



www.rweact.org

www.facebook.com/RWEACT

SENT VIA EMAIL AND U.S. MAIL

Tom Spezze
Executive Director, RWEACT
3528 Highway 114
Gunnison, CO 81239
(970)765-4231
tom@dinatalewater.com

Ms. Susan Oetker
Endangered Species Program
U.S. Fish and Wildlife Service
1875 Century Blvd., Suite 200
Atlanta, GA 30345
susan_oetker@fws.gov

December 28, 2013

Dear Ms. Oetker:

The Rio Grande Watershed Emergency Action Coordination Team (RWEACT) appreciates the opportunity to provide comment on the conservation of the Rio Grande Cutthroat Trout ("RGCT"), which was requested by your letter dated October 30, 2013. Thank you as well for the extension of time provided to submit these comments.

RWEACT was formed in July of 2013 in response to the West Fork Complex Fire. RWEACT was established to bring together local, state and federal agencies, organizations, and individuals to develop an effective, coordinated approach for immediate actions addressing fire-caused hazards and the protection of human life, property, and the natural health of the Rio Grande watershed and its environment.

The mission of RWEACT is to "protect human life, property, and the natural health of the Rio Grande watershed and its environment". The Hinsdale Board of County Commissioners provided the USFWS with an earlier letter stating the "incidental" benefits RWEACT provides to the conservation of RGCT. Hinsdale County also serves as a partner and the Fiscal Agent for our RWEACT effort and provided the Service with a copy of our Strategic Plan and updated Newsletters through November 2013 as documentation for some of the strategic, minimization, mitigation and avoidance efforts RWEACT has been involved in related to public safety and watershed health. These actions also provide benefit to the habitat quality of RGCT conservation populations connected with the Rio Grande main stem and its tributaries. Along with those "bullet points" provided by Hinsdale BOCC, RWEACT is entering into a "strategic, pro-active" project and planning phase for establishing forest and watershed health actions and projects directly and indirectly related to mitigating impacts to the ecosystems conjoined with and downstream of the West Fork Complex Fire burn scar.

Following is an incomplete list of collaborating RWEACT partners:

The cities of Creede, South Fork, and Del Norte; Colorado Department of Local Affairs; Colorado Department of Transportation; Colorado Division of Fire Prevention and Control; Colorado Office of Emergency Management; Colorado

Tom Spezze

Executive Director

970-765-4231

info@rweact.org



www.rweact.org

www.facebook.com/RWEACT

Tom Spezze

Executive Director

970-765-4231

info@rweact.org

Page 2, December 28, 2013 Letter to Ms. Oetker

Parks and Wildlife; Colorado State Division of Water Resources; Colorado State Forest Service; Division of Homeland Security and Emergency Management; elected officials (State Senator Larry Crowder, State Representative Edward Vigil, US Congressman Scott Tipton, US Senator Mark Udall, US Senator Michael Bennett, US Senator Gail Schwartz); Federal Emergency Management Association; Hinsdale County Board of Commissioners, Emergency Management and Sheriff; Mineral County Board of Commissioners, Public Health, Public Information and Sheriff; Natural Resources Conservation Service; private landowners (4UR Ranch, Broad Acres, Broken Arrow Ranch); private businesses (Black Creek Hydrology, DiNatale Water Consultants, Rue Logging, Team Murphy Realty); RiGHT - Rio Grande Headwaters Land Trust; Rio Grande County Board of Commissioners, Emergency Management and Sheriff; Rio Grande Headwaters Restoration Project; Rio Grande Water Users; San Luis Valley Irrigation District; San Luis Valley Rural Electric Association; San Luis Valley Water Conservancy District; Trout Unlimited; USDA Forest Service - Rio Grande National Forest; and many more.

