

COLORADO RIVER RECOVERY PROGRAM
FY 99 ANNUAL PROJECT REPORT

RECOVERY PROGRAM
PROJECT NUMBER: CAP-6-LA

- I. Project Title: Land Acquisition Activities for the Habitat Restoration Program
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- III. Project Summary: The purpose is to acquire interests in land from public and private landowners to restore and protect bottomland habitat. This involves acquisition planning, community involvement, establishing and monitoring acquisition procedure, acquiring land from willing landowners, and transferring that land.

NEPA and Section 7 have been completed for land acquisition including an EA supplement to allow transfer of properties to FWS. At the beginning of the fiscal year, there were seven outstanding offers and five of those were successfully completed. Two more offers were made in FY 99 and one of those was accepted. One property was acquired in partnership with Bureau of Reclamation and Mesa County Land Conservancy so it could be used in part for growout ponds to supplement hatchery operations. Total acquisitions for FY 99 were two offers, six easement acquisitions, and one fee acquisition. All the easements have been transferred from Bureau of Reclamation to Fish and Wildlife Service. Approximately 30 properties are currently in various stages of the pre-acquisition process.

- IV. Study Schedule:
Initial Year: FY 97
Final Year: Unknown

- V. Relationship to RIPRAP:

GREEN RIVER ACTION PLAN: MAINSTEM
ACTIVITY II. RESTORE HABITAT

II.A.2. Acquire interest in high-priority flooded bottomland habitats

COLORADO RIVER ACTION PLAN: MAINSTEM
ACTIVITY II. RESTORE HABITAT

II.A.5. Acquire interest in high-priority flooded bottomland habitats

COLORADO RIVER ACTION PLAN: GUNNISON RIVER
ACTIVITY II. RESTORE HABITAT

II.A.3. Acquire interest in high-priority flooded bottomland habitats

- VI. Accomplishment of FY 99 Tasks and Deliverables, Discussion of Initial Findings and Shortcomings: We have revised the way the properties are tested and approved for contaminants. This is in part because of selenium concerns and in part because we have found contaminants on potential acquisition sites. During FY1999, a new arrangement between Bureau of Reclamation and the Fish and Wildlife Service was reached for contaminant survey and acquisition approvals.

All required project approvals have been received as shown below:

Land acquisition steps to start the project:

1. Define habitat requirements/policy - completed
2. Set geographic limits - completed.
3. Preliminary project ownership research - completed on the Green River and in Mesa County on the Colorado River. Research for other areas on the Colorado and Gunnison Rivers is on hold.
4. Navigable river ownership (Green River). Researched legal rights and contacted State of Utah. This issue will have to be resolved by the Solicitor's Office.
5. Negotiate real estate agency responsibility - Resolved. Working closely with the Land Acquisition Coordinator, Bureau of Reclamation (Reclamation) will acquire easements. Acquired property will be transferred to Fish and Wildlife Service (Service) once their planning has been completed. If the Service receives approvals to use Land and Water Conservation Funding for acquiring habitat, they will complete those acquisitions and hold the property.
6. Draft right-of entry agreements and get approvals - completed.
7. Draft easement document and get approvals - completed. Document has been drafted, reviewed and approved by Program staff, Reclamation, and Service.
8. Draft growout pond leases - completed. These were drafted, reviewed, and approved.
9. Project ownership maps - Completed for the Green River and Mesa County between Palisade and Loma on the Colorado River. Other geographic areas on hold..
10. Contact landowners - 95% of the Green River landowners have been contacted by letter and phone. Landowner in other areas are being contacted on a priority basis.
11. Process tracts for interested landowners - See discussion below.
12. National Environmental Protection Act (NEPA) compliance - The environmental assessment was drafted, approved, and then supplemented.
13. Section 7 compliance with the Endangered Species Act - Biological Opinion was drafted and approved.
14. Non-profit participation in fee/easement conversions - This applies on an "as needed" basis when a landowner will not sell and easement, but will only sell in fee. Non-profit help to acquire one property was requested in FY 98.

New landowners were contacted and a number of acquisition prospects were developed. Floodability surveys, contaminant surveys, title work, land surveys, maps, and appraisals were completed on individual tracts. As discussed above, two additional offers were made to landowners, six easements were acquired, and one property was acquired in fee.

- VII. Recommendations: Continue acquisition efforts using the following priorities:
1. Complete acquisitions for properties with existing offers.
 2. Process property where the landowner is willing to consider acquisition so that an offer can be made.
 3. Contact new landowners to line up potential acquisition properties.
 4. Continue to develop alternatives to speed up the acquisition process.
 5. Develop and strengthen partnerships with local government and gravel industry

leaders to protect habitat.

- VIII. Project Status: The complexity and amount of time required to conduct land acquisitions for habitat has been underestimated from the beginning of this project. Project approvals that were required to begin acquisition were not received until the middle of FY 1998. The amount of effort required to define the project, establish policy, set up interagency coordination, develop community awareness and support, and obtain project approvals has been extensive and continues to evolve. This coupled with the need to identify potential habitat, find willing landowners, study each individual property for suitability, prepare them for acquisition, and acquire those properties is complicated and time consuming out of necessity.

This considerable effort that has been invested to restore and protect habitat through land acquisitions is now being realized through successful easement agreements. At the same time, we need to find alternative methods to speed the acquisition process so we can be more successful.

IX FY 99 Budget Status

- A. Funds Provided: \$1,959,900
- B. Funds Expended: \$?????
- C. Difference: \$?????

Percent of the FY 99 work completed, and projected costs to complete: N/A
Recovery Program funds spent for publication charges: None

X. Status of Data Submission: Not Applicable

- XI. Signed David L. Soker December 6, 1999
Principal Investigator Date