

**October 2011**

# **Vallecito Creek and Pine River Workgroup Final Report**

*An initiative of the River Protection Workgroup*

*THANKS!*

## **Vallecito Creek/Pine River Workgroup**

The Vallecito Creek/Pine River Workgroup (VC/PW) is a project of the regional initiative called the River Protection Workgroup (RPW). The entities participating in the River Protection Workgroup Steering Committee include:

- Colorado Department of Natural Resources - Division of Parks and Wildlife, Division of Water Resources, and the Colorado Water Conservation Board (CWCB);
- San Juan Citizen's Alliance (SJCA);
- San Juan Public Lands Center (USFS/BLM);
- Southern Ute Indian Tribe;
- Southwestern Water Conservation District (SWCD);
- Staff from the local offices of U.S. Senator Michael Bennet, U.S. Senator Mark Udall and U.S. Representative Scott Tipton (invited);
- The Wilderness Society - Wilderness Support Center; and
- Trout Unlimited – Five Rivers Chapter.

Funding to date is from cash and in-kind donations from the CWCB, SJCA, SWCD, Trout Unlimited, CWCB, the Southern Ute Indian Tribe, The Wilderness Society, and the National Forest Foundation. The River Protection Workgroup Steering Committee thanks each of these funders and especially the Colorado Water Conservation Board for its generous support, ongoing participation and technical assistance. The San Juan Resource Conservation and Development Council (San Juan RC&D) serves as the project's fiscal agent.

Picture credits: Marsha Porter-Norton, Google Earth (Scott Baker and Lazy B. Llamas) and the USGS Web site.

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The Vallecito Creek/ Pine River Workgroup's minutes, meeting handouts, maps, etc. are on this Web site: <http://ocs.fortlewis.edu/riverprotection/> (click on "Vallecito Creek/Pine River Workgroup" on the left side).

The River Protection Workgroup Steering Committee is grateful to each of the Vallecito Creek/Pine River Workgroup members who have given their time and energy to the Workgroup process and products. **Because of these dedicated community members, this report and project are possible.** Participants in the Workgroup include:

- |                  |                   |                   |
|------------------|-------------------|-------------------|
| Terra Anderson   | Ned Jeffries      | David Smith       |
| Scott Brinton    | Pete Kasper       | Mark Stiles       |
| Jimbo Buickerood | Chuck Lawler      | Jean Taylor       |
| Mike Canterbury  | Phyllis Ludwig    | John Taylor       |
| Wanda Cason      | Meghan Maloney    | Chuck Wanner      |
| Pam Decker       | Marilyn McCord    | Beverly Warburton |
| Steve Fearn      | Carole McWilliams | Bruce Whitehead   |
| Megan Graham     | Ann Oliver        | Hamilton Wright   |
| David Hofmann    | Hal Pierce        | Win Wright        |
| Cam Hooley       | Dan Randolph      |                   |
| Barbara Jeffries | Chris Schultz     |                   |



The area of focus is enjoyed by many for a variety of diverse recreational and economic uses. Commercial outfitters use the area for all kinds of tours and trips. This is one of the key access points to the vast Weminuche Wilderness. Vallecito Creek is a popular boating destination especially for highly-skilled kayakers.

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## Executive Summary

The Vallecito Creek/Pine River Workgroup (VC/PW) met for approximately one year to review key information, assess river and watershed protections currently in place for the area of focus (see map on pp. 28) and to determine if additional protections were needed.

The group was made up of a diverse set of people ranging from interested citizens, those from conservation groups, local landowners and/or their representatives, water-interested groups such as the Pine River Irrigation District (PRID) and the Pine River Watershed Group (PRWG), members of the Vallecito Service League, staff from the local USFS office, federal elected officials' local representatives, plus those with a focus on a particular area such as horseback riding, property rights, grazing, etc.

This Workgroup was formed as part of a larger regional effort launched by the River Protection Workgroup after the *San Juan Public Lands 2007 Draft Land Management Plan* found some of the area's river segments to be eligible or suitable for Wild and Scenic River (WSR) status. This particular river protection tool received a lot of attention in the VC/P Workgroup.

