

I. Project Title: Management of easements acquired for the Recovery Program

II. Principal Investigator:

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III. Project Summary:

The Colorado River Wildlife Management Area (CRWMA) was established in July 1998. It is recognized as one of the 546 Refuges in the National Wildlife Refuge System. Easements and fee title parcels are located in both Utah and Colorado along the Green, Gunnison, and Colorado Rivers.

The primary purpose of the CRWMA is to protect and restore backwater floodplain habitat for the endangered razorback sucker, Colorado pikeminnow, humpback chub, and bonytail. The type of habitat to be restored is flooded bottomland that is directly connected to the rivers during seasonal flooding. These shallow wetlands provide food, shelter, and resting areas for the fish.

The refuge serves to protect and restore the riparian ecosystem. Riparian areas in the upper Colorado River basin have been severely altered by reduced water flows, development, and gravel mining. These shallow wetlands play a significant role in maintaining both the terrestrial and aquatic values of the ecosystem.

The areas are held primarily as conservation easements and limited fee title ownership with willing landowners, who agree to allow management and protection activities by refuge officials. Public use is not permitted as the right to access the property is retained by the landowner. The easement rights are limited only to those necessary to protect and restore habitat for the endangered fishes in order to reduce impacts on private property rights and local communities. Management activities are limited to manipulation or removal of dikes or levees to induce or improve flooding, biological studies or surveys, control of nonnative vegetation, and easement monitoring and enforcement.

The goal of the CRWMA is to monitor and manage easements and fee title lands acquired by the Recovery Program for the purpose of supporting and sustaining recovery of the endangered fishes. The objectives are to restore, enhance, and/or protect floodplain habitats to benefit endangered fishes while maintaining positive relationships with CRWMA landowners.

There are currently 16 easements and one fee title parcel totaling 1323.6 acres which have been purchased and transferred to the U.S. Fish and Wildlife Service. This includes the Houglund easement, on the Colorado River, which was transferred in May of 2006 (89.6 acres). New acquisitions have been halted with only limited exceptions.

IV. Study Schedule:

Initial year: 1998

Final year: No final year

All easements are monitored aerially and/or from the ground for compliance on an annual basis during the spring and/or fall. The objective is to detect all activities which may constitute a violation of the terms of the easement. Possible violations include alterations in floodplain topography or hydrology resulting from earth-moving, excavation, filling/dumping, construction, and tampering with flood-control features.

If violations are suspected as a result of the routine monitoring the matter will be investigated and documented in detail. If a violation is confirmed, the responsible landowner will be contacted and given the opportunity to correct the matter. If the matter can not be corrected and/or the landowner refuses to comply a violation notice will be issued.

V. Relationship to RIPRAP:

GREEN RIVER ACTION PLAN: MAINSTEM

II. Restore habitat

II.A. Restore and manage flooded bottomland habitat.

COLORADO RIVER ACTION PLAN: MAINSTEM

II. Restore habitat

II.A. Restore and manage flooded bottomland habitat.

COLORADO RIVER ACTION PLAN: GUNNISON RIVER

II. Restore habitat

II.A. Restore and manage flooded bottomland habitat.

Easements are located within priority geographic areas which include the Green River floodplain between Pariette Draw (RM 238) and Dinosaur National Monument (RM 318); the Gunnison River floodplain between Escalante SWA (RM 50) and the North Fork (RM 75) and the Whitewater area; and the Colorado River floodplain between Westwater (RM 127) and Rifle (RM 240).

