

**Piedra River Protection Workgroup  
Meeting #5 Feb. 21, 2012  
Ross Aragon Community Center, Pagosa Springs**

What happened at this meeting?

- Identified conservation easements
    - Discussed In-stream Flows
  - Discussed changes to values statement
  - Identified current protections and values on East Fork, Middle Fork, and Williams Fork
- Website: [ocs.fortlewis.edu/riverprotection](http://ocs.fortlewis.edu/riverprotection)

Next meeting: Tues, March 13  
5:30 p.m.

Ross Aragon Community Center  
Pagosa Springs

Ground rules for collaborative approach and meeting civility were reviewed. January minutes were approved. Approximately 25 people attended the meeting.

**Meeting Summary:** This was the 5<sup>th</sup> meeting of the Piedra Work Group, formed to identify people's particular values regarding the Piedra River Watershed, with the ultimate goal of determining if additional protection is warranted. The 2007 San Juan Public Lands Center Draft Management Plan identified 50.12 miles of the Piedra River as preliminarily suitable for Wild and Scenic River status, prompting the community meetings.

Facilitator Tami Graham noted that Phase I of the discussion process presenting background information has been completed. The group has moved on to Phase II, which involves continued discussion of community values for the river basin, identifying current protections and whether current protections are adequate for the long-term health of the area of focus for the Piedra river.

The group continued to identify current protections within the Piedra Focus Area, generally encompassing the watershed north of Highway 160 to the headwaters, including the Middle and East Forks along with associated tributaries, lakes and reservoirs.

### **Conservation easements documented**

A list of conservation easements within the focus area was updated, and the Hinsdale County Upper Piedra District plan was reviewed.

Ann Oliver presented a table of current conservation easements. There are ten conservation easements identified within the Piedra Focus Area, three in Archuleta County, and seven in Hinsdale County, totaling approximately 6,317 acres. An exact number is still being researched. The Lone Tree Ranch, 150 acres, was added to the list at the meeting.

Changes to the information sheet were discussed. It was emphasized that including the geologic values of the Piedra River into the record as an important value. Conservation easements as a protection tool should also be indicated in the information sheet on page 6.

Ann Oliver reported that there is 48,000 acres of private land north of Highway 160 within the focus area, and 13 percent of those acres have conservation easements associated with them.

Conservation easements are a legal tool that private landowners use to curtail unwanted development on their land in perpetuity. The easement land is put into a trust with a land conservation organization, which manages the health of the land with landowners, limits additional development and preserves agreed-upon uses, such as agriculture. Conservation easements are legally binding agreements and apply to current and future landowners of that property.

It was asked how many actual river miles are within the conservation easements, but there was not enough information to answer this. It was determined that each segment of the Piedra main stem and East and Middle Forks needed to have these specifics. John Whiting noted that not all easements have contact with the river.

### **Wild and Scenic River suitability**

Forest supervisor Mark Stiles explained how much land within the river drainage was deemed “preliminarily suitable” for Wild and Scenic River status and was forest service managed:

Piedra River main stem:	70.2% forest service
East Fork:	78.2% forest service
Middle Fork:	95.7% forest service

He said a W&S designations typically include ¼ mile of land on both sides of the waterway.

Wendy McDermott noted that the East Fork W&S suitability section starts at the Weminuche Wilderness boundary and continues upstream from there.

Stiles said all the information of forest service management for the area suitable for W&S status would be compiled into a graph for better understanding.

The graph will be added to the Piedra Working Group Information Sheet. An updated table of conservation easements will also be added to the information sheet.

### **Map discussion**

John Taylor observed that the maps need to better clarify which sections of the Piedra main stem, Middle and East Forks are under suitability status for W&S. Forest Service personnel said a clearer map would be produced. It was also suggested that maps should indicate the various layers of protection along each section of stream or river deemed W&S suitable.