RWEACT supports the significant efforts that have been made and continue to be made to conserve the RGCT by those governments and agencies that are signatories to the Conservation Agreement for the Rio Grande Cutthroat Trout in the States of New Mexico and Colorado, and who have developed a comprehensive Conservation Strategy for the species. The science and genetics technology that has developed, documented, and provided by Colorado Parks and Wildlife is state of the art and the "best available" for the long-term conservation of RGCT. The group that is known as the Rio Grande Cutthroat Trout Conservation Team includes Colorado Parks and Wildlife (CPW), New Mexico Department of Game and Fish, U.S. Forest Service, Regions 2 and 3; U.S. Fish and Wildlife Service, Regions 2 and 6; Bureau of Land Management, National Park Service, Jicarilla Apache Nation, Mescalero Apache Nation, and Taos Pueblo Waterchief. The Team is also supported by Colorado Trout Unlimited and New Mexico Council of Trout Unlimited. It is clear that the USFWS has a copy of the Conservation Team's recently updated Conservation Agreement and Conservation Strategy. The conservation partnership that has been developed from a consortium of federal and local governments and agencies is believed, by RWEACT, to be the best and most prudent way to conserve the RGCT. In addition, Rio Grande Basin local relationships and efforts have developed a spirit of cooperation between the Conservation Team, water conservation districts, water users, landowners and the public that provides additional assurance that RGCT conservation will remain a high priority. A "decision to list" the species will only serve to undermine the accomplishments, willingness and goodwill that have been established through this local commitment to manage the critical habitat for RGCT. We at RWEACT also believe the species will gain no additional conservation benefit from a designation as endangered or threatened under the ESA, than that provided by the accumulated conservation efforts of the local, state and federal agencies that currently exists under the Conservation Agreement. Efforts of the multi-jurisdictional Conservation Team have a proven, successful track record and provide the best strategy to ensure the viability of the species.



Some of RWEACT's actions, projects, and planned endeavors include:

- USGS Potential for Debris Flow mapping study (implemented fall 2013)
- Hydro-axe, seeding, mulching test plot projects (implemented fall 2013)
- Little Squaw Creek Debris Flow Mitigation Project (approved, funded and planned implementation in spring of 2014)
- Water Quality monitoring study along the upper Rio Grande (approved, funded and planned for implementation in spring of 2014)
- Additional rain/stream gauge installations (approved, funded, planned implemented in summer of 2014)
- Rio Grande Forest/Watershed Resiliency Project (in development and discussion phase in winter of 2013 and 2014)
- Lake Humphreys Debris Dredging, Trash Rack, Debris Removal Boom project (approved, funded implementation underway, winter and spring of 2013 and 2014)
- Participant and partner in development of Rio Grande Basin Water Plan (includes Non-Consumptive water needs/projects/actions specifically related to environmental attributes, including RGCT habitat, of the Rio Grande Basin – on-going)
- RGCT Conservation Actions:
 - Participant in RGCT local conservation partners meetings (on-going in winter of 2013 and 2014)
 - Participation in development of multi-county RGCT Conservation Strategy and Support Memorandum of Understanding (MOU) between all Counties with historic RGCT populations and current Conservation Populations of RGCT (on-going)
 - Participation in discussions for potential development of CCAs (Candidate Conservation Agreement, on public lands) and CCAAs (Candidate Conservation Agreement with Assurances, on private lands) for RGCT long-term conservation (on-going)
 - Haypress Lake RGCT reclamation project (in partnership with CPW and private landowner, planning, development, planned implementation for summer and fall of 2014)
 - Little Squaw Creek RGCT reclamation project (future project identified for additional planning and action strategy, 2014)

Tom Spezze

Executive Director

970-765-4231

info@rweact.org

In conclusion, it is the belief and position of RWEACT that the on-going efforts of the RGCT Conservation Team, the actions of RWEACT (past, current and planned) along with the local, community-based partnerships that have been established among water users, landowners and government entities throughout the Rio Grande Watershed provide the most reliable assurances for the long-term conservation of the RGCT. Further, it is our opinion that listing the species under the ESA is NOT WARRANTED given the extensive science developed and documented along with the efforts and successes of the State and these groups. Primary management authority and responsibility for RGCT should be left in the hands of the State of Colorado (Colorado Parks and Wildlife) per statutory mandate (33-1-101). The partnership, cooperation and collaboration of federal, state and local governments and the public that has occurred on public and private lands, and continues to occur to conserve the RGCT, should be held up by the USFWS as the model for this as well as other species conservation actions and ESA decisions.



Page 4, December 28, 2013 Letter to Ms. Oetker

Thank you again for the opportunity to participate in this discussion and comment on this landmark decision. If you have any future questions or communications, please don't hesitate to contact me at any time.

Sincerely,

A handwritten signature in black ink, which appears to read "Tom Spezze". The signature is fluid and cursive, with a long horizontal line extending to the right.

Tom Spezze
Executive Director
RWEACT
info@rweact.org
970-765-4231
www.rweact.org

www.rweact.org

www.facebook.com/RWEACT

Tom Spezze

Executive Director

970-765-4231

info@rweact.org