

**RGNA Draft**  
**March 17, 2014**

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## **Appendices**

### **X RGNA ACT**

#### **List of abbreviations**

- Bureau of Land Management (BLM)
- Habitat Conservation Plan (HCP)
- Rio Grande Natural Area (RGNA)
- Rio Grande Water Conservation District (RGWCD)
- San Luis Valley (SLV)
- U.S. Fish and Wildlife Service (FWS)

## 1.0 The Rio Grande Natural Area ~~Commission Act~~

In 2006, the U.S. Congress established the Rio Grande Natural Area (RGNA) through ~~an Act of Congress Public Law 109-337, the Rio Grande Natural Area Act (Act)~~ (Appendix X). ~~The RGNA is designated as the Rio Grande River and all land one-quarter of a mile from either bank of the Rio Grande, from the southern boundary of the Alamosa National Wildlife Refuge and south to the New Mexico state border where it touches the Rio Grande del Norte National Monument. The monument, established in 2013, includes approximately 242,500 protected BLM acres and natural resources within and surrounding the Rio Grande Gorge. The RGNA's purpose of the RGNA Act is to conserve, restore and protect the natural, historic, cultural, scientific, scenic, wildlife and recreational resources of the area. Encompassing approximately 5,900 acres of private land – about 66 percent of the area – and 2,900 acres of BLM public lands, the RGNA includes a 33-mile stretch of the river, which is also the boundary line between Conejos County to the west and Costilla County to the east. On the Costilla County side, the land is mostly privately owned except for a parcel of county owned land near State Highway 142, while the Conejos County side is split approximately 75/25 between BLM and private ownership.~~

~~along with a nine-member commission comprised of state and federal government officials, and local citizens. The commission's task is to advise the Secretary of the Interior through a land management plan related to non-federal properties located within the RGNA's boundaries.~~

The ~~A~~act was the result of 20 years of local conservation efforts to protect a variety of natural resources while taking into account local priorities for water and land management. A critical element of this conservation work is the cooperative relationship between citizens, and state and federal resource managers to create a landscape managed with the same principals outlined in the RGNA plan. The non-binding RGNA plan will ~~be consistent with work in tandem with a the~~ Bureau of Land Management (BLM) plan to protect the diverse and vital environment and it is considered an amendment of the BLM San Luis Management Plan.

Although the RGNA plan cannot dictate management on private lands, the commission did ~~engage and~~ solicit all landowners for their input and participation in regards to opportunities for improved management along the Rio Grande corridor. (Appendix X, Section 7). ~~In addition, the Act established a nine-member Commission representing state and federal government officials, and local citizens.~~

Comment [AASI]: Only the BLM plan for the west side will be considered an amendment to the BLM's RMP (Sec. 6 (c) (2) (C) of the ACT)

## 1.2 RGNA Act ~~Commission summary~~

~~It was recommended to use what Paul wrote, but that is basically what fills the proper section. What else do we need to include here?~~

## 1.3 RGNA Commission

The Commission was established to advise the Secretary of the Interior with respect to the RGNA, and to prepare a management plan related to non-federal land within the RGNA's boundaries. The Act requires that the Commission be composed of: a representative of the Colorado State Director of the Bureau of Land Management; the manager of the Alamosa National Wildlife Refuge; a representative of the Colorado Division of Wildlife; a representative of the Colorado Division of Water Resources; a representative of the Rio Grande Water Conservation District; and four members that represent the general public, are citizens of the local region, and RGNA commissioners have knowledge and experience in fields of interest relating to the preservation, restoration and use of the RGNA area. The BLM evaluated the nominees based on their education, training, experience and knowledge of the RGNA's geographical area, and their ability to demonstrate a commitment to collaborative resource decision-making. (Appendix X, Section 4).

The RGNA Commission was comprised of the following individuals representing the positions described above ~~members~~ when the RGNA Management Plan was drafted:

Harold Anderson, Citizen of the Local Region  
Rick Basagoitia, Colorado ~~Division of~~ Parks and Wildlife  
Michael Blenden, U.S. Fish and Wildlife Service  
Craig Cotten, Colorado Division of Water Resources  
Tom Heinlein, Bureau of Land Management  
Steve Vandiver, Rio Grande Water Conservation District  
Rio de la Vista, Citizen of the Local Region  
Michael Willett, Citizen of the Local Region  
Open seat

## 2.0 Introduction and Statement of Work

~~The RGNA is designated as all land one quarter of a mile from either bank of the Rio Grande, from the southern boundary of the Alamosa National Wildlife Refuge and south to the New Mexico state border where it touches the Rio Grande del Norte National Monument. The monument, established in 2013, includes approximately 242,500 protected BLM acres and natural resources within and surrounding the Rio Grande Gorge.~~

~~The RGNA's purpose is to conserve, restore and protect the natural, historic, cultural, scientific, scenic, wildlife and recreational resources of the area. Encompassing approximately 5,900 acres of private land—about 66 percent of the area—and 2,900 acres of BLM public lands, the RGNA includes a 33-mile stretch of the river, which is the boundary line between Conejos County to the west and Costilla County to the east. On the Costilla County side, the land is mostly privately owned except for a parcel of county-owned land near State Highway 142, while the Conejos County side is split approximately 75/25 between BLM and private ownership.~~

Comment [AAS2]: Moved to section 1.0.