The Workgroup arrived at a number of consensus items, most notably being that with the significant protections provided by Wilderness designation in the vast majority of the identified areas found to be either eligible or suitable for Wild & Scenic River (WSR) designation by USFS, that the designation of WSR would be redundant and unnecessary. There was consensus among the members of the VC/PW that low turnout at virtually all of the meetings, despite significant and varied efforts at outreach, was an indicator that protection tools, most notably Wilderness designation, are sufficient in the focus area identified.

With that said, it was recommended that the USFS draft plan stating suitability for WSR on the Upper Pine River should be maintained. Discussion topics included the possible resurrection of an expansion of Emerald Lakes as a reason to maintain suitability, although concerns regarding potential detrimental impacts on water rights arose related to designation or management for suitability on the Upper Pine. It was agreed that this topic would be discussed as part of the larger regional discussion process. The regional discussion will start in late 2012 or early in 2013 and will utilize the outputs and recommendations from the VC/PW as well as four other River Protection Workgroup's reports. The goal is a comprehensive approach to protection of river values while allowing suitable water development to continue.

The next step is the River Protection Workgroup's Regional Discussion. A process will be put in place for involving the VC/PW in this phase of the project. Please follow this discussion on-line or by contacting any of the RPW representatives.

# Vallecito Creek/Pine River Workgroup – Report

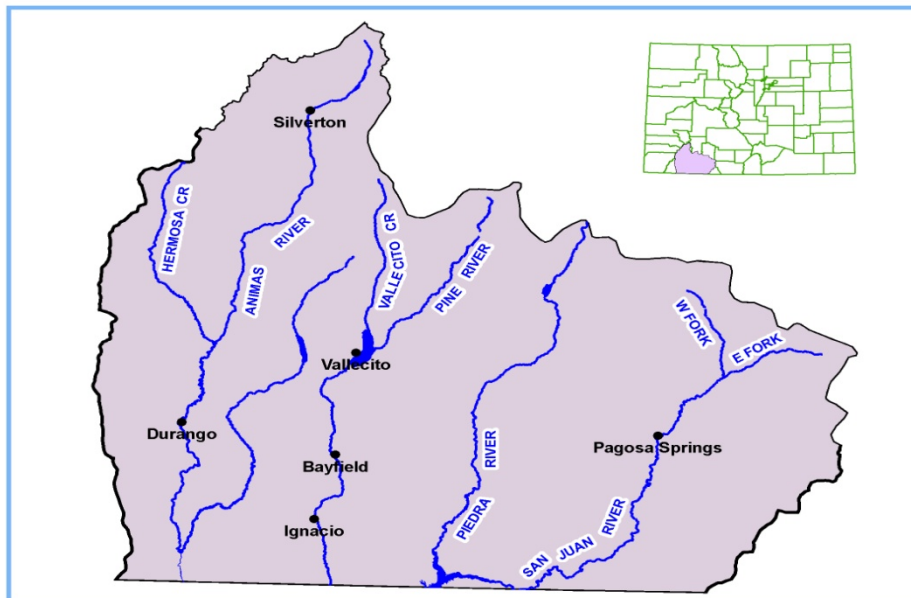
## Background and History & Starting the Workgroup

The Vallecito Creek/Pine River Workgroup launched in June of 2010 and was spearheaded by the River Protection Workgroup which formed in late 2006. The purposes of this effort are:

- ❖ to bring together citizens and organizations interested in selected streams in the region to determine values worthy of protection;
- ❖ to recommend the types of tools necessary, either existing or newly-developed, to protect the values; and
- ❖ to make these recommendations in the context of protecting values while allowing water development to continue.

This report documents the work of the VC/PW, which met 5 times, concluding in June of 2011. A full set of minutes showing the Workgroup's detailed proceedings, along with maps, handouts and key resource documents are available on the web site at: <http://ocs.fortlewis.edu/riverprotection/> (click on "Vallecito Creek/ Pine River Workgroup" on the left). In addition to the five meetings, presentations were made to the Hinsdale County Board of County Commissioners (a small portion of the focus area of this workgroup is in Hinsdale County), and the Vallecito Service League. In addition, as a result of the low turnout at meetings, an email survey was sent out to the complete stakeholders list for this workgroup.

This report is for anyone interested in this special and unique area of Colorado including individuals, businesses, governments, interest groups, local, state and federal agencies and elected officials, non-profits, and affiliated organizations.



