



“Voice of the Western Slope since 1953”
A coalition of counties, communities, businesses & individuals

(970) 242-3264 ★ FAX (970) 245-8300
P.O. Box 550 ★ Grand Junction, CO 81502-0550
www.club20.org

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U.S. FOREST SERVICE BYPASS FLOW REQUIREMENTS
FOR RENEWAL OF SPECIAL USE PERMITS

WHEREAS CLUB 20 has consistently opposed the Forest Service practice of requiring federally imposed bypass flows in order to obtain new or renewal of special use permits, as an illegal taking of private property (water rights) without compensation; and

WHEREAS the Forest Service has and continues to prepare Forest Management Plans that require bypass flows to meet habitat criteria in order to obtain special use permits or in FERC re-licensing actions; and

WHEREAS the Forest Management Plans do not provide for a balance of multiple forest purposes but requires that an arbitrary habitat criteria be met even if detrimental to other Forest purposes; and

WHEREAS the Forest Service Region 2 has entered into and renewed a Memorandum of Understanding (MOU) with the Colorado Department of Natural Resources (CDNR) where the two parties agreed to seek alternative methods to provide for stream habitat needs without imposition of a federal bypass.

NOW THEREFORE BE IT RESOLVED that CLUB 20:

- Opposes federally imposed stream bypasses in order to obtain a modification of an existing diversion, renewal of a special use permit, or renewal of a FERC license, and
- Opposes criteria in Forest Management Plans that is used by the Forest Service as the reason that bypasses are required and opposes such criteria being applied as to preclude multiple use of Forest lands, and
- Supports the MOU between the Region 2 Forest Service and CDNR as an appropriate mechanism to resolve potential bypass requirements.

Adopted 4-9-10