Section 4 (b) (2) of the Act requires that the Commission prepare a management plan addressing the non-Federal land in the Natural Area and submit the plan to Secretary of Interior for approval. Section 6(c) of the Act requires that the plan take into consideration the Federal, State, and local plans in existence on the date of enactment of the Act (October 12,2006) and include an inventory of resources contained in the RGNA including a list of property that should be preserved, restored, managed, developed, maintained, or acquired to further the purposes of the RGNA and a recommendation of policies (referred to as Best Management Practices in this plan) for resource managers that protect the resources of the RGNA and provide for solitude, quiet use, and pristine natural values of the RGNA.

The RGNA resources inventory is derived from a number of existing reports, studies and other documents discussing the resources of this area and/or related nearby areas. The recommendations are based on the input of the commissions members and the publics input.

A detailed resource inventory is provided at the end of this document in addition to resource studies and links referenced within the report.

The eCommission's recommendations are founded on public input and collaborative decision-making with private landowners and local, state and federal governments.

The Management Plan # will guide future RGNA land management objectives in addition to providing input to the BLM for its RGNA management plans.

The plan, ~~prepared under section 6(b)(2)(A)~~, shall apply to private land in the RGNA only to the extent that any private landowner agrees in writing to be bound by the management plan. (Appendix X, Section 8).- A private land owner may choose to voluntarily implement the Best Management Practices recommended in the Plan to achieve the purposes of the Act.

Discuss issues/outline document here.

The boundary of the RGNA is described in the Act and the Secretary, through the Bureau of Land Management, is required to prepare a map and legal description of the RGNA and make it available for the public. The Public Land/Private Land boundary within the RGNA is unusual in that land boundaries along rivers generally use the middle of the river as the boundary. However, based on language of the Spanish Land Grant that designated the east side of the RGNA as private, the BLM interpreted the public land/private land boundary to be the high water mark on the east side of the river. Most of the private land deeds along the east side of the river describe the private lots as extending to the middle of the river.

Comment [AAS3]: Name of? Land Grant

There are some questions as to the Rio Grande's official meander line, an important determination because of the BLM parcel located on the Rio Grande's eastern bank. Some consider the Rio Grande's east bank to mark the meander line, and others - private property owners - consider it the center.

A major natural resource challenge within the RGNA is the number of abandoned and feral horses, and illegal trespass cattle grazing. The unmanaged grazing competes with managed grazing and wildlife for natural resources while stressing

the overall environment, the health of the riparian vegetation and threatening motorist safety on RGNA roads.

#### List of All Area Resource Studies and Links

- Conejos County Comprehensive Land Use Plan  
Digital copy not available
- Costilla County Comprehensive Land Use Plan on  
[www.costillacounty-co.gov/documents/pz\\_comphresensiveplan.pdf](http://www.costillacounty-co.gov/documents/pz_comphresensiveplan.pdf)
- San Luis Resource Area Plan  
[http://www.blm.gov/co/st/en/fo/slvfo/Travel\\_Management.html](http://www.blm.gov/co/st/en/fo/slvfo/Travel_Management.html)
- Rio Grande Corridor Final Plan  
[http://www.blm.gov/pgdata/etc/medialib/blm/nm/field\\_offices/taos/taos\\_planning/docs.Par.80725.File.dat/rio\\_grande\\_](http://www.blm.gov/pgdata/etc/medialib/blm/nm/field_offices/taos/taos_planning/docs.Par.80725.File.dat/rio_grande_)

### 3.0 Natural Resources

#### 3.1 An **Inventory** of Resources

Much of the RGNA's ~~natural environment~~ provides ~~a variety of natural~~ resources, including water, plants and fertile soils, needed to support human beings throughout their existence in the area. ~~In addition, the RGNA provides significant habitat for a variety of fish and wildlife species.~~

The Rio Grande Headwaters originate in the San Juan Mountains and travels for 1,885 miles before emptying into the Gulf of Mexico. Along its way, it gives life to the RGNA, and to the many other areas. The Rio Grande Compact, an agreement between Colorado, New Mexico and Texas, sets a framework for an equitable allocation and use of the river's water annually for the three states. The Bureau of Reclamation's Closed Basin Project was designed to assist Colorado ~~in meeting~~ its compact obligations to the downstream states.

#### **Irrigation.**

From the Alamosa National Wildlife Refuge south to Los Sauces (The Willows) and the confluence with the Conejos River, the Rio Grande has a meandering streambed with oxbows, side channels and riparian vegetation with dense willow stands, cottonwood groves and large irrigated meadows. ~~Riparian corridors are one Colorado's most significant and limited habitat types. Many wildlife species depend on riparian corridors for migration and for their primary needs.~~

The majority of the RGNA between the southern end of the Alamosa National Wildlife Refuge and Las Sauces consists of privately owned cattle ranches with a few scattered BLM parcels.

South of Las Sauces, the Rio Grande is less meandering, and the terrain in the RGNA narrows between the San Luis Hills on the east side of the Rio Grande and Flat Top Mountain ~~to the on the west bank~~. In this section of the Rio Grande, there is relatively unimpeded access to the river channel. ~~Lack of grazing management and~~

**Comment [AAS4]:** Consider calling Sect. 3.1 "A Description of RGNA Resources"

**Comment [AAS5]:** I believe the idea here was to provide a description of the need for irrigation upstream and explain its impact on river flows through RGNA.