River Protection Workgroup  
Basin Area and Rivers of  
Interest

The San Juan Citizen's Alliance and the Southwestern Water Conservation Board formed the RPW in response to the San Juan Public Land Center's (USFS/BLM) *2007 Draft Land Management Plan and Draft Environmental Impact Statement* that recommended certain segments of the areas' rivers and streams as suitable or eligible for the Wild and Scenic Rivers (WSR) designation. These two organizations, which represent sometimes competing or conflicting interests, decided to address this contentious water issue by working together. They established a RPW Steering Committee and its members are:

- Bruce Whitehead, Steve Fearn and John Taylor, Southwestern Water Conservation District (SWCD)
- Dan Randolph, San Juan Citizens Alliance (SJCA) (Wendy McDermott starting 10/11)
- John Whitney and Terra Anderson, U.S. Senator Michael Bennet's Office
- U.S. Congressman Scott Tipton's Office (invited)
- Wanda Cason, U.S. Senator Mark Udall's Office
- Mark Stiles, San Juan Public Lands Center (USFS/BLM)
- Pete Kasper and Rege Leach, Colorado Department of Natural Resources - Division of Water Resources (CDWR)
- Ted Kowalski, Colorado Department of Natural Resources - Colorado Water Conservation Board (CWCB) (Suzanne Sellers started 9/11)
- Patt Dorsey (Colorado Division of Parks and Wildlife) (formerly CDOW)
- Chuck Lawler, Southern Ute Indian Tribe (SUIT)
- Chuck Wanner, Trout Unlimited - Five Rivers Chapter
- Jeff Widen, Wilderness Support Center, a project of The Wilderness Society (TWS)
- Ann Oliver, conservation representative

**Contract Staff:**

Facilitator: Tami Graham

Project Assistant: Kathy Sherer

Meeting Recorder: Gail Binkly

Research and Writing Consultants: Ann Oliver

Project Manager: Marsha Porter-Norton

The RPW Steering Committee is conducting public workgroups on five area rivers/streams using a set of collaborative and consensus-based approaches along with the following principles:

- Anyone with an interest is a stakeholder and has a seat at the table.
- Dialogue must be respectful to ensure that the whole range of opinions is heard and understood and that a future recommendation will meet as many concerns as possible.
- Facts and information must be accurate.
- There will be a lot of interaction, collaboration, and possible negotiations to reach a consensus.
- The process will be fair, open and transparent.

The first group that convened through the RPW project was Hermosa Creek and it ended in the spring of 2010. The San Juan Workgroup concluded in May 2011, and the Animas and Piedra Workgroups started this summer and fall respectively. The output of these Workgroups, in this phase, are reports such as this one and they can be found on the Website (see buttons on the right, by Workgroup).

The Vallecito Creek/Pine River Workgroup meetings, which were led by a professional facilitator, operated as an "open table" where anyone could participate. On average, about 12 people attended each meeting representing a diversity of stakeholders in the Vallecito Creek and Pine River region.

Before starting the VC/PW, the RPW conducted significant outreach efforts to get interested stakeholders to the table including targeted phone calls, emails and public service announcements in the local media. As well, a list of water users in the Vallecito/Pine region was provided by the Colorado Division of Water resources. These individuals were also contacted. The *Pine River Times* also ran an op-ed piece prior to this initial meeting, discussing the process and its relevance to the community. Despite

the significant outreach efforts, only 15 people attended the first meeting of the VC/PW and the vast majority of those in attendance were RPW Steering Committee members.

At the first meeting, held at the Bayfield Senior Center, the relatively low turnout was discussed. As part of the RPW standard process, a decision is made by the stakeholders present at the first meeting regarding whether there is enough interest to proceed with the RPW process. It was concluded by the group that additional outreach should be conducted and that at least two additional meetings should be held in order to discern if there was enough interest to continue. Several recommendations were made by the group for specific individuals and groups to be contacted for future meetings.

The area of focus for the VC/PW includes the watersheds of Vallecito Creek and the Los Piños River upstream of the USFS boundary with private land. The area drained by Vallecito Creek at the USFS boundary falls mainly in La Plata and San Juan Counties, but also includes portions of Hinsdale County. The area drained by Vallecito Creek includes no private land. The area drained by the Los Piños River at the USFS boundary falls mainly in Hinsdale County but does include small portions of La Plata and San Juan Counties. This area includes no private land.

