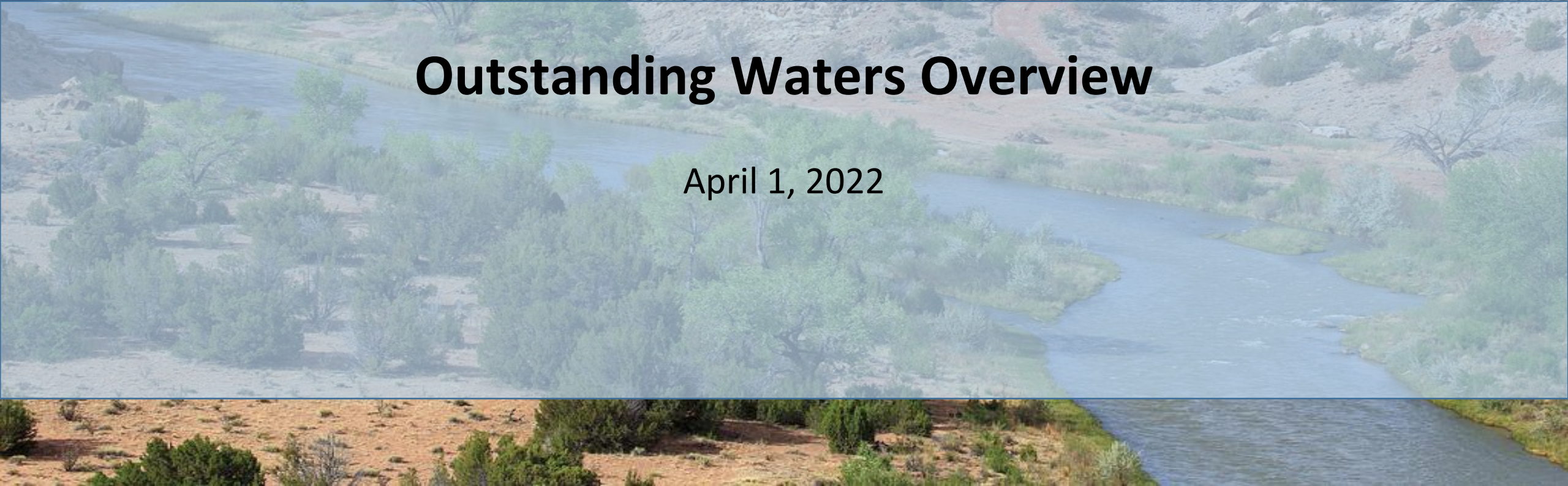




# Outstanding Waters Overview

April 1, 2022



# Outstanding Waters – Overview

## What is an “Outstanding Waters” Designation?

- ❑ An “Outstanding Waters” designation is a Colorado designation authorized by the federal Clean Water Act that adds additional protections to priority waters that meet certain high water quality standards.
- ❑ It is an “anti-degradation” focused standard: – Once waters are designated as an “Outstanding Waters,” future uses cannot degrade the water quality below those high standards.
- ❑ Waters are designated as “Outstanding Waters” by the Colorado Water Quality Control Commission (WQCC) upon application and after an extensive (three-year) review and public hearing process. The process is “triennial”; that is, the State annually rotates the hearing process among the three major basin groupings.
- ❑ Outstanding Waters designations are administered thorough Colorado Department of Public Health and Environment (CDPHE) staff.

# Outstanding Waters – Criteria

## **Three criteria must be met to have an Outstanding Waters Designation**

- The existing water quality for 12 parameters is equal to or better than that specified
- The waters constitute an outstanding natural resource
- The water requires protection in addition to that provided by the combination of water quality classifications and standards and the protection afforded reviewable water under section 31.8(3)

# What is “existing quality” and why is it important?

- To qualify for OW designation, each nominated stream-reach must not exceed defined threshold levels for 12 water quality parameters, averaged over all samples taken for that parameter.
- That same sampling data is also used to determine an “*existing quality*” profile that is unique to that stream-reach:
  - “Existing quality” shall be the 85th percentile of the data for ammonia, nitrate, and dissolved metals, the 50th percentile for total recoverable metals, the 15th percentile for dissolved oxygen, the geometric mean for *E. coli*, and the range between the 15th and 85th percentiles for pH.
- After designation as OW, this “*existing quality*” threshold constitutes the point below which degradation is prohibited for that reach, which, then, varies from stream-reach to stream-reach (that is, each reach has its unique “*existing quality*” level).