Throughout this section of the river, un-managed grazing due to abandoned horses and extensive livestock trespass cattle has resulted in grazing severely impacted riparian habitat. , which includes a number of abandoned horses, is degrading the riparian habitat.

South of the State Highway 142 Bridge, the terrain on either side of the Rio Grande opens slightly and there is opportunity for recreational access from the BLM parcel to the west. The remnants of a failed dam attempt include pylons on either side of the Rio Grande and large rocks forming the base of the dam. A large cement diversion structure on the Costilla County owned parcel on the east side of the Rio Grande remains about halfway between State Highway 142 and the Lobatos Bridge. Beginning about a mile below the State Highway 142 Bridge is the Upper Box reach that extends for 1.3 miles. Within the Upper Box, vertical rock walls of up to 100 feet create a canyon and narrow river zone. Other places between the State Highway 142 and the Lobatos Bridge section include sparsely vegetated hills on either side of the Rio Grande rising anywhere from 500 to 900 feet. This area has also been impacted by unmanaged grazing of abandoned horses and illegal livestock.

Below the Lobatos Bridge, the Rio Grande deepens into the Lower Box. From the riverbed, the canyon walls rise over 200 feet at the Colorado/New Mexico state border, creating an enclosed setting that conveys an intense feeling of isolation and remoteness. While the cliffs confine the riparian zone in this area, there is ample raptor habitat in the rock walls.

There are some questions as to the Rio Grande's official meander line, an important determination because of the BLM parcel located on the Rio Grande's eastern bank. Some consider the Rio Grande's east bank to mark the meander line, and others – private property owners - consider it the center.

BLM definitions and findings.  
Deeds.

A major natural resource challenge within the RGNA is the number of abandoned and feral horses, and illegal trespass cattle grazing. The unmanaged grazing competes with managed grazing and wildlife for natural resources while stressing the overall environment, the health of the riparian vegetation and threatening motorist safety on RGNA roads.

The RGNA Act does not with the conflict the Rio Gande Compact, does not authorize the imposition of any mandatory streamflow requirements, nor does t he Act create a Federal reserved water right. (RGNA Act Section 8 (1-6). (Appendix 8, Section 8, Section 7 (b).

### 3.2 List of Resource Studies and Links

- LiDAR  
<http://lidar.cr.usgs.gov/>
- Rio Grande Compact

<http://water.state.co.us/DIVISIONSOFFICES/DIV3RIOGRANDERIVERBASIN/Pages/Div3RioGrandeRB.aspx>

- Closed Basin Project

<http://www.rgwcd.org/page21.html>

- Soil surveys

[http://soils.usda.gov/survey/online\\_surveys/colorado/](http://soils.usda.gov/survey/online_surveys/colorado/)

- Colorado Natural Heritage Program county resource profiles

<http://www.cnhp.colostate.edu/wetlandinventory/profile.asp?GeoUnitID=104>

<http://www.cnhp.colostate.edu/wetlandinventory/profile.asp?GeoUnitID=114>

<http://www.cnhp.colostate.edu/wetlandinventory/profile.asp?GeoUnitID=115>

- Memorandum regarding the Western Boundary of the Sangre de Cristo Grant, Malcolm Ebright

Maps

Riparian study

Dunes Valez presentation

## 4.0 Wildlife Resources

### 4.1 An Inventory of Resources

Wildlife populations within the RGNA are highly dependent on its resources for survival, especially the riparian **habitat zones**, permanent bodies of water essentially consisting of fairly narrow strips of land bordering creeks, rivers, lakes or other bodies of water. Plant species, soil types, and topography are distinctive when compared to the surrounding, drier upland area.

Within the 33 miles of the RGNA, the riparian zone is in varying conditions for various reasons. For example, along the last eight miles of the RGNA where the **shorelines- riverbanks** are primarily rock, there is a narrow zone of little to no riparian vegetation. In other reaches where there is potential for riparian vegetation and habitat development, uncontrolled grazing and other use-related factors **currently** limit the health of **the** riparian **habitat zone**.

A detailed list of RGNA wildlife species will be available in a forthcoming BLM plan for the area.

**Comment [AAS6]:** Move this section directly under 4.0 as its kind of a general description of WL and not the inventory.

**Comment [AAS7]:** Confusing here\_ is this supposed to be a description of Riparian habitat?

**Comment [AAS8]:** We should provide a list or "inventory" here.

Alamosa Refuge draft plan

#### 4.1.1 **Wildlife Species Fish**

Fisheries BLM, CPW: [stocking and recreation](#)

See BLM website

#### 4.1.2 **Birds and Waterfowl**

Many species of waterfowl are evident along the Rio Grande. Nesting waterfowl include Canada goose, mallard, gadwall and cinnamon teal.

The San Luis Valley is one of the most southernmost major water bird production area in the Central Flyway, and is also considered the most important water bird production area in the state because a significant portion of water bird populations migrate through the Rio Grande corridor.

There are also significant concentrations of nesting raptors including golden eagles, prairie falcons, owls and hawks.