The *San Juan Public Lands Draft Land Use Plan (2007)*, found Vallecito Creek and the Los Piños River (and six tributaries) upstream of the USFS boundary to be "eligible" for Wild and Scenic Rivers ("WSR") designation. In addition, the Los Piños and six tributaries upstream of the USFS boundary were found to be "preliminarily suitable."

In the first meetings, it was noted that there were no "pre-set outcomes" or "done deals" already decided upon by the RPW Steering Committee. It was also emphasized that while this group was talking about USFS planning and policies, the group is not formally tied to the USFS. The VC/PW agreed to the process principles, set ground rules and defined consensus.

#### *Definition of Consensus...*

- Includes steps so that all views are heard and considered
- Recognizes that differences of opinion are natural/expected
- Group makes a good faith effort to reach a decision that everyone can support
- Consensus does not mean everyone agrees with the decision but...they can support it

#### *Ground Rules...*

- Respectfully listen to others' opinions
- One conversation at a time
- Identify and get information with factual data
- Seek to understand and then to be understood
- Speak up and say what is on your mind

Prior to the VC/PW kicking off, the RPW devised a process model, which was agreed to by the VC/PW. This phased approach to the discussions is described as follows:

Phase I: Background information is shared about the RPW project and the community is asked if they want a Public Workgroup to form. If so, the group process is fully discussed and agreed upon, and ground rules are defined. Then, basic information about the river or stream is shared including details in an "*Initial Information Sheet*" (*see Attachment*).

Phase II: Values on the river are discussed, including natural, social, cultural and/or economic values, addressing any protections already in place. A values statement is developed. Participants then consider a range of options for protecting important values and they



address the issue of whether or not the current protections are adequate. No decisions are made in this phase.

Phase III: The Workgroup then looks to the future and at the end, develops a report. In this phase, options and ideas generated by the Workgroup are discussed in-depth with maps, facts, and information brought to the group. Through consensus-building and other decision-making tools, the Workgroup's aim is to reach conclusions and develop recommendations and/or action plans. If consensus is not reached, the group's final report can reflect the range of ideas generated throughout the process. In this phase, the Workgroup also identifies areas that will be part of a "Regional Discussion."

## Learning about Upper Vallecito Creek/Pine River

Next, to gain a common understanding of the creek and river, and the watershed, and to ensure the Workgroup's discussions were grounded in facts, an "Initial Information Sheet" developed by the RPW Steering Committee was reviewed and eventually finalized (see Attachment A). This Information Sheet presented the following: Area of Focus; Values; Land and Water Protections Currently in Place; Important Water Information; and Other Important Information.

Early on, the VC/PW requested additional information that was gathered, handed out and placed on the Web site including:

- Potential impacts of WSR designation on agriculture and livestock grazing practices and water rights.
- Explanation of the difference in protections between WSR and Wilderness designation.

## Values

A discussion of values listed in the Initial Information Sheet occurred at both the second and third meetings of the VC/PW and included the following:

Livestock grazing; agricultural, domestic and municipal water supplies; outfitting businesses (water-related, dude ranches, hunting, fishing, etc.); and a regional public access and recreation attraction. The Pine River/Weminuche Ditch and the Weminuche Pass Ditch convey water trans-basin from the Pine River drainage to the Rio Grande drainage. The Pine River/Weminuche Ditch rights are owned by the San Luis Valley Conservation District and private interests for irrigation and other uses. The Weminuche Pass Ditch rights are held by the Colorado Division of Parks and Wildlife and supply water for sport fisheries in the Rio Grande Reservoir.

***Economic:*** Livestock grazing; agricultural, domestic and municipal water supplies; outfitting businesses (water-related, dude ranches, hunting, fishing, etc.); and a regional public access and recreation attraction. The Pine River/Weminuche Ditch and the Weminuche Pass Ditch convey water trans-basin from the Pine River drainage to the Rio Grande drainage. The Pine River/Weminuche Ditch rights are owned by the San Luis Valley Conservation District and private interests for irrigation and other uses. The Weminuche Pass Ditch rights are held by the Colorado Division of Wildlife and supply water for sport fisheries in the Rio Grande Reservoir.

