



FINAL

**Ruby Mountain Springs Parcel Land Management Plan
Chaffee County Colorado**

April 29, 2010

Chaffee County, through issuing a 1041 Permit to Nestle Waters North America's ("Nwana") oversees Nwana's Project and its Ruby Mountain Springs Land Management Plan ("Plan") with annual review by appropriate agencies including Colorado Division of Wildlife ("CDOW") and Natural Resource Conservation Service ("NRCS"). Nwana has prepared this Plan through consultation with the CDOW and NRCS to plan and ultimately manage the land and natural resources associated with Nwana's land holdings. Those holdings are identified as the Ruby Mountain Springs Parcel and Bighorn Springs Parcel. This Plan covers the Ruby Mountain Springs Parcel. A separate Land Management Plan governs the Bighorn Springs Parcel.

Nwana has committed, as part of its Chaffee County 1041 Permit, to naturalize the Ruby Mountain Springs Parcel, and maintain the property as productive wildlife habitat. This Land Management Plan presents how Nwana will maintain the property after the naturalization has been completed. As a condition of its 1041 Permit approval, Nwana must comply with the Plan for the duration of the Project. The scope and process of Nwana's naturalization of the property will be addressed in a separate document (Conceptual Ruby Mountain Springs Parcel Habitat Restoration Plan). Finally, Nwana has committed voluntarily to place the Ruby Mountain Springs Parcel into a Permanent Conservation Easement subsequent to the Habitat Restoration.

This Ruby Mountain Springs Parcel Land Management Plan will cover the following topics:

- Bighorn Sheep Habitat Protection
- Livestock Grazing
- Weed Management Plan
- Public Access

Approved 5/5/10 DSK

- Permanent Conservation Easement
- Annual Reporting
- Reference Documents

Bighorn Sheep Habitat Protection

The Colorado Division of Wildlife (“CDOW”) has identified the west slope of Sugarloaf Mountain as valuable Bighorn Sheep habitat. NWNA is committed to conservation of this area for Bighorn Sheep. Specifically, land east of County Road 300 (“CR 300”) will be left undeveloped, and no grazing by domestic livestock will be permitted on any portion of the property. Since the CDOW prefers that wildlife movements remain largely uninhibited, the existing fence along the west side of CR 300 will be replaced with new wildlife-friendly fencing located on the western CR 300 ROW boundary prior to operation, and no new fencing will be constructed on the east side of CR 300.

Due to the CDOW concern regarding the potential for transmission of disease, such as pasteurella, from domestic sheep to Bighorn Sheep. NWNA will not permit the presence of domestic sheep or goats on its Ruby Mountain Springs Parcel.

Livestock Grazing

No livestock grazing will be permitted on the Ruby Mountain Springs Parcel. The Ruby Mountain Springs Parcel Site Plan (attached) shows the location of exclusionary, wildlife-friendly, fencing along the CR 300 ROW, and along the northern and western boundary of the parcel to intersect the Arkansas River.

Weed Management Plan

Chaffee County approved NWNA’s weed management plan for its Project. NWNA will employ Best Management Practices and comply with the Chaffee County Weed Management Plan and State of Colorado Weed Plan to protect against infestation of noxious weeds on its properties. NWNA will take responsibility of weed management within the County Road Right of Way through the Parcel (see NWNA ROW Deed Agreement). A holistic approach to noxious weed management will also be incorporated into the Habitat Restoration including removal of existing noxious species, use of clean soils, careful selection of re-vegetative native species, and manual maintenance as required.

Public Access

Due to the anticipated high value of the newly created wetlands and riparian habitat resulting from the hatchery removal and habitat reclamation, and the need to protect the potable water supply, no general public access to the Ruby Mountain Springs Parcel will be permitted. Opportunities for structured educational public access will continue to be explored with stakeholders as the habitat reclamation project progresses. Educational opportunities will be offered to local school programs focused on natural resource management. These opportunities will be coordinated through NWNA's local Natural Resource Manager, and may include class tours, water sampling, and ecological observations.

NWNA has committed as part of its 1041 Permit to provide a public in-stream (wade) fishing easement to the CDOW on the Ruby Mountain Springs Parcel. This public access to the property will be managed by the CDOW through the Arkansas River Headwaters Recreation Area parking area at Ruby Mountain.

The terms of this fishing easement are being formulated by NWNA and CDOW presently. Under these terms the easement may be revoked based on negligent management of the Property by CDOW that allows for repeated trespass or degradation of the property or the restored habitat by the public, or election by CDOW to no longer manage the fishing easement subject to Board of County Commissioners approval and amendment of the 1041 permit. Revocation of the easement will be subject to a "notification/action" process agreed to by NWNA and CDOW.

Permanent Conservation Easement

NWNA has committed voluntarily to place the Ruby Mountain Springs Parcel into a permanent Conservation Easement. NWNA is committed to creating the permanent conservation easement subsequent to completion of the Ruby Mountain Springs habitat reclamation project. NWNA is exploring opportunities with several land trust entities in order to formulate a permanent Conservation Easement, the terms of which protect NWNA's permitted operations on the parcel, and achieve NWNA's long-term management goals for the parcel. The Conservation Easement agreement terms will address topics including, but not limited to, no residential development of the Parcel, maintenance of NWNA's facilities, fishing and educational access to the property, and ongoing water resource and ecological monitoring.

Annual Reporting

Each year as part of its 1041 Annual Report to the County, NWNA will submit a report summarizing its land management practices on the Ruby Mountain Springs Parcel. Topics to be included in this Land Management Report follow:

- 1) Summary of Activities (e.g. construction, revegetation, re-fencing, bighorn habitat protection)
- 2) Wetlands Protection and Upland Vegetation Documentation (e.g. descriptive narrative and photographs)
- 3) Weed Management (e.g. noxious species present, eradication measures, CR 300 activities)
- 4) Public Access Status and Activities (e.g. CDOW Easement, Educational Activities)
- 5) Habitat Restoration Activities
- 6) Conservation Easement Status

Reference Documents

The following Exhibits accompany this Land Management Plan:

Exhibit A – Ruby Mountain Springs Site Plan

The following documents are included in this Land Management Plan by reference:

- 1) USACE 2000 Wetlands Management Handbook
- 2) NRCS Code 528
- 3) NWNA's approved Weed Management Plan