# Outstanding Waters – FAQs

- Does an Outstanding Waters designation affect water rights?
- How are downstream water users affected by an Outstanding Waters designation?
- Are pre-existing activities affected? What about new activities?

# Outstanding Waters – FAQs

## Existing Uses

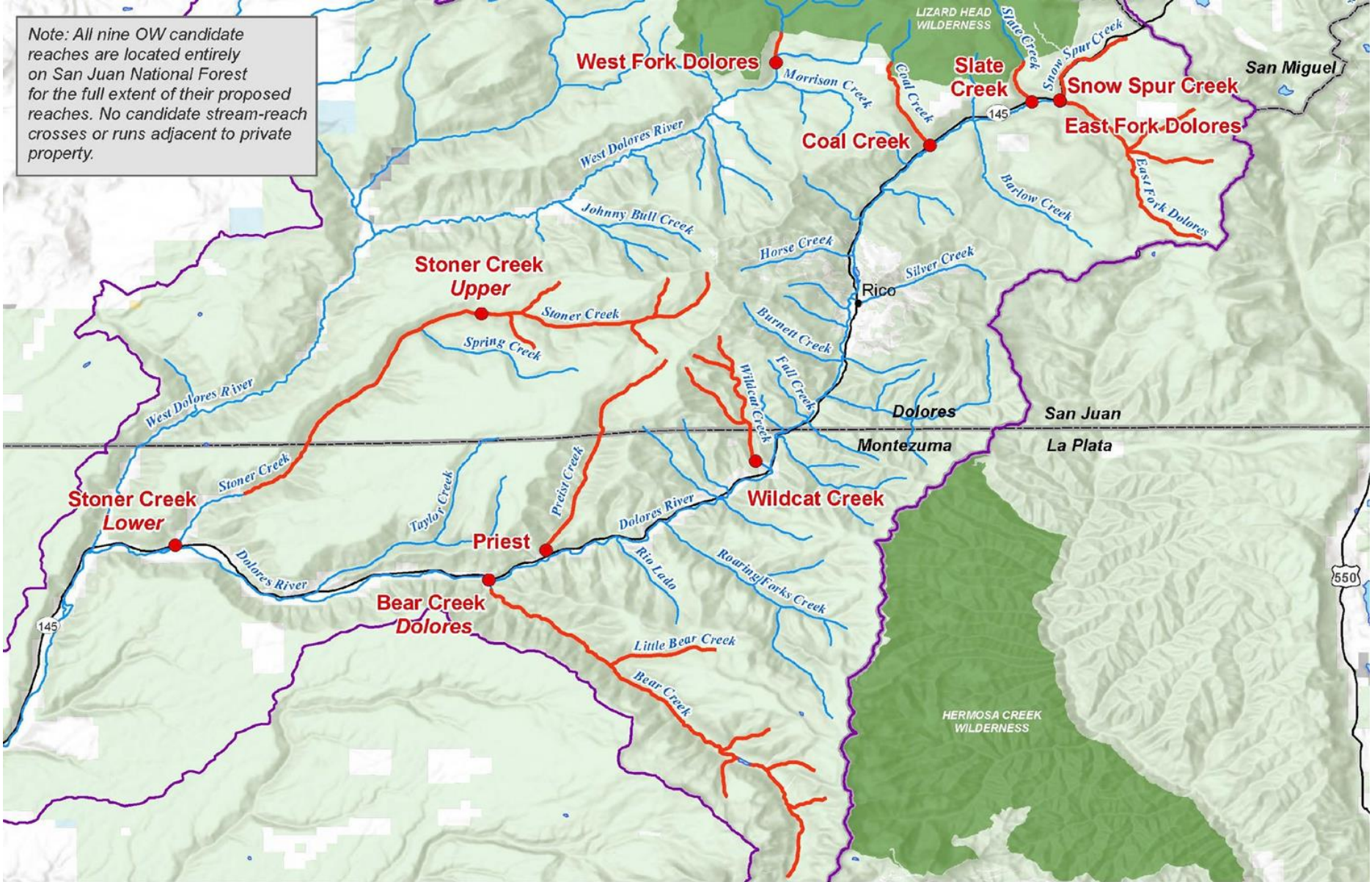
### WQCC statement about existing uses:

“The Commission understands that there are existing land uses, including grazing permits, in place in the watershed. The evidence demonstrates that these existing land uses are compatible with the Outstanding Waters designation, since the current high level of water quality has been attained with these uses in place. **It is the Commission's intent that this Outstanding Waters designation should not be the basis upon which federal, state or local agencies place more onerous or costly conditions upon permits or approvals existing at the time of the designation, or upon any renewals thereof.**”



# Upper Dolores Candidate Reaches

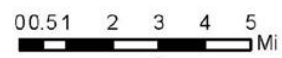
Note: All nine OW candidate reaches are located entirely on San Juan National Forest for the full extent of their proposed reaches. No candidate stream-reach crosses or runs adjacent to private property.



**Candidate Reaches**  
 Surface water reaches to be considered for designation as Outstanding Waters in Dolores and Montezuma County, Colorado

- Outstanding Waters Candidate Reaches
- NHD Streams
- Water Quality Monitoring Locations
- Wilderness Areas

- Land Ownership**
- BLM
  - State, County, City
  - Private
  - USFS
  - State
  - Dolores watershed boundary





# Summary Points – Dolores Candidate Reaches

- ❑ Trout populations / habitat are in substantial decline in the Upper Dolores; most severely challenged are our native cutthroat trout habitat / populations; selected key (“stronghold”) waters are targeted to be strengthened to enhance survival
- ❑ Outstanding Waters designation is one project in a locally structured, multi-year program to respond to that decline (Upper Dolores Stream Protection Working Group)
- ❑ Nine stream-reaches within the upper Dolores are being considered for Outstanding Waters designation
- ❑ All are entirely within the San Juan National Forest, they neither cross nor flow adjacent to private property

# Summary Points – Dolores Candidate Reaches

- ❑ Major authorized activities / existing uses: grazing, timber harvesting, recreation
- ❑ All Forest activities / uses are guided by the San Juan National Forest Land and Resources Management Plan (LRMP) and applicable law
- ❑ Relevant, existing legal / policy / governance framework: National Environmental Policy Act, WQCC, CDPHE, Colorado Division of Reclamation Mining and Safety / Colorado Mined Land Reclamation Board, Colorado Oil and Gas Conservation Commission, Colorado Parks and Wildlife - Conservation Strategy for Colorado River Cutthroat Trout in the States of Colorado, Utah, and Wyoming (CPW)

# Animas Candidate Reaches

A scenic landscape featuring a river flowing through a valley. The river is surrounded by trees with vibrant yellow and orange autumn foliage. In the background, a steep, forested mountain rises under a clear blue sky.



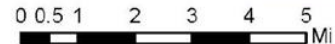
### Candidate Reaches

Surface water reaches to be considered for designation as Outstanding Waters in La Plata, San Juan, and San Miguel County, Colorado

-  Outstanding Waters Candidate Reaches
-  NHD Streams
-  Water Quality Monitoring Locations
-  Wilderness Areas

### Land Ownership

-  BLM
-  State, County, City
-  Private
-  USFS
-  State



# Summary Points – Animas Candidate Reaches

- ❑ Five stream-reaches within the upper Animas are being considered as potential candidates for Outstanding Waters designation
  - Boulder Creek and Bear Creek (Silverton drinking water sources)
  - Cascade Creek, Lime Creek, and Grasshopper Creek
- ❑ Four of the five streams exist entirely on U.S. Forest Service (USFS) land and one is entirely on Bureau of Land Management (BLM) land.
- ❑ All existing and future activities / uses are governed by the San Juan National Forest Land and Resource Management Plan (LRMP) and the BLM Gunnison Field Office Resource Management Plan.

