

**Piedra River Protection Workgroup
Meeting #10 July 17, 2012
Ross Aragon Community Center, Pagosa Springs, Colo.**

What happened at this meeting?

1. Improved hydrographs were made available.
2. An update was given on the Little Sand Creek fire.
3. Status of revised Forest Plan presented.
4. Consensus on plan to move forward was made by group.
5. Idea for additional protection introduced followed by discussion.
6. New tour scheduled for Aug. 13.

Next meetings:

August 21, 5:30 p.m.

Sept. 18, 5:30 p.m.

Oct. 16, 5:30 p.m.

All meetings at Ross Aragon
Community Center,
Pagosa Springs

Approximately 25 people attended this meeting.

Hydrograph data on the Piedra was made available to the group. Updated conservation easement information was also made available.

Facilitator Tami Graham encouraged the group to refrain from position statements or decision making at this point in the working group process. She persuaded the group to continue voicing opinions and work towards consensus and final recommendations.

The group was reminded that two areas of consensus had been established to date: approaching the Piedra issues and concerns as a larger watershed rather than just a river, and; agreement that no new, major impoundments (dams and reservoirs) should be allowed on the Piedra River.

Process principles of respectful dialogue and allowing for a diversity of opinions were reviewed.

The conservation easement section of the information page was updated. The Notch Ranch is not under a conservation easement as previously thought. Subtracting the acreage of the Notch Ranch brings the total acreage of conservation easements within the Focus Area to 3,759.9 acres.

The group had discussed focusing on whether listed threats to the Piedra were controllable or protected by current river and land management policies. But further discussion revealed that determining whether current protections were adequate for stated

values would be more useful to determine if the Piedra could use additional protections or not.

By Fall, working group organizers hope to begin putting together potential proposals for protections for the Piedra River that meet various interests of the stakeholders. A smaller group, typically called a drafting committee, is one way to facilitate this process.

Proposals will have a lot of specific detail and entail copious fact gathering on all the issues presented by the working group members. It was stated that the current meeting process would continue until Spring of 2013. At that point the groups findings, conclusions and consensus actions would be put into a report and circulated among policy makers, elected officials, government agencies and interests groups.

Forest Supervisor Mark Stiles reported to the group that the Final Forest Management Plan for the San Juan National Forest was expected to be published in October, 2012. After that, a Record of Decision (ROD) is made regarding the various alternatives put forth in the final plan; then the plan is implemented as policy. He said the process and input of the various river groups on Wild and Scenic issues would be represented in the final report and ROD. The final alternative will show which sections of the Piedra main stem, East Fork and Middle Fork are labeled “preliminarily suitable” for Wild and Scenic River status.

An environmental impact statement is conducted on the final forest plan, a process that will also include the input from the Piedra working group process. Stiles said the forest managers do not pressure Congress to move forward on potential Wild and Scenic, rather the final plans indicates the areas that have eligible status. It is up to Congress to determine if Wild and Scenic is worth pursuing, or in some cases the Sec. of Interior.

It was suggested that a handout outlining the steps towards Wild and Scenic would be helpful.

Fire update

An update on the Little Sand fire was given by Kevin. Since July 4, three inches of rain had fallen in the area, quieting down the blaze. Crews are in monitor mode and the fire’s severity on the landscape has been low.

Forest officials said the values of the Piedra have been preserved in regards to the wildfire, and in fact help to improve some areas by burning out excess fuels and underbrush. However, some fish populations in area streams could be impacted by ash and increased erosion as a result of the fire, but should recover in a few years with the help of fish stocking. The fire did not create a major fish kill in the Piedra. Little Sand and Sand Creek were the hardest hit by the fire, which burned more than 20,000 acres, of which 5,000 acres burned at high intensity.

Stiles said the \$7.5 million it took to fight the Sand Creek fire was a good investment in terms of forest management and the benefits a wildfire brings to a forest.

The fire did hurt the local business of outfitters. The area has been closed, preventing outfitters from guiding their usual client base on fishing trips, hiking and trail rides. The benefits of a natural fire like the Little Sand also improve hunting by opening up the forest canopy, expanding the feeding range for deer and elk. Fire disturbance also triggers aspen growth, another wildlife food source and effective soil stabilizer.

Regarding ranching, officials said the fire is not expected to impact grazing leases and that all permittees are back on the range.

It is expected that trails will undergo rehab due to the fire. Burned areas often let loose boulders, trees and debris onto trails, blocking the path.