Too many layers on one map make it hard to read, so multiple maps showing different information should be produced. One complication is that the Forest Service does not list conservation easements on its maps, and land trusts don't release information on easements without owner permission.

**Federal Roadless Rule:** Melanie Whiting of Trout Unlimited updated the group on the litigation status of the federal Roadless rule established in 2001. The measure restricts development and road-building in areas of the National Forest deemed Roadless, but the legislation, signed by President Clinton has been challenged in court by states. She said the U.S. 10<sup>th</sup> Circuit court upheld the 2001 rule, and rejected a compromised Roadless rule promoted by Wyoming.

Stiles said there is still litigation surrounding the Roadless rule and a Colorado plan to manage for roadless areas is expected later this year. He added that the Colorado draft version of the rule contemplates adjusting the roadless boundary set in the federal law.

**Piedra Area:** Location of Piedra Area (a special management designation in the Focus Area) in relation to the river was discussed.

Stiles said that the lower west side of the Piedra Area comes in contact with the Piedra river but does not include the river. Upstream, the Piedra Area crosses the Piedra main stem and the river is included within the Piedra Area management practices.

### **Values statement discussion**

In paragraph four, the group agreed to add “agricultural” to values under threat from road improvements and increased visitation. Wendy suggested using the word ‘watershed’ in the first paragraph or title to reflect a group consensus at the Jan 17 meeting to focus on preserving the watershed as a whole, not just the river corridor.

Melanie of TU added that the Piedra’s free flowing nature should be included as a value to prevent large dams from being built on the main stem of the Piedra. Bruce Whitehead, of SWWCD, said that preserving agricultural diversions should be acknowledged as well, and that adding “free flowing” to the statement implies a preference for Wild and Scenic designation because that is one of the criteria. He prefers using the word “natural” river. It was noted that Williams Creek Reservoir, in Hinsdale County, is on a tributary of the Piedra River.

Ann suggested clarifying a free flowing river in the sense that it has a natural hydrograph, and sustains aquatic and riparian life. Chuck Wanner suggested using the words “generally free flowing” so it does not prohibit diversions. Mark, a local outfitter, suggested adding a value that no one wants a dam on the main stem of the Piedra river. Bob read from the W&S law, pointing out that the criteria for consideration prohibits major dams.

**Consensus:** Facilitator Tami Graham concluded there was consensus that having no dam on the Piedra River main stem was a group value, and that agricultural diversion structures were also a value within the watershed. No one disagreed.

Forest Supervisor Mark Stiles said in paragraphs 5 and 7 references are made to residents making a living off recreational visitors (outfitting, lodging, boating, hunting, fishing) but that language should also include non-commercial recreation used by visitors to hike, bike, photograph, boat, fish and hunt.

A revised values statement will be drafted and presented at the next meeting.

**Piedra Road:** It was noted that increased traffic on the Piedra road due to improved conditions could have a negative effect on the watershed. The road is a major access for Hinsdale as well as Archuleta county residents, and locals joked that it's poor condition in sections actually helps prevent too much use. Some improvement was warranted, however, for the safety of visitors, locals and second home owners, just not to the point it would be get overrun.

Meeting Break

### **Discussion of In-stream flows**

An in-stream flow is an in-channel appropriation of non-consumptive water between two specific points and is appropriated by the Colorado Water Conservation board for the purpose of protecting the natural environment to a reasonable degree. In-stream flow rights are administered within the state's water right priority system.

In 1978, in-stream flows were appropriated for four sections of the Piedra River, one section of the Middle Fork, one section of the East Fork, one section on Williams Creek and two sections on Weminuche Creek. (See chart on page 8 of the information sheet)

Wendy McDermott said she recognizes that in-stream flows are a protection, but even with these established minimum flows, the East Fork occasionally dries up. Whitehead responded that in-stream flows function within Colorado water law, and that the additional protection doesn't necessarily include water supply. Steve Fearn explained that in-stream flows prevent any *further* dry up of streams than they currently have with irrigation demands.