# Summary Points – Animas Candidate Reaches

- ❑ These tributary streams were chosen for their outstanding natural resource values including:
  - Critical aquatic habitat for native trout, macroinvertebrates, birds and other wildlife.
  - Significant contributions to downstream resilience, functional / assimilative capacity and ecosystem services (including higher quality drinking water, irrigation water, recovery from legacy mining and wildfire impacts, etc.)
  - Exceptional recreational value including existing uses for fishing, swimming paddling, and other uses.



# San Miguel Candidate Reaches



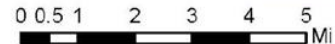
### Candidate Reaches

Surface water reaches to be considered for designation as Outstanding Waters in La Plata, San Juan, and San Miguel County, Colorado

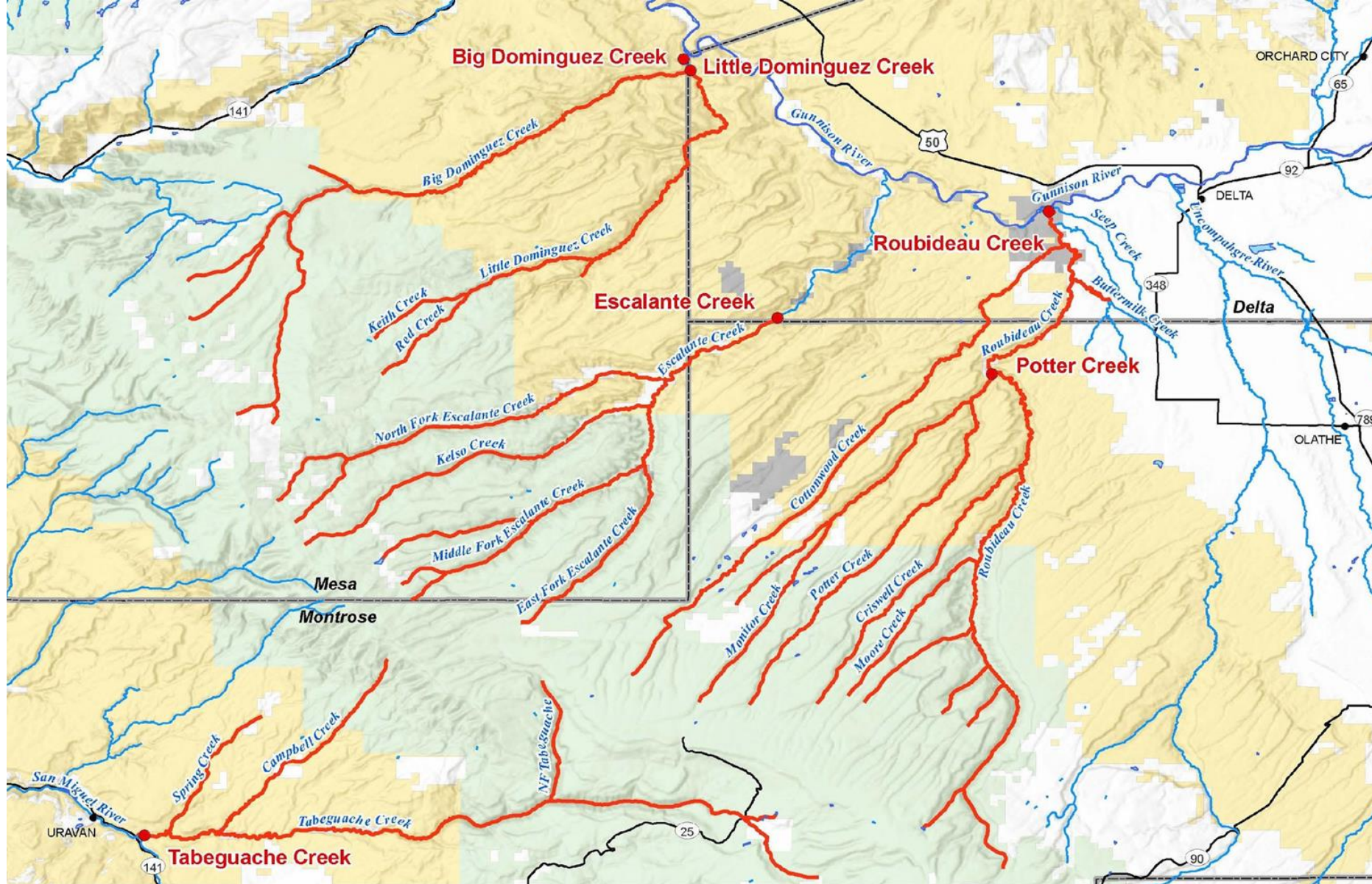
-  Outstanding Waters Candidate Reaches
-  NHD Streams
-  Water Quality Monitoring Locations
-  Wilderness Areas