In January 2013, the U.S. Fish and Wildlife Service designated critical habitat for the southwestern willow flycatcher, listed as an Endangered Species in 1995, along 23 miles of the Rio Grande and a 2.9-mile stretch of the Conejos River. The small bird allegedly (potential for habitat, a flyway) found along the RGNA riparian habitats lives among dense groves of willows, arrowweed, buttonbrush, box elder and alder. In 2005, the U.S. Fish and Wildlife Service (FWS) designated critical habitat for the southwestern willow flycatcher, but it did not include the San Luis Valley, citing progress towards a community-based Habitat Conservation Plan (HCP). While there are stands of willows in the RGNA, the BLM has only identified breeding pairs near the confluence of the Rio Grande and Conejos rivers and the McIntire-Simpson parcel, which lies west of the RGNA and further upriver along the Rio Grande.

#### **4.1.3 Mammals**

Large ungulates in or adjacent to the RGNA include mule deer, elk and pronghorn antelope.

[See BLM website](#)

The relationship between livestock and wildlife should be defined and discussed and include an explanation of why the abandoned/feral horses and the permitted/trespass cattle grazing affects the native species.

#### **4.2 List of Resource Studies and Links**

- Colorado Natural Heritage Program county tracked element inventories  
<http://www.cnhp.colostate.edu/wetlandinventory/elementsList.asp?GeoUnitID=104>
- <http://www.cnhp.colostate.edu/wetlandinventory/profile.asp?GeoUnitID=114>
- <http://www.cnhp.colostate.edu/wetlandinventory/profile.asp?GeoUnitID=115>
- San Luis Valley Regional Habitat Conservation Plan  
[www.slvhpc.com/Planning\\_docs.html](http://www.slvhpc.com/Planning_docs.html)
- Survey of Critical Wetlands and Riparian Areas in Southern Alamosa and Costilla Counties, San Luis Valley, Colorado, CSU  
[www.cnhp.colostate.edu/download/documents/2004/Southern\\_Alamosa\\_and\\_Costilla\\_Wetlands.pdf](http://www.cnhp.colostate.edu/download/documents/2004/Southern_Alamosa_and_Costilla_Wetlands.pdf)
- Biological Inventory of Rio Grande and Conejos Counties (CSU)  
[www.cnhp.colostate.edu/download/documents/2000/Rio\\_Grande\\_and\\_Conejos\\_Counties\\_Vo11.pdf](http://www.cnhp.colostate.edu/download/documents/2000/Rio_Grande_and_Conejos_Counties_Vo11.pdf)

#### **5.0 Historic/Cultural Resources**

## 5.1 An Inventory of Resources

The Rio Grande is an important paleontological, cultural and historical resource corridor because it is one of the largest river systems in the American Southwest. The story of human use in this area spans thousands of years and provides an excellent opportunity for public outreach, interpretation and research. North of the RGNA, within the Alamosa National Wildlife Refuge is the Hansen Bluff, which is significant for its large number of special vertebrate and invertebrate fossils, and Native American artifacts.

Comment [AAS9]: Move to 5.0

The BLM has recorded cultural resource phenomena within the RGNA including prehistoric, historic and isolated finds. Only a very small percentage of the total cultural resources in the planning area, however, are not recorded because most have not been inventoried. Pre-historic sites include locales of stone tool manufacture, open-air and sheltered camps and rock art panels.

Historic sites range from building foundations to the location of the storied 1694 crossing of the Rio Grande by Don Diego de Vargas, to petroglyphs and natural dwellings.

The Lobatos Bridge, which crosses the Rio Grande at Conejos County Road G, is the one historic structure in the RGNA listed on the National Register of Historic Places. Other historical themes include aboriginal riverine use and occupation, water development, transportation/travel corridors and early turquoise, uranium and gold mining.

RGNA sites warranting interpretation and protection include:

- Town site, near the Lobatos Bridge
- Valdez Ferry (5CN23) (1861)
- Dam Site (1940s/1950s)
- Rock Art Site 5CT263, attributed to Rio Grande Hopi cultures.
- Rio Grande cave paleoindian site
- Stewart's Ferry (1863)
- Stage Coach Route that crossed at the Valdez Ferry
- Military crossing
- De Vargas Crossing

## 5.2 List of Resource Studies and Links

- Sangre de Cristo National Heritage Area  
[www.sdcnha.org](http://www.sdcnha.org)
- Los Caminos Antiguos Historic/Scenic Byway  
[www.coloradodot.info/travel/scenic-byways/south-central/los-caminos](http://www.coloradodot.info/travel/scenic-byways/south-central/los-caminos)
- CSU Natural Heritage Program Document Library  
[www.cnhp.colostate.edu/download/reports.aspx](http://www.cnhp.colostate.edu/download/reports.aspx)
- San Luis Valley Rock Art, Kessler, 2000
- Wild and Scenic Rio Grande, DeVries and Maurer, 1994
- The San Luis Valley Land of the Six Armed Cross, Simmons
- La Vereda: A Trail through Time, Colville
- Rio Grande del Norte Monument management plan

## 6.0 Scientific Studies Resources and Data

### 6.1 An Inventory of Resources

The RGNA's abundant resources provide numerous scientific exploration opportunities for professional, amateur or academic purposes.

At the professional level, the natural resources, wildlife and water resource managers of the BLM and the State of Colorado have developed a long-term understanding of biological processes, animal use and migration habit and the management and delivery of water through the Rio Grande.