***Fish:*** Fish species in the Los Piños River and Vallecito Creek drainages (above the point where the rivers cross the USFS boundary) include but are not limited to Colorado cutthroat trout, rainbow trout, brook trout, brown trout, various sub-species of cutthroat trout, and Emerald lake

rainbow trout. Emerald Lake rainbow trout are a rainbow and cutthroat hybrid from late 1880s stocking: a unique strain of fish. The Emerald Lakes were barren of fish until fish were brought up from the Los Piños River, where there was a hatchery operation, in the late 1880s. Gunnison River rainbow trout were stocked one time in the early 1890s and the result has been a hybridized "cutbow" – the Emerald Lakes rainbow trout. Yellowstone cutthroat trout were stocked by air one time in 1954 (4000 fingerlings), and genetic tests suggest that that single stocking introduced Yellowstone genetics into the hybridized population. Yellowstone cutthroats are a more lake-adapted sub-species of cutthroat trout.

The Colorado Division of Parks and Wildlife ("CDPW") applies standard fishing regulations to all waters in the two drainages, except the following:

- Emerald Lakes (Big and Little): artificial flies and lures only, bag and possession limit and maximum size for trout is two fish, 14 inches long. Fishing is prohibited Jan.1 – July 15 in the Lake Creek inlet for ½ mile above Big Emerald Lake.
- Los Piños River (headwaters to USFS southern Weminuche Wilderness boundary): flies and lures only, 2 fish limit.
- Vallecito Creek (headwaters to southern boundary of Weminuche Wilderness): flies and lures only, 2 fish limit.

All streams located in the Vallecito and Los Piños drainages within the Weminuche Wilderness capable of supporting trout are wild trout streams (i.e., no stocking occurs). There are no Conservation Populations of Colorado River cutthroat trout in these drainages. A Conservation Population of cutthroat trout is defined as being 90% or more genetically pure. Colorado cutthroat trout have been introduced to the previously barren Sierra Vandera Creek drainage, with success as yet unknown. If successful, it will be a Conservation Population. Most headwater lakes have been stocked by air with CRCT since 2005. Because there is little to no reproduction in these cold, high elevation lakes, CRCT will eventually be the only fish in the lakes.

**Flora:** The USFS Region 2 Forester identifies a list of Sensitive Species of animals and plants (<http://www.fs.fed.us/r2/projects/scp/sensitivespecies/>) for which population viability is a concern, based on significant current or predicted downward trends in populations and/or habitat. See the handout entitled: *Checklist of sensitive plant species known to occur, or with potential to occur, in the Vallecito Creek and Los Piños River drainages above the San Juan National Forest boundary*. There are no known occurrences of plant species listed under the federal Endangered Species Act.

**Geology:** The geology of the Area illustrates a broad span of earth's geologic history and contributes to the dramatic scenic values of the two drainages. There are essentially three distinct layers of volcanic activity, each representing large spans of time, overlaying even more ancient sedimentary rocks. Some of the geologic formations include the Pine River Batholith granitic formation, the Rio Grande Pyramid which is part of the Rio Grande Volcanic Flow, and the San Juan Dome.

**Healthy Natural Landscape:** These two watersheds are valuable because they represent a diverse ecosystem that encompasses a diversity of life zones starting with ponderosa pine up to alpine, both with abundant stream and natural lake habitat. They are healthy and intact and provide wildlife movement corridors. In fact, the area was the last place in Colorado to support grizzly bears. Due to their overall "intactness", as well as the presence of Wilderness within the drainages, they maintain a wild quality. The Weminuche Wilderness is the largest wilderness area in Colorado. The fact that the majority of both of these watersheds fall within designated wilderness is unusual and significant in Colorado.

**Recreation:** The area is part of a highly-used regional recreation center in close proximity to Durango and other southwest Colorado communities. It is used for a variety of recreational activities including:

- Backcountry skiing
- Backpacking
- Camping
- Extreme kayaking
- Fishing
- Hiking
- Horseback riding and horse packing
- Hunting
- Mountaineering
- Rock-climbing

**Scenery:** The area is very beautiful, with many high lakes, all of which are natural lakes, not reservoirs, although some, like Emerald Lake, may have had their levels raised by additional damming in the past.