### Land Ownership

-  BLM
-  State, County, City
-  Private
-  USFS
-  State








### Candidate Reaches

Surface water reaches to be considered for designation as Outstanding Waters in Delta, Mesa, and Montrose County, Colorado

-  Outstanding Waters Candidate Reaches
-  NHD Streams
-  Monitoring Locations
-  Wilderness Areas

### Land Ownership

-  BLM
-  State, County, City
-  Private
-  USFS



# Summary Points – San Miguel Candidate Reaches

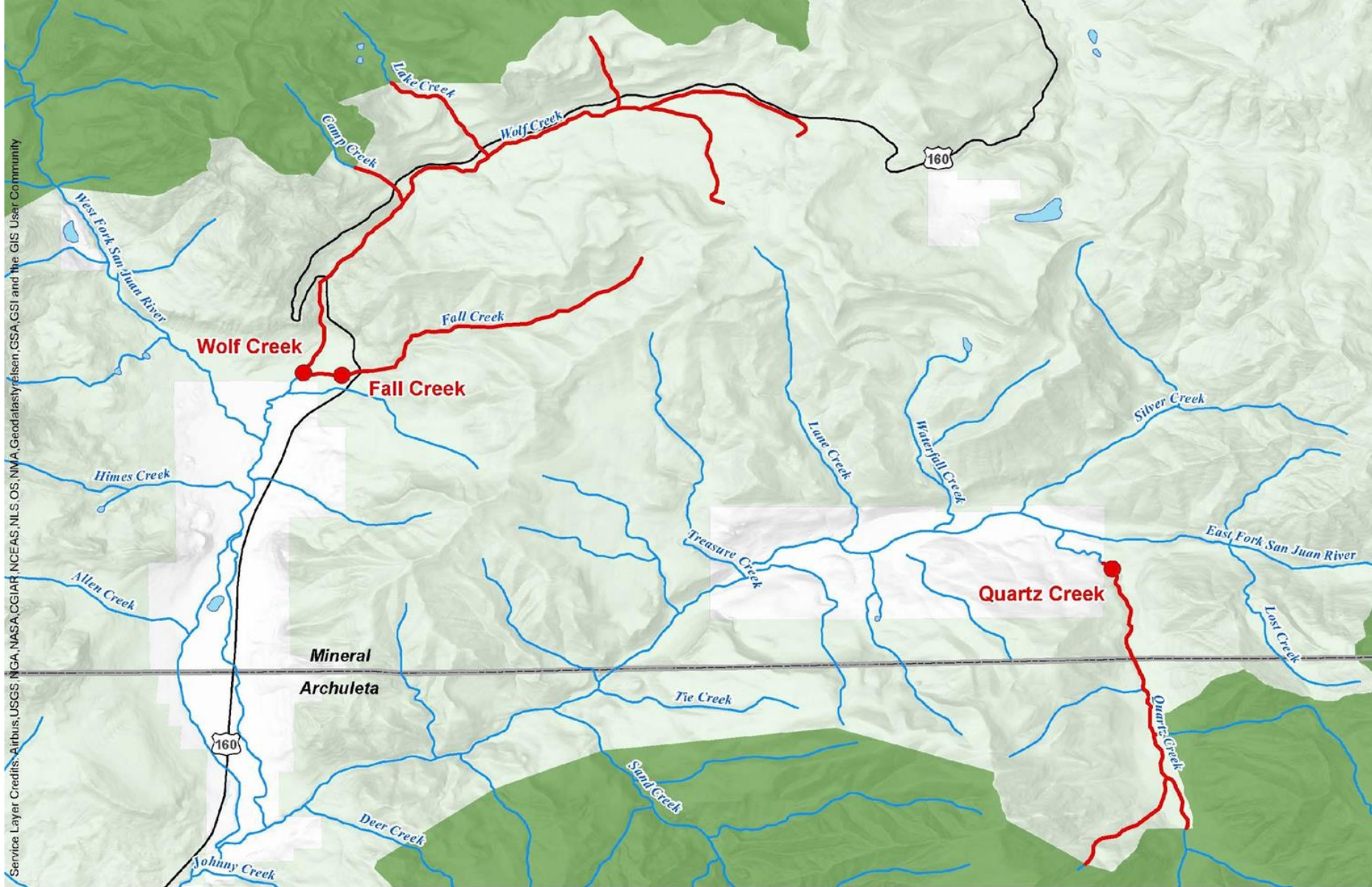
- ❑ Two stream-reaches within the San Miguel are being considered as potential candidates for Outstanding Waters designation
  - Waterfall Creek (Ophir drinking water source)
  - Tabeguache Creek
- ❑ Both streams exist primarily on USFS and BLM land, including the Congressionally designated Tabeguache Special Management Area and the proposed Sheep Mountain Special Management Area.
- ❑ All existing and future uses governed by the Grand Mesa Uncompahgre and Gunnison National Forests Land and Resource Management Plan (GMUG LRMP), the BLM Uncompahgre Field Office Resource Management Plan, and the Colorado Wilderness Act of 1993.