On an amateur level, visitors come to the RGNA to engage their own curiosity about the remarkable natural world and its geology, flora and fauna. The RGNA's isolated character provides a sense of solitude, heightening scientific understanding, providing a clearer lens on the natural world. At night, the RGNA brings awareness of the universe in a way unachievable in a more populated, heavily lit location. Finally, the RGNA is a living laboratory. The San Luis Valley's elementary students visit the Rio Grande to understand the scientific method in practice, and high school and college students conduct experiments and train to become professional scientists in their own right. The RGNA represents an incubator of not only scientific understanding of the natural processes that have shaped the San Luis Valley for millions of years, but also a place where students can develop the skills, talent and desire to increase knowledge of the environment we depend upon and all its aspects in the future.

### 6.2 List of Resource Studies and Links

- Lobato's gage histogram
- BLM climate change report

[http://www.blm.gov/pgdata/etc/medialib/blm/nv/Great\\_basin\\_lcc/documents.Par.76366.File.dat/Climate.Change.Vulnerability.Assessment.pdf](http://www.blm.gov/pgdata/etc/medialib/blm/nv/Great_basin_lcc/documents.Par.76366.File.dat/Climate.Change.Vulnerability.Assessment.pdf)

## 7.0 Scenic Resources

### 7.1 An Inventory of Resources

The RGNA is a scenic resource in itself.

With the exception of the box canyons, the Sangre de Cristo Mountains and the San Juan Mountains are visible from most of the area. Depending on the segment of the river, visitors can experience remarkable vistas of the San Luis Hills, Flat Top Mountain, the San Luis Hills Wilderness Study Area, the Las Sauces farming and ranching community and the Rio Grande's upper and lower box canyons. The RGNA's northern half is more developed, including Las Sauces and its structures.

South of Las Sauces, the land within the RGNA remains mostly undeveloped with a few exceptions of buildings along the east side of the Rio Grande below the State Highway 142 Bridge.

**Comment [AAS10]:** This is more of a description of a recreational/educational opportunity. I thought this section was supposed to be a description/inventory of scientific studies/data that are available for the RGNA. Given that we provide a list of references/studies/data for each section, we should consider deleting this section and move this information to recreation under Environmental Education.

**Comment [AAS11]:** Provide a brief description of what scenic resources are.

Additionally, several subdivision roads, county roads and BLM designated routes on the west side are visible within the RGNA.

Include Ute and San Antonio Mountains

Add short description of the Rio Grande del Norte National Monument

## 7.2 List of Resource Studies and Links

- BLM recreation studies

[http://www.blm.gov/co/st/en/BLM\\_Programs/recreation/recreation\\_areas0/san\\_luis\\_valley\\_field.html](http://www.blm.gov/co/st/en/BLM_Programs/recreation/recreation_areas0/san_luis_valley_field.html)

- Visual Resource Inventory

- Rio Grande at Del Norte legislation of scenic values

[http://www.riograndedelnorte.org/wp-content/uploads/2012/06/Taos-Resolution\\_2012-13\\_Rio\\_Grande\\_Del\\_Norte\\_.pdf](http://www.riograndedelnorte.org/wp-content/uploads/2012/06/Taos-Resolution_2012-13_Rio_Grande_Del_Norte_.pdf)

Maps

S.

## 8.0 Recreation Resources

### 8.1 An Inventory of Resources

Recreational activities for the general public within the RGNA are primarily on BLM ~~administered Public Lands parcels~~.

Public ~~Rio Grande~~ access is located:

- North of the confluence of the Conejos River and the Rio Grande
- State Highway 142
- The Lobatos Bridge and Costilla County Road Z.

On ~~the~~ BLM ~~administered land parcels located~~ within the RGNA, there is motorized access to the Rio Grande in several locations north of State Highway 142 and along the river between State Highway 142 and the Lobatos Bridge, which is one of the BLM's preferred boating access areas. Due to the steep walls of the Lower Box Canyon, there is no motorized access to the river below the Lobatos Bridge. The open motorized roads on ~~the~~ BLM ~~land parcels~~ provide access for other dispersed recreation activities such as hiking, biking, picnicking and wildlife viewing.

The only available public access to the river within the RGNA is located in the ~~subdivided portions of Costilla County~~ between State Highway 142 and the Lobatos Bridge. The subdivided parcels in this area bordering the Rio Grande contain a right of way for pedestrian access along their western boundary, though the easement does not appear well known or used. There is a Costilla County owned parcel just below the State Highway 142 Bridge in the planning stages for a recreational site.

Boating

Comment [AAS12]: Provide a brief description of recreational resources/opportunities.

Comment [AAS13]: Need a map showing this.

Boaters enjoy a combination of Class I and II rapids in the RGNA, depending on the time of year or seasonal stream flows. Class I rapids are considered fast moving water with riffles and small waves, few obstructions and they offer low risk to swimmers. Class II rapids are considered straightforward rapids with wide, clear channels that are evident without scouting. Occasional maneuvering may be required, but trained paddlers easily miss rocks and medium-sized waves. Swimmers are seldom injured and group assistance, while helpful, is seldom needed.

#### Fishing

Introduced as game species in the 1930s, brown trout, rainbow trout and northern pike continue to attract fishermen to the Rio Grande.