VI. Accomplishment of FY 2006 Tasks and Deliverables, Discussion of Initial Findings and Shortcomings:

1. Most easements and the one fee title parcel were monitored in 2006 and one major violation was detected (see #9 below)
2. Most landowners were contacted in person or by telephone.
3. Refuge staff attended numerous meetings with landowners, oil and gas companies and contract engineers on design and proposed construction activities on several easements.
4. Two Special Use Permits were issued in 2006 to Mr. Karl Lamb of the Rex and LaRue Lamb Trust for water, oil and gas exploration. The Refuge has urged the various oil and gas companies to pursue the least impacting techniques and methods. All individuals involved have been very compliant with our requests.
5. The Refuge Operation Specialist (GS-9) position dedicated to the CRWMA became vacant in 2002 and due to insufficient funds to cover a PCS move, the limited number of easements in place, and the instituted easement moratorium, the Ouray/CRWMA Project Leader decided not to refill the position and administer the CRWMA needs with Ouray NWR staff. Ouray NWR staff time, travel, and associated expenditures spent on the CRWMA are closely documented and charged to the funds allocated by the Recovery Program for the CRWMA. The salary savings from not filling the dedicated position were used to cover salaries of Ouray Refuge staff who managed the easements. The CRWMA requires its own permanent full-time employee. (see recommendations #3)

6. A considerable amount of time and effort was invested in the Thunder Ranch easement as it pertains to the failure of a newly constructed protective levee. The Ranch continues to seek monetary compensation for alleged flood damage caused by the failed levee. A split rail fence was constructed on the newly rebuilt levee by the Bureau of Reclamation to prevent cattle and elk from trampling the levee. Ouray Refuge staff disked and reseeded the levee with native grasses (western wheat, inland salt grass and alkali sacaton) treated with mycorrhizae.
7. Several easements have changed ownership and/or are experiencing potentially threatening development on adjacent lands. These types of activity have required Refuge staff review and communication with developers and new landowners.
8. As of November 2006 a total of 1323 acres (16 properties) have been transferred to the Service from the Bureau of Reclamation. A moratorium on the acquisition of any additional easements was instituted by the Management Committee, with very few exceptions. Only one additional easement was transferred in 2006.
9. The Grand Jct. Pipe fee title parcel was gated and posted closed due to squatters taking residence within the property.

VII. Recommendations:

1. A thorough evaluation of the Colorado River Wildlife Management Area should be conducted to evaluate its value to the fish and designation as a National Wildlife Refuge. The limited acreage acquired does not afford the habitat necessary to self sustain a viable population of endangered Colorado River fishes. The level of protection and administration afforded by the Refuge System is difficult to justify for this limited acreage. Discussions of divestiture will be initiated in FY07 within the Refuge System.
2. All 16 parcels of the CRWMA are heavily invaded by invasive weed species. Additional funding is needed to address this increasing concern. It is hoped that future funding can be secured for this and other habitat improvement projects which will restore ecosystem integrity and fish utilization.

3. The CRWMA does not have its own permanent full time employee, equipment, vehicles or facilities. The Management Areas needs are provided by the Ouray NWR. Decreased staffing and increasing workloads at Ouray NWR do not allow adequate management of the easements. The CRWMA merits its own permanent full time position as a GS-0485-5/7. This position requires the RIP's long term support and funding.
4. The Thunder Ranch easement is not functioning as designed due to water levels which can not be sustained over winter. The problem can be remedied by installing a stop log water control structure in the drain canal. The elevation of the drain canal was dug too deep and hence allows the majority of the wetland to drain once the river has receded.

VIII. Project Status:

Easement management is ongoing and new easement acquisitions occur on a very limited basis. Funding needed for effective management and habitat enhancement of the easements exceeds the current annual budget allotment. These funds do not fully cover the staff salary, benefits, travel, training, fuel, vehicle maintenance, aerial monitoring, equipment and supplies to properly manage the easements. The current budget balance for this project is presently zero. The agreement between the RIP and the Refuge System is for \$50,000 per year. The RIP fund allocations typically take place in August of each year which requires deficit spending. Without a positive balance in which to work from at the start of FY 07, the Refuge System will require a written acknowledgement from the RIP to honor the \$50,000 annual funding agreement.

IX. FY 2006 Budget Status:

- A. Funds Provided in 2006: \$0 (FY 05 Balance forwarded \$66,951)
- B. Funds Expended: \$21,276 (Travel, salary, fuel and supplies)
- C. Difference: \$45,675 (returned to RIP, balance is presently zero)
- D. Percent of the FY 2006 work completed, and projected costs to complete: 75%, \$68K.
- E. Recovery Program funds spent for publication charges: N/A

X. Status of Data Submission: N/A

XI. Signed Dan Alonso, Project Leader, Ouray/CRWMA 11/15/06
Principal Investigator Date