow, temperature and ramping goals.	Flow management limited to very junior reserved water rights.
<i>Adjacent land use</i>	Land use authorities directly involved in broad range of issues.	Possible agreements between Forest Service and land use authorities.
<i>Water development</i>	Flexibility for low-scale water development. 20-year moratorium on Two Forks with open alternative planning process. Large Two Forks filings dismissed. No development in Cheesman and Elevenmile canyons.	No new development.
<i>Funding</i>	Supplemented by \$1,000,000 endowment.	Forest Service budget.
<i>Support Group</i>	Forest Service lead. Friends of the South Platte River provide broad-based support.	Forest Service lead.
<i>Enforcement</i>	Local contractual agreements and amended Forest Plan.	Act of Congress with enforcement by Forest Service.
<i>Enactment</i>	By local contracts and Forest Plan amendment.	Requires Act of Congress and Forest Plan amendment.

Streamflow Management Plan Summary

The Streamflow Management Plan is a major component of the South Platte Protection Plan. It provides benefits to fisheries, recreation, and general ecology of the south Platte that would not be available under Wild and Scenic River designation. Streamflow management includes implementation of minimum flows below Spinney, Elevenmile, and Cheesman Reservoirs, moderating stream temperatures below those reservoirs when they are spilling, establishing guidelines for reservoir outflow fluctuations (ramping), and providing for interested parties to participate in the development of annual operating plans for Spinney, Elevenmile, and Cheesman. Whitewater recreation on the North Fork will also be considered in Roberts Tunnel operations. The Plan will also include provisions for Stream Channel improvement projects. Enforcement procedures for the Plan include a \$10,000/day penalty for failure to meet the minimum flows, and development of a corrective action plan for chronic failure to meet streamflow ramping guidelines.

Wildlife and Recreation Summary

Management for wildlife habitat and recreation activities is recommended as part of a proposed Forest Plan Amendment. Notable points include:

- Flexible definition of the river corridor to be “managed.” A default boundary of ¼ mile on either side of the river was used during the formulation of the S. Platte Protection Plan. However, the boundary will follow topographic features, private property lines, roads, or other features that help define a logical management boundary. For most of the area, the ½ mile- wide corridor is sufficient to protect the river values. But in Wildcat Canyon, upstream from Cheesman Reservoir, the viewshed or ¼ mile, which ever is larger, is recommended to protect several large parcels of roadless lands, which are most threatened by off-road ATV and motorcycle use. In Elevenmile Canyon, the boundary will be along the ridgeline, which is wider than ¼ mile on either side of the river.
- Recreation standards and guidelines. A draft includes continuing the current policy of motorized travel only on designated routes, protecting the scenic qualities, providing a range of recreational opportunities from non-motorized primitive to roaded natural settings, management of developed recreation sites so as not to impair values of the area, prohibiting camping within 200 feet of a shoreline or wetlands, closing and rehabilitating dispersed camping sites when there is environmental damage, closing and rehabilitating unneeded and illegally created travelways, and maintaining travelways so that the viability of species will not be threatened.

Endowment Summary

A non-profit corporation, Friends of the South Platte River, Inc., has been formed to manage an endowment for the natural and recreational values of the South Platte River and the North Fork. If the Forest Service approves the Plan, the endowment will be funded over three years with at least one million dollars from Front Range communities. The corporation is organized as a 501(C)(3) to receive contributions and grants and support memberships. It will make annual grants for projects that will enhance and protect the values of the river valleys, but will not contribute to ongoing operating expenses. The corporation is governed by 17 directors as follows:

- 3 – people interested in and knowledgeable about fish, wildlife, ecosystems
- 1 – representative of motorized recreation users
- 1 – representative of non-motorized, on-land recreation users
- 1 – representative of water recreation users
- 1 – representative from Park County
- 1 – representative from Jefferson County
- 1 – representative from Douglas County
- 1 – representative from Denver Water
- 2 – representatives from suburban Denver water suppliers
- 1 – private property owner in the area
- 1 - representative of the grazing industry
- 1 – representative of timber or silvicultural industry
- 2 – at-large

Summary of Principles Regarding Water Development

The entire South Platte Protection Plan is designed to provide protection for the values identified by the U.S. Forest Service, while at the same time providing flexibility and adaptability regarding water use and management. One of the key uses of the South Platte River is as a conduit to deliver drinking water supplies to the greater Denver Metropolitan area, but future use of the corridor for water deliveries should not adversely impact the river's natural values. Accordingly, the Plan contains the following principles regarding future water development through this corridor:

- Any future water development would be subject to all normal permitting requirements -- no automatic approvals or denials, except in Cheesman and Elevenmile Canyons (see below).
- Some level of water development is anticipated. Examples may include reservoir expansion, new diversion facilities, additional water deliveries, flow or channel modification, sediment removal, rehabilitation of existing water facilities, and potential alternative reservoirs to Two Forks.
- No water storage or diversion facilities in Cheesman and Elevenmile Canyons.
- All future water facilities must prevent any significant long-term adverse effects on the identified values.

The Plan also provides for a process that could result in the relinquishment of the Right-of-Way granted to Denver Water for the Two Forks Project. A planning effort, with stakeholder review, will evaluate potential alternatives to develop the Two Forks yield in other ways. Denver Water will not initiate any application for a project at this Right-of-Way for a period of 20 years while possible alternatives are being evaluated. In addition, Denver Water and other water users will dismiss a large part of the Two Forks water right filings (780,000 AF).

Enforcing Agreement

A Memorandum of Agreement was developed by a working group of participants in the South Platte Protection Plan effort. The MOA outlines the obligations of all the entities that would have specific obligations under the South Platte Protection Plan. The MOA serves as a contract to bind the participating parties to perform their responsibilities.

Forest Plan Amendments

An outline of Forest Plan amendments consistent with the South Platte Protection Plan has been submitted and is recommended for simultaneous adoption. The Amendment defines standards and guidelines for management along the river corridor in a special management area, and thereby provides an enforcement mechanism for the public that the Memorandum of Agreement for the SPPP lacks. Topics that are addressed by standards and guidelines in the plan amendment include: recreation management; vegetation management (including timber and grazing); travel management; riparian protection; fish and wildlife; special uses (including permitting for water projects); and historic/cultural resources.

Summary of Forest Service Process

The three components of a Wild and Scenic River Study are:

- 1) **Eligibility study** – a technical study to determine if the river is free flowing and possesses one or more Outstandingly Remarkable Values, which qualify it for inclusion in the Wild and Scenic River System. In this area, the Forest Service found scenic, recreational, geologic, fisheries, wildlife, historic, cultural, and ecological values.

2) **Classification** – Rivers are classified as those rivers, or sections of rivers, that are:

- a) **Wild** – free of impoundments, generally inaccessible except by trail (no roads), essentially primitive and having unpolluted waters.
- b) **Scenic** – free of impoundments, largely primitive and undeveloped, but accessible in places by roads (i.e. roads may cross but not parallel river).
- c) **Recreational** - readily accessible by road, some development, and may have had some impoundment or diversion in the past.

All three classifications occur in this area.

3) **Suitability Study** – the suitability of the river for designation considering land ownership, potential uses of the resource, and cost. A suitability determination has not been finalized.

Subsequent Process

A Draft Legislative Environmental Impact Statement was issued in 1997. The Forest Service released a supplemental EIS in March of 2000. The Forest Service anticipates a final decision in this matter within the next few months.