



September 20, 2017

Via Electronic Mail

Colorado Water Conservation Board
c/o Mr. Andrew Rickert, andrew.rickert@state.co.us

RE: Five Ditches: Rio Grande Diversion and Headgate Improvement Project Agenda Item 22j at September 2017 CWCB Meeting (WSRF Application)

Dear Board Members,

I write to transmit my concerns regarding the Water Supply Reserve Fund Application of the Colorado Rio Grande Restoration Foundation for the *Five Ditches: Rio Grande Diversion and Headgate Improvement Project* and ask that the Board defer or condition approval of the funding on the Applicant showing that **all** of the objectives of the project will be fully met. This application is Item 22j on the agenda for the September 2017 meeting of the Colorado Water Conservation Board. I am unable to attend the meeting in person, but ask that you please consider this letter, read it into the record during this item on the agenda, and add the letter and its attachments to the written record for this item.

I am the Wild Rivers Program Director at WildEarth Guardians (“Guardians”). Guardians’ mission is to protect and restore the wildlife, wild places, wild rivers, and health of the American West. The wild rivers program and our campaign to protect flows in the Rio Grande began over 20 years ago as a result of deteriorating conditions on the river in central New Mexico and the near extinction of one of the last endemic species. We work primarily in the Rio Grande Basin in Colorado and New Mexico seeking to ensure native species are protected, river flows are maintained, natural river functions are preserved or restored, and water quality is improved.

Guardians became aware of and concerned with the ditch rehabilitation and restoration projects in the San Luis Valley in the fall of 2016. We were informed of a newly discovered population of Rio Grande chub in the Rio Grande adjacent to the McDonald Ditch rehabilitation project near Monte Vista. The chub had not been found on the main stem of its namesake river for over 50 years. Despite this incredible find, we were alarmed by the effort made to push forward with the project as planned regardless of the potential impacts to the species. This was particularly surprising based on the multi-interest objectives claimed for the McDonald Ditch Project—similar to the objectives asserted for this project—to improve diversion efficiency, enhance water quality, improve riparian and wetland condition, increasing sediment transport, *improving aquatic and riparian habitat*, encouraging local recreation, and promoting public involvement. Given that this situation is not yet fully resolved and the possibility of history repeating itself, we believe it is important to bring these challenges to light before the Board. We ask that the Board defer or condition its approval of the funding on this application until the Applicant can show that all of the objectives will be fully met, including that the projects will

improve aquatic and riparian habitat for native species and provide adequate connectivity between the structures. We are optimistic that this next round of restoration efforts can be implemented without substantial hurdles and in a way that ensures all the objectives of the project are met, including ensuring that the river and its native species can thrive.

Upon learning of the request for additional funding for this next round of ditch rehabilitation projects (although a bit belated), Guardians wanted to weigh in earlier in the process in hopes that we could participate and help fully realize the opportunity to create a win-win situation for the river, fish and wildlife, recreation and agricultural uses of the Rio Grande. To advance this effort, we engaged Miller Ecological Consultants, Inc. to review the grant application, assess the proposed rehabilitation efforts and determine whether or not these projects would meet the objectives of “improving aquatic and wildlife habitat” and “improve local recreation by including fish and boat passage in the new diversion structures.” The comments of our consultant are attached as Exhibit A and incorporated herein by this reference.

While we appreciate the Applicant’s effort to include a full suite of objectives in these proposals, we are concerned that certain objectives—improving diversion efficiency and reduced maintenance of the ditch structures—are overshadowing others, limiting, if not making it impossible to improve or even maintain riparian and aquatic habitat. For example, the preliminary designs for the new Consolidated and Pace Ditch diversion will take a relatively natural section of the river that currently provides fish and boat passage and install a concrete structure from bank to bank. The plan is to mitigate the impact of this structure by including a concrete fish ladder and boat passage as a part of the dam. The proposed fish passage is not adequate for non-game native species and will only provide bidirectional passage to large juvenile and adult trout. Therefore, the diversion improvement (even with the concrete fish ladder) will not maintain or improve passage for native fish, but actually segment the up and downstream reaches of the river. This does not meet the goal of improving aquatic and riparian habitat.