**Terrestrial wildlife:** Some of the wildlife species common in the area include: elk, mule deer, big horn sheep, black bear, coyote, bobcat, mountain lion, beaver, and snowshoe hare. Mountain goats and moose also use the area. The area was once grizzly bear habitat and was the place where the last grizzly in Colorado was found in the 1950s. The USFS identifies a list of "Sensitive Species," some of which are known or likely to occur in the area. In addition, the Colorado Division of Parks and Wildlife's (CDPW) *State Wildlife Action Plan* identifies species most in need of pro-active conservation measures. The CDOW Plan identifies a 2-tiered list of Species of Greatest Conservation Need, with Tier I species having the most urgent need. A handout is available that provides more information on USFS, state and federally listed species with potential to use the Area of Focus.

**USFS-Identified Outstandingly Remarkable Values or "ORVs":** As part of its evaluation of rivers for Wild and Scenic River (WSR) eligibility, the USFS analyzes rivers for any river-related values that are unique, rare, or exemplary, and that are significant at a regional or national scale. These features are identified as "Outstandingly Remarkable Values." The following box provides a description of the ORVs identified for Vallecito Creek and for the Los Piños River and 6 tributaries based on the San Juan Public Lands Center's - *2007 Draft Land Management Plan*. See Appendix D (pages D-80 to 88) of that plan for the San Juan Public Land's complete description of the values associated with these streams and the Suitability Analysis provided, including: 1. Characteristics of the river; 2. Current status of land ownership and use; and 3. Potential uses and effects of WSR status on those uses.

<p style="text-align: center;"><b>Vallecito Creek</b></p> <p><b>Scenery</b> The valley provides outstanding views of the stream in the impressive granite canyon, and the views of surrounding mountains.</p> <p><b>Recreation</b> The creek is popular with extreme kayakers due to its difficulty (Class 5+) and the sheer-walled granite canyon which provides extremely narrow slots. It is recommended for expert kayakers only. It has crystal-clear water flowing through an incredible gorge with some of the highest-quality drops to be found. It is also nationally significant for whitewater recreation. It's listing on American Whitewater's national river inventory, while not sufficient by itself to be an ORV, supports the above analysis [DLMP Appendix D].</p>	<p style="text-align: center;"><b>Los Piños River and 6 Tributaries (Lake Creek, Flint Creek, Sierra Vandera Creek, Snowslide Gulch, Rincon la Osa, Rincon la Vaca)</b></p> <p><b>Scenery</b> The Los Piños River corridor stands out as spectacular and distinctive. The peaks and granite ridge tops are focal points capping the deep canyons delineated by rock outcrops and precipitous vertical walls. Near the Continental Divide the granite landscape gives way to peaks surrounded by open alpine valleys and slopes. The corridor and valley support both coniferous and deciduous forests and shrub lands, giving way to dramatic displays of color in the fall. The upper valley is dotted with numerous lakes and ponds, and the waters running down valley rest in pools between a series of cascades and vertical waterfalls [paraphrased from Los Piños River – 3-4-89 Wild and Scenic Recommendation].</p>
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## Values Statement development

As a result of the low turnout (six attendees) at the fourth meeting of the VC/PW on 9/29/10 (previous meetings held 6/14/10, 7/15/10 and a combined meeting of the San Juan RPW and VC/P on 8/26/10 – which presented a panel discussion on WSR), it was recommended by those stakeholders that were present that the VC/PW not continue the conversation around crafting a values statement for the Vallecito/Pine, as it wouldn't be representative. The stakeholders that were present suggested ideas for how to engage other interested parties, including holding a meeting at the Vallecito Community Center or waiting until spring to re-start the process when more Vallecito residents would be back. Suggestions for additional stakeholders to contact were noted. The VC/PW met again in June 2011 following additional outreach efforts to stakeholders. It was concluded that the development of a values statement was unnecessary for this Workgroup, given the lack of demonstrated interest from a diversity of stakeholders for this particular focus area.

## Issues and Concerns Identified

A concern arose amongst a few VC/PW stakeholders regarding the impacts of a potential WSR designation on existing grazing rights. Two steering committee members attended a La Plata/Archuleta Cattlemen's Association meeting to address these concerns.

