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NATIONAL PARK SERVICE ENTITLED TO WATER RIGHTS IN BLACK CANYON OF THE GUNNISON NATIONAL PARK

Conservation Coalition Supports Protecting the Biological Health of the Canyon

A coalition of conservation groups entered the debate today over the Black Canyon of the Gunnison National Park's decision to quantify its 1933 water right to protect instream flows of the Gunnison River through the Park. If the Park is awarded its full water right, the river's flows would change to better mimic the seasonal peak flows and historic base flows through the canyon.

"We support the idea that the Park Service must protect and preserve all of the Black Canyon Park's resources, including aquatic and riparian habitat, scenic, recreational and aesthetic qualities," said Tara Thomas, Executive Director of the Western Slope Environmental Resource Council. A series of dams built in the 1960s have greatly altered the timing of water flows through the canyon. "Ensuring the biological health of the canyon should be at the top of the Park Service's priority list, and we agree that more water may be needed to protect it properly," said Thomas.

The Black Canyon of the Gunnison was recently upgraded from a National Monument to a National Park in 1999 by an act of Congress, and the decision was widely supported inside the basin. "Given the overwhelming local support for the creation of the Park, it's surprising to find that there would be opposition to managing the canyon as one of the crown jewels of the national park system," said Pam Eaton, Regional Director for the Wilderness Society. "To adequately protect this national treasure, we have to give it the water it needs and is legally entitled to. To do less just doesn't make sense."

By protecting its water right, the Park Service's claim would play a major role in keeping valuable water within the Gunnison River basin. "This water needs to stay in the basin instead of being sent over the mountains to feed Front Range development," said Art Stephens, President of Western Colorado Congress. "This application is about keeping the basin, including the Black Canyon, healthy and wet."

The Park Service's filing in state water court would allow it to access its full water right, established in 1933 when the Black Canyon of the Gunnison was first protected. The water will be used to fulfill the stated purpose of the park -- to conserve and maintain in an unimpaired condition the scenic, aesthetic, natural and historic objects of the Black Canyon, including fish,

wildlife and habitat, and to provide a source of recreation and enjoyment for all generations of citizens of the United States -- as previously decreed by the Colorado Water Court in 1979. "Every water user in the Basin knew this day would come. Now that it is here, we must all work together to ensure that the Park's aquatic ecosystem is restored and preserved," said Mark Heller, Executive Director of the High Country Citizens' Alliance.

The Park Service has indicated that they would like to move the discussion beyond the courtroom and directly into stakeholder negotiations. "We are encouraged by the Park Service's intention to bring the stakeholders to the table to find the best way to preserve and protect the Black Canyon for future generations," said Bart Miller, Staff Attorney with the Land and Water Fund of the Rockies, who, along with the Land and Water Fund's Executive Director Bruce Driver, is representing the coalition. "We understand the need to work with everyone in the basin." The Land and Water Fund is representing High Country Citizens' Alliance, Western Colorado Congress, Western Slope Environmental Resource Council, Environmental Defense, and The Wilderness Society in the proceedings.