The other proposed rehabilitation projects—Rio Grande #2 Diversion, San Luis Valley Canal Headgate, and Centennial Ditch Diversion—appear to involve more natural structures that can be, if designed correctly, allow fish and boat passage and improve riparian and aquatic habitat. The details of how these projects are implemented will ultimately determine the success of these projects to achieve the environmental objectives. Such details include, but are not limited to: 1) if the rock vein structures are constructed in a way that spaces the rocks so fish of varying sizes and swimming abilities can navigate the dam and find safe passage, 2) if the bank improvements include gradual slopes and small benches and provide flood connectivity with restored riparian vegetation, 3) if the boat passage excludes floor blocks that can be dangerous for safe passage, and 4) if the overflow channels are designed in a way that creates riparian habitat through native vegetation. I understand that proper restoration involving the most recent innovations can be expensive. However, we believe that to fulfill the objectives of this project it is necessary to not only pay lip service to the environmental objectives, but to really ensure through thoughtful design and implementation that the projects provide good outcomes for river health and to protect our aquatic and riparian communities.

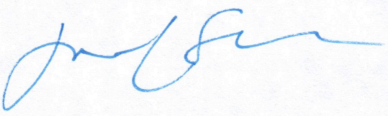
Our final concern relates to the project monitoring and outreach committed to by the Applicant. First, adequate monitoring of the projects benefits and impacts can only be done if there is sufficient baseline data, both qualitative and quantitative, to measure the outcomes. While the 2001 study and 2007 strategic plan outline the challenges facing the Rio Grande, I am not aware of any comprehensive efforts or metrics available to analyze the water quality, the riparian condition, the

sediment transport capability, measure aquatic and wildlife habitat (e.g. a biological inventory), evaluate recreational boating, or fish passage at existing structures. This baseline data paired with a comprehensive effort after the project is complete would go a long way to easing concerns that these projects actually meet the commitments made by the Applicant. For example, had baseline data been collected prior to the first two ditch rehabilitation projects on the Rio Grande—the McDonald Ditch and Prairie Ditch—and monitoring data assessed after the fact, these projects could be used as either models for future projects or as learning experiences so the same mistakes are not made again. In the absence of this data, as is the case here, it appears the same concrete structure, fish and boat passage used in the McDonald Ditch project is being planned for the Consolidated Ditch redesign. If state money is going to be spent to meet the full suite of objectives, it should not be spent blindly. We believe this portion of the application should be bolstered to include and fund a comprehensive baseline study including the metrics necessary to adequately evaluate outcomes. Second, while we realize that much outreach was done with certain constituencies of stakeholders, it appears that not all interested parties were informed or heard in the original process. We hope that this can be remedied in this second effort of restoration projects in the valley.

Based on the concerns detailed above, Guardians believes that it is premature for the Board to approve the funding for this project. While the Applicant has committed to addressing more than one need in the Rio Grande Basin, we believe that the commitment to many of the objectives has not been fully realized and would like to see changes made both in the design of the new projects and completion of the existing projects to ensure that aquatic and riparian habitat are actually improved based on measurable and comprehensive data. We believe that a baseline study—prior to commencing construction on this new line up of projects—would help provide actual criteria for assessing the benefits or impacts of these projects. I am happy to meet with the Applicant or engage with the Rio Grande Basin Roundtable to work through these issues. I apologize for not becoming involved even earlier in the process as I was unaware of the new proposal until very recently.

I appreciate your consideration of our concerns. Please feel free to contact me with any questions.

Sincerely,



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cc: Emma Reesor, Executive Director, Rio Grande Restoration Headwaters Project
Bob Randall, Executive Director, Colorado Department of Natural Resources
Rebecca Mitchell, Director, Colorado Water Conservation Board
Nathan Coombs, Chairperson, Rio Grande Basin Roundtable