~~Hunting within the RGNA occurs on a limited basis and on public lands. Waterfowl are hunted along the river to a limited extent, and there is deer, antelope and small game hunting potential. No areas are closed to firearm use or hunting in the RGNA except as posted by private landowners.~~

Trespassing on private lands, however, does occur, and is a concern for the landowners, impacting a number of the RGNA's resources including

#### Hunting

Hunting within the RGNA occurs on a limited basis and on public lands. Waterfowl are hunted along the river to a limited extent, and there is deer, antelope and small game hunting potential. No areas are closed to firearm use or hunting in the RGNA except as posted by private landowners.

#### Bird Watching

#### Hiking

#### Camping

#### Site Seeing

#### Environmental Education

#### Other??

### 8.2 List of Resource Studies and Links

- Costilla County Trails, Recreation and Open Space Plan  
<http://www.colorado.gov/cs/Satellite/CNTY-Costilla/CBON/1251595143234>
- SLV Trails and Recreation Master Plan  
[www.slvgo.com](http://www.slvgo.com)

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## 9.0 ~~RGNA Recommendations and~~ Best Management Practices (Policies)

Comment [AAS14]: I went through and reworded some of these and deleted repeated recommendations.

### 6.3 Recommendation

- ~~Complete a Supporting~~ a river ~~restoration~~ study focusing on geomorphology including sediment influx and the overall condition of riparian habitat, ~~where appropriate.~~  
Encouraging river restoration and habitat enhancement projects including fencing where appropriate and needed for grazing management
- ~~Encouraging water management education including~~ including education about the irrigatio system and needs upstream of the RGNA.

\*~~Construct Supporting~~ permanent and/or temporary exclosures in appropriate areas to improve the condition of riparian habitat ~~without disturbance~~

\* ~~Seek out Supporting~~ grants to aid and enable natural resource conservation projects within the RGNA

- ~~Provide Supporting~~ grazing management education for landowners.  
~~Supporting r~~Removal of abandoned/feral horses; and trespass livestock from the RGNA. ~~education for landowners and access to land management tools~~  
~~Supporting resolution of cattle trespassing~~
- Encouraging landowners to enter into voluntary land conservation easements
- Encouraging landowner-coordination with weed districts, soil conservation districts and BLM ~~on for active~~ weed management.

### 7.3 Recommendations

- ~~Addressing and offering solutions for trespass cattle problems and abandoned/feral horses.~~
- ~~Encouraging river restoration and habitat enhancement projects including fencing where appropriate and needed for grazing management~~
- ~~Encouraging voluntary conservation easements~~
- ~~Encouraging water management education including irrigation.~~

### 8.3 Recommendations

- ~~Supporting~~ enhanced historical experiences through additional interpretive signs that explain the historical value.
- ~~Supporting~~ public outreach and communication to ensure historic preservation and education.
- Encouraging tribal input on the Rio Grande's history and RGNA natural resource uses
- ~~Recommending that~~ the De Vargas Crossing is interpreted, protected and monitored.

Comment [AAS15]: The commission is supposed to develop a list of properties that should be preserved, restored, managed, developed, maintained, or acquired...

•Recommending priority areas for additional cultural or heritage resources through partnerships with higher education institutes and field schools for surveys and studies.

•Recommending the Mortenson Dam Diversion Structure be is managed to eliminate and prevent future for graffiti and other damages to the structure.

Comment [AAS16]: Additional what? Inventory?

### 9.3 Recommendations

•Supporting experiential learning opportunities for students through “Youth Days”

•Supporting employment opportunities

Comment [AAS17]: What’s this in reference to??

### 10.3 Recommendations For Policies

•Encourage Costilla County to consider ing landowners to enter into voluntary conservation easements, replatting and lot consolidation to enhance resource management and protection.

•Recommending a BLM Visual Resource Management Class II rating - to retain the existing character of the landscape – and offering landowners management tools.

•Costilla County land use codes, especially setback requirements

### 11.3 Recommendations

•Supporting historic route preservation on the westside of the river, including the road to the New Mexico border, to discourage trespassing on private roads

•Supporting road improvements where appropriate to protect the natural resources and provide safe, reliable access for recreation in designated locations

•Encouraging Costilla County to preserve and develop its recreational facilities

• Encouraging Costilla County to do a road analysis relative to qualities of the RGNA, and consider lot consolidation aimed at removing roads and possible road closures

•Recommending landowners erect signs indicating no trespassing are placed on the east side to locate private land boundary.

•Obtain easements with willing landowners on the east side to allow for public access to the river access.

•Supporting existing Rio Grande boating access in Costilla County, and encouraging the establishment identification of new locations with willing landowners.

•Supporting Support Costilla County’s development of primitive campsites on Costilla County Public Lands and parking area development where appropriate

•Supporting existing trail enhancements on public lands, particularly for boating access.

•Supporting enhanced recreational experiences through interpretive signs, primarily for education, not advertisement

## Appendix X

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One Hundred Ninth Congress  
of the United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Tuesday, the third day of January, two thousand and six

An Act

To establish the Rio Grande Natural Area in the State of Colorado, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Rio Grande Natural Area Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1)

COMMISSION.—The term “Commission” means the Rio Grande Natural Area Commission established by section 4(a).

(2)

NATURAL AREA.—The term “Natural Area” means the Rio Grande Natural Area established by section 3(a).