The following response, from the Interagency Wild & Scenic Rivers Council, was discussed amongst the VC/PW:

*“Generally, existing agricultural practices (e.g., livestock grazing activities) and related structures would not be affected by designation. Since the Wild and Scenic Rivers Act does not give federal agencies authority to regulate private land, any affect on agricultural practices would be through technical assistance or compensation by purchase of easements, unless otherwise regulated by local zoning ordinances. Activities and practices inside the corridor are dependent on the type of classification (wild, scenic, and/or recreational), the values for which the river was designated, and land use management objectives. The level of protection should be commensurate with the identified river values. Guidelines issued by the Secretary of Agriculture and the Secretary of the Interior indicate that livestock grazing and agricultural practices should be similar in nature and intensity to those present in the area at the time of designation. Grazing is permitted under wild, scenic, or recreational classification, but will be managed to maintain the values for which the river was designated.”*

An additional issue that was discussed included the need for clarification around the different levels of protection afforded by WSR & Wilderness designation, given that the majority of the area of focus for VC/PW is within the Weminuche Wilderness boundary. Differences include, but are not limited to, the following areas: 1) Motors may be allowed on Wild and Scenic Rivers (WSRs), whereas in wilderness, motorized use is prohibited. 2) Although dams could be authorized by the President in wilderness, on a WSR, dams would be incompatible with designation. 3) Depending on the classification, new rights-of-way, roads, trails, bridges, and recreational facilities (e.g., campgrounds and picnic areas) may be allowed inside WSR areas, whereas these are generally prohibited in wilderness. 4) Valid mining claims established prior to designation may be patented for both the surface and mineral estate in wilderness, but for WSR's, only the mineral estate may be patented. 5) Acquisition of private in-holdings by condemnation cannot be used in wilderness, whereas the Wild and Scenic Rivers Act allows for it, subject to limitations (Source: Interagency Wild & Scenic Rivers Council). Upon clarification of the differences stated above, the VC/PW reached consensus that the protections already in place by Wilderness designation were sufficient to protect the ORVs (Outstandingly Remarkable Values) identified by the San Juan Public Lands Center's *2007 Draft Land Management Plan*.

## Protection of the Values

As a result of low turnout at the first three meetings of the VC/PW, the group began to form a consensus that there was a widespread perception that due to the Wilderness designation already in place covering the entirety of the VC/PW focus area, the need for additional protection tools, including Wild and Scenic Rivers (WSR) designation, was unnecessary and quite possibly redundant.

It is fair to say that the tool of WSR received a significant amount of "air time" in the meetings. This tool is one of the many tools that can be used to protect stream/river segments and watersheds (please refer to the RPW Handout called "River Protection Tools" at this link: <http://ocs.fortlewis.edu/riverprotection/importantDocuments.html>).

Only Congress can designate a Wild and Scenic River. The San Juan Public Lands Center's *2007 Draft Land Management Plan* found Vallecito Creek eligible for WSR designation and the Pine River to be preliminarily suitable. Vallecito Creek was chosen for scenery and recreation, the Pine River for scenery. WSR eligibility is a lesser finding than suitability. Eligibility merely requires the presence of three factors: the stream is free-flowing, it possesses one or more ORVs, and it has adequate water quality. Suitability requires the evaluation of whether WSR designation might be a good protection tool for that particular stream. Eligibility answers the question, "Could it qualify?" while suitability decides, "Should it qualify?"

The entirety of the said eligible/suitable stream segments are within the Weminuche Wilderness Area, so they have considerable protection already. Vallecito Creek was never evaluated for its WSR status before the *USFS 2007 Draft Land Management Plan* because that was the first plan revision conducted on the SJNF since a court decision stating that the agencies must do a comprehensive WSR evaluation as part of their plan revisions. The Pine River had been reviewed previously, in the late 1970s, as part of a statutorily mandated study, and was found suitable. Since then, it has been managed as suitable, as Congress has not chosen to take further action regarding its WSR status.

Because questions involving WSR designation were a prominent element in each of the meetings of both the Vallecito/Pine Workgroup and the San Juan Workgroup, a Panel discussion was organized in August of 2010 to specifically answer questions about this controversial and complex topic, and also to emphasize that many tools exist for water protection – not just WSR. The panel of speakers included:

- Jackie Dietrich (by telephone) of the U.S. Forest Service national staff for Recreation Heritage and Volunteer Resources, Wild and Scenic Rivers section
- Kay Zillich, hydrologist with the San Juan Public Lands Center
- Bruce Whitehead of the Southwestern Water Conservation District (SWCD)
- Ted Kowalski of the Colorado Water Conservation Board (CWCB)
- Meghan Maloney, San Juan Citizen's Alliance

The full meeting minutes from this Panel, which was held in Pagosa Springs, can be found at: <http://ocs.fortlewis.edu/riverprotection/sanjuan/meetings/summary8-26-10.pdf>.