Hydrograph discussion

Updated hydrographs of the Piedra River were provided to the group, and they were discussed. The hydrographs compile data from three USGS gages on the Piedra: near Arboles (Sept. 1962 – July, 2012); at the Highway 160 bridge (Oct. 1939 – June 1973); and Bridge Ranger Station (Oct. 1936 - Sept. 1941 & Jul 1946 – Sept. 1954).

Suzanne Sellers, a program manager for the Colorado Water Conservation Board, compiled the river data into the hydrographs, including instream flow rights data. In an e-mail read to the group Sellers explained that each of the hydrographs illustrate exceedances. Using the highway 160 hydrograph, the 95 percent exceedance (green line) shows the flow rate that will be exceeded 95 percent of the time for a given day during the data ranges given (1939 to 1973) or put another way 5 percent of the time the flows will be lower than the green line. As an example, on any May 21st between 1940 and 1973 flows were less than 400 cfs during 5 percent (roughly two years) of the 34 years. I used ten percent and 90 percent for the upper and lower exceedances for the Bridge Ranger Station because there was only 13.5 years of data.

Supervisor Stiles wondered why the spring flows did not show up in all the hydrograph data. Soil absorption could be the reason was the response.

It was also noted that instream flows (ISF) represented on the charts do not reflect a natural hydrograph. Ray asked how often the ISF's on the Piedra go below required levels. A point of reference is needed to determine those specifics.

John Taylor observed that irrigation pressures during high-use months in the summer show up on the hydrographs.

It was suggested that adjusting water management to better mimic a natural hydrograph could be a useful tool for long-term sustainability on the river.

Boating discussion

Stan of Hinsdale county talked about whether the Piedra is considered “navigable” under Colorado water law. He explained that boaters can float through private land on navigable rivers but cannot touch the banks or the bottom. Dragging boats would be considered trespass, as would portaging around hazards.

Regarding fishing on rivers that go through private land, Stan said landowners will often make exclusive deals with fishing groups to utilize rivers flowing through private land, such as on the Lake Fork of the Gunnison.

Kevin said there is just one stretch of private land on the Piedra main stem that travels through private land. However public lands are easily accessible to boaters in that area.

Popular put-ins/take-outs for boaters on the Piedra are just downstream of the confluence of the Middle and East Forks off the Piedra Road, between First Box and Second Box canyons off the First Fork road, and at the Highway 160 bridge. The boating season is dependent on adequate flows on the Piedra, and the season typically is short, lasting from Spring to early summer. It is considered a high skill level river, especially in the box canyons. The most common boat is a kayak or cataraft, and it was reported that there is very little angler boating on the Piedra above Highway 160. Commercial boating permits max out every year.

How many commercial boating permits are issued for the Piedra was to be looked into.

Meeting break

Facilitator Tami Graham went over where the group was in the process. The group suggested at a previous meeting to look deeper into the listed potential threats of the Piedra rather than decide whether current protections were adequate for various stretches.

The group began the process of categorizing various threats under industrial, natural resource, commercial, regulatory, development, recreational, population, etc. Dialogue at previous meetings at times focused on the subjective nature of threats, for example one person's threat (water development) can be another person's value (irrigators) and vice versa. Or population increase can be seen as a perceived threat, but to a commercial outfitter it may be a value.

Direction discussion

Tami had directed the group to determine if current protections were adequate or not, but the group decided to focus on threats instead at a previous meeting. She asked if it was useful to continue to categorize threats rather than analyzing current protections. A downside of focusing on threats is getting bogged down on various levels or interpretations of a threat, from current to potential in the future.

A debate at a previous meeting on the presence of diversions as a boating hazard was brought up. Water managers point out that diversions are the basis for water rights used for agriculture/ranching; boaters are concerned about diversions being a safety issue for river runners.

Ann said focusing on specifics of the Piedra helps to ground the conversation. It was noted that there is only one diversion on the Piedra main stem. Bruce said the focus should be on the current values and whether they are protected and not on the negatives. Is there a need for future protection should be the key question.

Tami noted a comment from a meeting participant who said looking at the various tools for additional protection would be helpful in determining if the current protections are adequate. Chuck, of TU, suggested looking at threats in terms of severity and probability. For example, major dams are unlikely, but their severity or impact if built would be huge. In 50 years, they could become more probable. He said it is more productive and positive to discuss how to protect values rather than argue about threats. Also, looking at values where there is a lack of protection and determining if there is a protection tool that fits that void.