(3)

SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 3. ESTABLISHMENT OF RIO GRANDE NATURAL AREA.

(a)

IN GENERAL.—There is established the Rio Grande Natural Area in the State of Colorado to conserve, restore, and protect the natural, historic, cultural, scientific, scenic, wildlife, and recreational resources of the Natural Area.

(b)

BOUNDARIES.—The Natural Area shall include the Rio Grande River from the southern boundary of the Alamosa National Wildlife Refuge to the New Mexico State border, extending 1/4 mile on either side of the bank of the River.

(c)

MAP AND LEGAL DESCRIPTION.—

(1)

IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Natural Area.

(2)

EFFECT.—The map and legal description of the Natural Area shall have the same force and effect as if included in this Act, except that the Secretary may correct any minor errors in the map and legal description.

(3)

PUBLIC AVAILABILITY.—The map and legal description of the Natural Area shall be available for public inspection in the appropriate offices of the Bureau of Land Management.

SEC. 4. ESTABLISHMENT OF THE COMMISSION.

(a) ESTABLISHMENT.—There is established the Rio Grande Natural Area Commission.

(b) PURPOSE.—The Commission shall—

(1) advise the Secretary with respect to the Natural Area; and

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(2) prepare a management plan relating to non-Federal land in the Natural Area under section 6(b)(2)(A).

(c) MEMBERSHIP.—The Commission shall be composed of 9 members appointed by the Secretary, of whom—

(1) 1 member shall represent the Colorado State Director of the Bureau of Land Management;

(2) 1 member shall be the manager of the Alamosa National Wildlife Refuge, ex officio;

(3) 3 members shall be appointed based on the recommendation of the Governor of Colorado, of whom—

(A) 1 member shall represent the Colorado Division of Wildlife;

(B) 1 member shall represent the Colorado Division of Water Resources; and

(C) 1 member shall represent the Rio Grande Water Conservation District; and

(4) 4 members shall—

(A) represent the general public;

(B) be citizens of the local region in which the Natural Area is established; and

(C) have knowledge and experience in the fields of interest relating to the preservation, restoration, and use of the Natural Area.

(d) TERMS OF OFFICE.—

(1) IN GENERAL.—Except for the manager of the Alamosa National Wildlife Refuge, the term of office of a member of the Commission shall be 5 years.

(2)

REAPPOINTMENT.—A member may be reappointed to the Commission on completion of the term of office of the member.

(e)

COMPENSATION.—A member of the Commission shall serve without compensation for service on the Commission.

(f)

CHAIRPERSON.—The Commission shall elect a chairperson of the Commission.

(g)

MEETINGS.—

(1)

IN GENERAL.—The Commission shall meet at least quarterly at the call of the chairperson.

(2)

PUBLIC MEETINGS.—A meeting of the Commission shall be open to the public.

(3)

NOTICE.—Notice of any meeting of the Commission shall be published in advance of the meeting.

(h)

TECHNICAL ASSISTANCE.—The Secretary and the heads of other Federal agencies shall, to the maximum extent practicable, provide any information and technical services requested by the Commission to assist in carrying out the duties of the Commission.

#### SEC. 5. POWERS OF THE COMMISSION.

(a)

HEARINGS.—The Commission may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this Act.

(b)

COOPERATIVE AGREEMENTS.—

(1)

IN GENERAL.—For purposes of carrying out the management plan on non-Federal land in the Natural Area, the Commission may enter into a cooperative agreement with the State of Colorado, a political subdivision of the State, or any person.

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(2)

REQUIREMENTS.—A cooperative agreement entered into under paragraph (1) shall establish procedures for providing notice to the Commission of any action proposed by the State of Colorado, a political subdivision of the State, or any person that may affect the implementation of the management plan on non-Federal land in the Natural Area.

(3)

EFFECT.—A cooperative agreement entered into under paragraph (1) shall not enlarge or diminish any right or duty of a Federal agency under Federal law.

(c)

PROHIBITION OF ACQUISITION OF REAL PROPERTY.—The Commission may not acquire any real property or interest in real property.

(d)

IMPLEMENTATION OF MANAGEMENT PLAN.—

(1)

IN GENERAL.—The Commission shall assist the Secretary in implementing the management plan by carrying out the activities described in paragraph (2) to preserve and interpret the natural, historic, cultural, scientific, scenic, wildlife, and recreational resources of the Natural Area.

(2)

AUTHORIZED ACTIVITIES.—In assisting with the implementation of the management plan under paragraph (1), the Commission may—

(A)

assist the State of Colorado in preserving State land and wildlife within the Natural Area;

(B)

assist the State of Colorado and political subdivisions of the State in increasing public awareness of, and appreciation for, the natural, historic, scientific, scenic, wildlife, and recreational resources in the Natural Area;

(C)

encourage political subdivisions of the State of Colorado to adopt and implement land use policies that are consistent with—

(i)

the management of the Natural Area; and

(ii)

the management plan; and

(D)

encourage and assist private landowners in the Natural Area in the implementation of the management plan.

## SEC. 6. MANAGEMENT PLAN.

(a)

IN GENERAL.—Not later than 4 years after the date of enactment of this Act, the Secretary and the Commission, in coordination with appropriate agencies in the State of Colorado, political subdivisions of the State, and private landowners in the Natural Area, shall prepare management plans for the Natural Area as provided in subsection (b).