### **Current protections**

Current protections and values of the East and Middle Forks and Williams Creek were documented by the group. Sections of the Middle and East Forks are already well protected, it was noted, because they are within the Weminuche Wilderness.

Stiles pointed out that it is the preliminary suitability of the Piedra River, East Fork and Middle Forks for Wild and Scenic consideration that has brought everyone together, but that it is just one tool for protection. He added that Wild and Scenic segments are managed

slightly differently depending on the surroundings, such as a recreational W&S if there is a nearby road, or a more pristine W&S on untouched sections, so there are many options.

### **Middle Fork values and protections**

- Upper reaches have Wilderness protection.
- In-stream flow rights from confluence with Porphyry Gulch to confluence with the East Fork of the Piedra River. (11cfs)
- Protected within the Hinsdale County Upper Piedra District plan.
- Middle Fork passes through a group of holdings under the Notch Ranch conservation easement.
- Under new Forest Plan, area will go from a 7e management level to a level 5.
- Water quality is considered good below Wilderness boundary and outstanding within Wilderness Area.
- Excellent cold-water fishery, contains cutthroat hybrids, good natural barrier on Porphyry Creek that helps preserve more pure genetic strains.
- Biomass control and logging contracts in the works for this area.
- Remote area limits recreation impacts; no developed recreation trails, except game trails.
- There is a section of Roadless area near the Middle Fork just southeast of Wilderness Area. Colorado Roadless Rule may have changed this.
- Lynx habitat within the Wilderness boundary.

### **East Fork Protections/values**

- Difficult access, no trail system and poor road.
- In-stream Flows between the confluence with Deadman Creek and the confluence with the Middle Fork of the Piedra River (10 cfs)
- Upper sections are protected by Wilderness designation.
- Pure Colorado cutthroat population found in upper section within Wilderness Area. Waterfalls are a natural barrier to help preserve pure genetic strain.
- Portion of Piedra Forks Ranch conservation easement drains into East Fork.
- Section of Roadless Area between Wilderness and private land.

- Included in Hinsdale County Upper Piedra Plan.
- Certain deed restrictions on private land restricting ridge top construction.
- Good water quality
- Historic values
- Wildlife: Bighorn Sheep, river otters, conservation population of Colorado cutthroat, big game.
- Winter road closures are a form of protection.
- No sheep grazing in area. Some cattle

### **Williams Creek protections/values**

- In-stream Flow from Indian Creek confluence to confluence with Piedra River (14 cfs)
- Roadless Area
- County land-use plans that protect land from overdevelopment.
- Recreation, dispersed camping, five developed campgrounds. Major trailheads to Continental Divide.
- Research Natural Area within drainage
- Commercial outfitting
- Grazing
- Timber harvest
- Wildlife: bald eagle, moose, osprey, river otter, bighorn sheep, possible boreal toad.
- Less protection on Williams Creek than East and Middle forks, gets more use.
- Williams Creek Reservoir. Managed for fishery and agriculture by Forest Service and Colorado Parks and Wildlife
- Excellent fishery
- Protections in state wildlife area at Williams Reservoir
- Grazing allotments
- Gold Hunting
- It was noted that Williams Creek is not listed as suitable for Wild and Scenic River status, but is worth discussing because it is within the Piedra watershed.

The group ran out of time to discuss the protections and values of the Piedra River main stem, and other tributaries.

Meeting adjourned at 8:30 p.m.

**Next steps:** Discuss protections and values on the mainstem and discuss if the current protection tools are adequate.

**Next meeting:** March 13, at 5:30

Visit the website for the River Protection Workshop for documents, meeting minutes and more information:

[www.ocsfortlewis.edu/riverprotection](http://www.ocsfortlewis.edu/riverprotection)

(Find the Piedra Workgroup on the left buttons.)