Process consensus

Tami observed that there seemed to be an emerging consensus towards focusing on the values and comparing them to the protections in place. It was agreed that direction was a good way forward for the group to find solutions. The group began the work of discussing values listed on the segment and whether protections were adequate or not.

Piedra Main Stem values

USFS-identified Outstandingly Remarkable Values (ORV's)

- a. recreation and scenery: high quality rafting and kayaking, wild trout fishing, areas of hot springs, narrow box canyons, exceptional scenery.
- b. Geology: ancient rock exposures dating between 200 million and 2 billion years old.

Discussion

It was stated that large scale geothermal development would have high impacts for the Piedra, as would large-scale changes in land-use plans. Ann said the value of wild trout depends on adequate flows in the river and that one protection tool are instream flow programs administered by the CWCB. Flows should protect fishery values, which at times are threatened by inadequate water levels. Also, as time goes on the population pressures for water will increase, further threatening flows depended on for a healthy fishery.

Stan, of Hinsdale county, expressed concern for safeguarding water for community needs - from ranching and agriculture to municipalities and business. He said recreational values are important, but protection of water to drink and for making a living is practical. He said management of water needs to be conservative so if a downstream call is ordered on upstream users in the future there are still water resources available to work with.

John Taylor said protecting the Piedra from gravel mines is a concern and suggested the group discuss ways to do that.

Protection idea and discussion

Chuck, of TU, suggested a solution for protecting against major dams by extending the Piedra Area, a special management zone, across the river. The idea is that if the Piedra Area encompassed both banks, the restrictions of the special management area would prevent a channel-wide dam structure.

Expanding the Roadless Area slightly to include both banks also might be an effective tool to prevent future dams. The regulatory language of Roadless Areas and the Piedra Area dissuade the installation of major impoundments (dams and reservoirs), which the group agreed was a collective value on the Piedra.

Bruce added that Roadless Areas could limit water development on a smaller scale as well, and that a level of protection against major impoundments may already be in place.

Chuck said he was interested in more durable protections that had better long term legal strength. It was noted that statutes, such as the Piedra Area, Wilderness, National Parks, and Wild and Scenic rivers are more durable than regulations.

Gene said there is private land near the shoreline where it was suggested the Piedra Area be expanded. It was thought that private land would not be impacted.

Chuck noted that expanding the Piedra Area or Roadless Areas slightly would not impact water rights. He emphasized that the idea to add protections on both sides of the river is a land-use management tool not a federally reserved water right.

John Taylor implied that current protections were adequate, but he was not so sure for the future because of increased populations and impacts. He said a big fear in the community is the loss of water rights, which could lead to subdividing and selling to developers, effectively erasing the traditional way of life in the area. Ann agreed that there would be big changes to the character of the area if the upper Piedra was sold to a

developer. The group acknowledged the importance of protecting ability of landowners and ranchers to irrigate land. Cindy, of Hinsdale county, pointed out the county has a resolution to protect the right to farm and ranch.

Stan worried that the county can't regulate the general public on federal lands, but if the national forest area gets stressed, the residents of the county may be forced to sacrifice natural resources like water. He said it is in the best interest to keep farm and ranching viable because if water rights are limited, the land is sold to developers, which pushes ranching and recreation activities to public lands, adding stress to the forest. He said this scenario has already played out on the city limits of Montrose.

Jimbo, of San Juan Citizens Alliance, added that oil and gas development is also a risk because of their need for volumes of water for drilling. Selling out water rights to oil and gas could have a profound impact on the watershed, he said.

Forest Supervisor Stiles said managing public lands is a balancing act and the trick is maneuvering through the maze without generating unintended consequences. Doing nothing also has unintended consequences, he continued, and finding the space that protects current land uses and prevents the river from drying up is the goal.

Meeting adjourned 8:45 p.m.

Information requested by group members.

1. A handout detailing the required steps towards a Wild and Scenic designation was requested.
2. How often do instream flows go below the required levels?
3. How many commercial boating permits are active for the Piedra?
4. What are the prospects for potential gravel mines on the Piedra?

The Piedra tour was rescheduled to August 13. Going in on horseback four miles up to Little Sand was considered, but the details still need to be worked out.

The next meeting is scheduled for August 21.

Visit the River Protection Working Group website for documents, meeting minutes, maps and more information.

ocs.fortlewis.edu/riverprotection

(Find the Piedra work group on the left buttons)