

**Piedra River Protection Workgroup  
Meeting # 18 April 16, 2013  
Ross Aragon Community Center, Pagosa Springs, CO.**

What happened at this meeting?

1. Clarifications of chainsaw use rules within the Piedra Area.
2. Discussion of the possibility of a Special Management Area rather than expanding the Piedra Area.
3. Discussion of motorized uses for the purposes of ranching activities.
4. Formation of a subcommittee to analyze the group's progress and come up with a possible legislation draft.

Website:

[ocs.fortlewis.edu/riverprotection](http://ocs.fortlewis.edu/riverprotection)

Next meeting:

June 11<sup>th</sup>, 2013

Facilitator Tami Graham predicted 2 more full working group meetings to wrap up the process and deliver a report with recommendations.

The Forest Service corrected the perception that there were no chainsaws allowed in the Piedra Area.

Actually, nothing in the Act creating the Piedra Area prohibits chainsaw use, but their use is up to the discretion of managers.. Motorized travel or mechanized (mountain biking) travel is not allowed.

In the Overview of Consensus Items, an additional consensus item was added agreed upon at the March meeting:

# 8. The group agreed that existing motorized routes remain in place within the adjacent Colorado Roadless Area proposed to become part of an expanded Piedra Area.

**Ranching discussion**

There was general concern by ranchers that expanding the Piedra Area would limit their operations and ability to do maintenance work requiring motorized travel.

It was asked what would happen if a stock pond within the Piedra Area needed maintenance using a motorized vehicle, and the answer from the forest service was that motorized access to the pond would technically be prohibited under the Act.

It was asked whether ranching allotments would be impacted if they became absorbed by an expanding PA. The Forest Service said that they would fall under the no motorized access law, but legislation could be drawn up allowing some motorized exemptions.

Kevin, of the forest service, said it depends on how the legislation is written up. Of course it also has to pass Congress and it also needs support from the forest service top officials.

### **Mineral withdrawal**

The Piedra Area has a mineral withdrawal, so there is no mining, or geothermal industry allowed.

Miners cannot enter Colorado Roadless Areas, but they can access underground minerals there from forest land beyond the CRA, but not from the Piedra Area or Wilderness.

There was discussion whether a mineral withdrawal would be a problem if the PA expanded into the adjacent Colorado Roadless Areas. Steve felt that the existing mineral withdrawal along the main stem was sufficient protection, and others commented that a mineral withdrawal in the proposed expanded PA would help protect the watershed.

There was some debate on this, and no compromise was reached.

There was a request for the original 1993 map of the Piedra Area to determine the exact boundaries of the mineral withdrawal. John, of Sen. Bennet's office said he would try and track it down.

### **Special Management Area**

Discussion veered to determine if there was possible support for negotiating a Special Management Area for the areas surrounding the Piedra Area.

Some in the group thought it was worth exploring because an SMA offers more flexible management, but others were concerned that an additional designation would lack management continuity and become too bureaucratic.

SMA's are being used more and more, for example on Hermosa Creek. They are popular because they can be customized to allow for protections while also allowing for extractive industry like logging. For example, a SMA in the adjacent Colorado Roadless Area could have language allowing for motorized uses and large groups for outfitting.

It was thought that too many designations is confusing to the public and hampers efficient land management. Chuck and Mely, of TU, commented that expanding the PA makes more sense to protect river values because it is already in place nearby, has strong protections, and is a familiar designation.

It was noted that when there is a dispute over interpretation of a rule between a landowner and the Forest Service, usually courts and legislators defer to forest service discretion.

Mely said negotiating for an SMA could be seen as a downgrade of protection by some. And John, of Sen. Bennet's office agreed, noting that proposing legislation that weakens protection is not well received in Congress.

Discussion was had on contradictory language in the Piedra Area legislation. According to the Act, motorized use is prohibited but the phrase “except as provided”, needed clarification.

The Act could be amended, with appropriate support, to add language that refers to Congressional Grazing Guidelines when it comes to ranch allotments and ranching issues. The guidelines provide flexible and practical rules and regulations for the use of motorized vehicles for ranching purposes.

Tami noted that the group may have an opportunity to clarify language in the Piedra Area in regards to motorized uses for historic ranching uses.

### **Piedra Area restrictions**

Discussion returned to the impacts of the proposed PA expansion into adjacent Colorado Roadless Areas. Motorized uses and mountain biking could be impacted, as those activities are not generally allowed in the PA.

The Devil Mountain area is especially popular for motorized use. The group has agreed motorized use and routes should be allowed to continue in areas where the PA may expand into.

Mountain biking in areas that the PA may expand into could be impacted as well, unless exceptions are made for their use. Access for mountain biking still needs more information and discussion.

Kevin, of the forest service, said mountain biking is gaining in popularity, especially northeast of the PA in the Little Sand Creek area, from Sand Bench to Trail Ridge. There is also a good shuttle bike ride along lower Weminuche Creek. It was commented by a group member that more discussion of uses in that area need to be had.

That area is also popular with outfitters, and the concern is that if it falls under an expanded PA additional restrictions will be made on group size.

Preston, an outfitter, said restricting group sizes and how many horses he can bring in would hurt his business. He wants that area to stay as it is, and added that outfitters work to protect the region because it is their livelihood.

He pointed out that outfitters generally only have 2-3 months of work, and more regulations and restrictions could put people out of business.

It was suggested that a matrix or graph be created that separates out impacts of a Special Management Area and an expanded Piedra Area into the adjacent Colorado Roadless Area.

Tami reminded the group of the incentive (carrot) being debated that would justify dropping the Wild and Scenic suitability. The group is trying to determine if there is a way to drop Wild and Scenic suitability on the river in exchange for some other protective designation. W&S suitability, a precursor to Wild and Scenic designation, is seen as a powerful protection tool against major developments like a large dam.

Jeff, of the Wilderness Society, suggested extending the Weminuche Wilderness Area into the Colorado Roadless Areas along its southern border if there were no conflicts.

It was noted that there is irrigation ditch works in that CRA near the Weminuche and also outfitting operations that could be impacted by an extended Wilderness Area.

Ivan, of the forest service, noted that the only area targeted for Weminuche Wilderness expansion in the new forest plan is in the Monk Rock area.

Cindy, a Hinsdale county commissioner, said the county objects to additional Wilderness areas. Several other group members also objected to the notion of additional Wilderness in our focus area. There was no consensus on this issue.

The group has agreed no major impoundments on the main stem, but the exact parameters of the main stem have not been determined. There is a feeling by water managers that some water development opportunities should remain upstream from the bridge.

### **Drafting committee**

The group has decided to form a subcommittee to look at agreements from the group over the last 18 months of work and consolidate those into a package. The committee will then present the information to the entire group for approval in June. If deemed prudent the group will make an outline of elements to be included in any potential legislation.

The subcommittee will include Chuck Wanner, John Taylor, Bruce Whitehead, Steve Fern, Mely Whiting, Jimbo Buickerood, Jeff Widen, John Whitney, and Preston (outfitter).

Meeting adjourned 8:30 p.m. Next regular meeting scheduled for Tuesday, June 11<sup>th</sup>, 2013.

Visit the River Protection Working Group website for documents, meeting minutes, maps and more information: <http://ocs.fortlewis.edu/riverprotection/>  
Find the Piedra Workgroup on the left buttons.