(b)

DUTIES OF SECRETARY AND COMMISSION.—

(1)

SECRETARY.—The Secretary shall prepare a management plan relating to the management of Federal land in the Natural Area.

(2)

COMMISSION.—

(A)

IN GENERAL.—The Commission shall prepare a management plan relating to the management of the non-Federal land in the Natural Area.

(B)

APPROVAL OR DISAPPROVAL.—

(i)

IN GENERAL.—The Commission shall submit to the Secretary the management plan prepared under subparagraph (A) for approval or disapproval.

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(ii)

ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves the management plan submitted under clause (i), the Secretary shall—

(I)

notify the Commission of the reasons for the disapproval; and

(II)

allow the Commission to submit to the Secretary revisions to the management plan submitted under clause (i).

(3)

COOPERATION.—The Secretary and the Commission shall cooperate to ensure that the management plans relating to the management of Federal land and non-Federal land are consistent.

(c)

REQUIREMENTS.—The management plans shall—

(1)

take into consideration Federal, State, and local plans in existence on the date of enactment of this Act to present a unified preservation, restoration, and conservation plan for the Natural Area;

(2)

with respect to Federal land in the Natural Area—

(A)

be developed in accordance with section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712);

(B)

be consistent, to the maximum extent practicable, with the management plans adopted by the Director of the Bureau of Land Management for land adjacent to the Natural Area; and

(C)

be considered to be an amendment to the San Luis Resource Management Plan of the Bureau of Land Management; and

(3)

include—

(A)

an inventory of the resources contained in the Natural Area (including a list of property in the Natural Area that should be preserved, restored, managed, developed, maintained, or acquired to further the purposes of the Natural Area); and

(B)  
a recommendation of policies for resource management, including the use of intergovernmental cooperative agreements, that—

- (i) protect the resources of the Natural Area; and
- (ii) provide for solitude, quiet use, and pristine natural values of the Natural Area.

(d)

PUBLICATION.—The Secretary shall publish notice of the management plans in the Federal Register.

#### SEC. 7. ADMINISTRATION OF NATURAL AREA.

(a) IN GENERAL.—The Secretary shall administer the Federal land in the Natural Area—

(1)

in accordance with—

(A)

the laws (including regulations) applicable to public land; and

(B) the management plan; and

(2)

in a manner that provides for—

(A)

the conservation, restoration, and protection of the natural, historic, scientific, scenic, wildlife, and recreational resources of the Natural Area;

(B)

the continued use of the Natural Area for purposes of education, scientific study, and limited public recreation

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in a manner that does not substantially impair the purposes for which the Natural Area is established;

(C)

the protection of the wildlife habitat of the Natural Area;

(D)

a prohibition on the construction of water storage facilities in the Natural Area; and

(E)

the reduction in the use of or removal of roads in the Natural Area and, to the maximum extent practicable, the reduction in or prohibition against the use of motorized vehicles in the Natural Area (including the removal of roads and a prohibition against motorized use on Federal land in the area on the western side of the Rio Grande River from Lobatos Bridge south to the New Mexico State line).

(b)

CHANGES IN STREAMFLOW.—The Secretary is encouraged to negotiate with the State of Colorado, the Rio Grande Water Conservation District, and affected water users in the State to determine if changes in the streamflow that are beneficial to the Natural Area may be accommodated.

(c)

PRIVATE LAND.—The management plan prepared under section 6(b)(2)(A) shall apply to private land in the Natural Area only to the extent that the private landowner agrees in writing to be bound by the management plan.

(d)

WITHDRAWAL.—Subject to valid existing rights, all Federal land in the Natural Area is withdrawn from—

(1)

all forms of entry, appropriation, or disposal under the public land laws;

(2)

location, entry, and patent under the mining laws; and

(3)

disposition under the mineral leasing laws (including geothermal leasing laws).

(e)

ACQUISITION OF LAND.—

(1)

IN GENERAL.—The Secretary may acquire from willing sellers by purchase, exchange, or donation land or an interest in land in the Natural Area.

(2)

ADMINISTRATION.—Any land or interest in land acquired under paragraph (1) shall be administered in accordance with the management plan and this Act.

(f)

APPLICABLE LAW.—Section 5(d)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(d)(1)) shall not apply to the Natural Area.

#### SEC. 8. EFFECT.

Nothing in this Act—

(1)

amends, modifies, or is in conflict with the Rio Grande Compact, consented to by Congress in the Act of May 31, 1939 (53 Stat. 785, ch. 155);

(2)

authorizes the regulation of private land in the Natural Area;

(3)

authorizes the imposition of any mandatory streamflow requirements;

(4)

creates an express or implied Federal reserved water right;

(5)

imposes any Federal water quality standard within or upstream of the Natural Area that is more restrictive than would be applicable had the Natural Area not been established; or

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(6)

prevents the State of Colorado from acquiring an instream flow through the Natural Area under the terms, conditions, and limitations of State law to assist in protecting the natural environment to the extent and for the purposes authorized by State law.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

SEC. 10. TERMINATION OF COMMISSION.

The Commission shall terminate on the date that is 10 years after the date of enactment of this Act.

Speaker of the House of Representatives.

Vice President of the United States and President of the Senate.