# Summary Points – San Miguel Candidate Reaches

- ❑ These tributary streams were chosen for their outstanding natural resource values including:
  - Wilderness values that include aquatic habitat for fish, macroinvertebrates, birds and other wildlife. The Tabeguache watershed also includes globally vulnerable riparian species.
  - Significant contributions to downstream resilience, functional / assimilative capacity and ecosystem services (including higher quality drinking water, irrigation water, etc.)
  - Exceptional recreational value including existing uses for fishing, swimming, and other uses.

A scenic view of a river flowing through a forested area. The river is the central focus, with white water rapids visible. The banks are lined with a mix of evergreen and deciduous trees, some of which are bare. In the foreground, a wooden fence runs along a dirt road on the left. The sky is blue with scattered white clouds. The text "Upper San Juan Candidate Reaches" is overlaid in the center of the image in a white, sans-serif font.

# Upper San Juan Candidate Reaches



Service Layer Credits: Airbus, USGS, NGA, NASA, CGIAR, NCEAS, NLS, OS, NMA, Geodastly, Epsilon, GSA, GSI and the GIS User Community

**Candidate Reaches**  
*Surface water reaches to be considered for designation as Outstanding Waters in Mineral and Archuleta County, Colorado*

-  Outstanding Waters Candidate Reaches
-  NHD Streams
-  Monitoring Locations
-  Wilderness Areas

- Land Ownership**
-  Private
  -  State
  -  USFS



# Summary Points – San Juan Candidate Reaches

- ❑ Three stream-reaches within the Upper San Juan are being considered for Outstanding Waters designation
- ❑ All on San Juan National Forest
- ❑ Existing Uses – Recreation including; fishing, paddling, climbing, horse packing, OHV. Other uses include timber harvest, some small scale grazing. HW 160 parallels Wolf Creek and crosses Fall Creek

# Summary Points – San Juan Candidate Reaches

- ❑ These tributary streams were chosen for their outstanding natural resource values including:
  - Unique and exceptional cutthroat trout populations in each
  - Significant contributions downstream
  - Exceptional recreational value

A scenic view of a river flowing through a rocky canyon. The river is a vibrant blue-green color, with white rapids visible in the middle ground. The left bank is covered in dense, lush green trees and bushes. The right bank is a steep, rocky slope with scattered green shrubs and small trees. In the background, a prominent, flat-topped rock formation (a butte) rises above the canyon. The sky is bright blue with a few scattered white clouds. The overall scene is a beautiful natural landscape.

**Questions?**