This important discussion can be viewed on-line at: <http://ocs.fortlewis.edu/riverprotection/sanjuan/resourceDocuments.htm>

Through the Panel discussion, a number of Working group's questions were answered (even if they were not able to attend), including impacts of WSR on grazing rights and the different levels of protection afforded by WSR vs. Wilderness. Once again, the major recommendation of the VC/PW remained consistent, following the WSR panel: Wilderness designation covering the vast majority of the VC/P focus area provides adequate protection of the values identified. It is recommended that WSR suitability status be retained on the section of the Upper Pine as identified by the San Juan Public Land Center's *2007 Draft Management Plan*.

## Regional Discussion

In the above recommendations, the concept of a 'Regional Discussion' is mentioned several times. The VC/PW learned in the first meeting that after each of the five RPW Workgroups are concluded, a Regional Discussion will take place. At the final VC/PW meeting, this issue was addressed again. The RPW Steering Committee members informed the group that the goal of the Regional Discussion is to create a regional approach(es) that can garner as much support as possible from all the diverse interests and Workgroups involved. So, once all the Workgroups are finished – hopefully in later 2012 – the Regional Discussion will begin after carefully being developed and agreed to by a consensus of the RPW Steering Committee. The Regional Discussion will evaluate the recommendations made from each of the public Workgroups, specifically in relation to Wild and Scenic River status but also, perhaps other water or watershed protection tools or approaches and particularly ones that would require state or federal legislation or action. The end result(s) is not pre-determined but could be state or federal legislation that includes a number of regional projects and efforts; giving specific input to the USFS/BLM or other entities; and/or taking or defining actions on the local, state or federal levels. The final recommendations could be both legislative and non-legislative in nature.

The VC/PW's work, recommendations, and conclusions, including and especially any consensus recommendations, will be considered as part of the Regional Discussion. **The Regional Discussion is not meant to "trump" or "un-do" any of the important consensus items reached at the community level.** Representatives from the River Protection Workgroup Steering Committee, along with several representatives from each public Workgroup, will participate in the Regional Discussion. At this writing, the format of the "Regional Discussion" is still being finalized.

## Next Steps

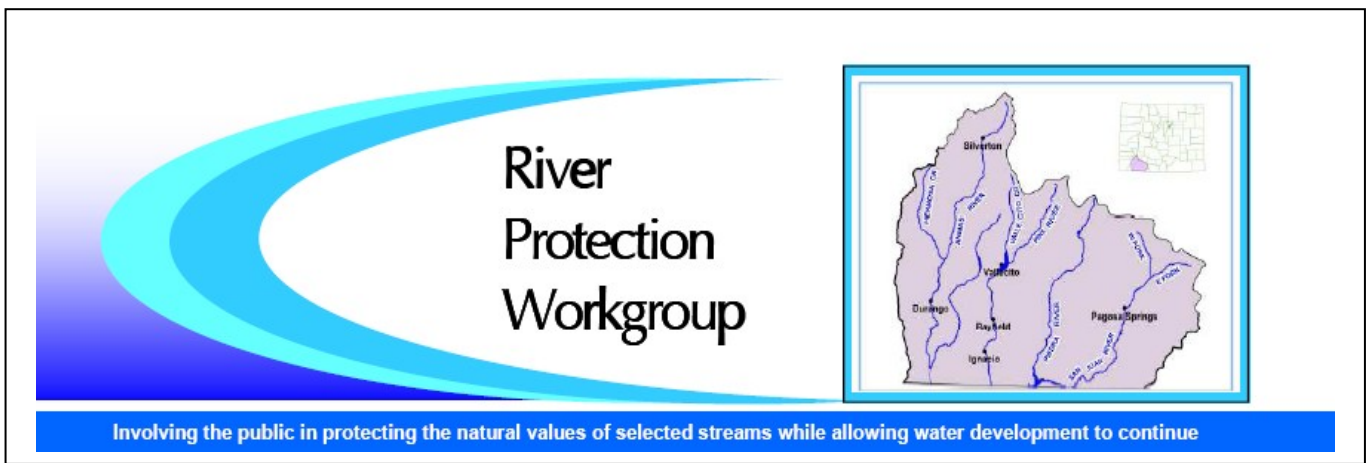
The VC/PW is releasing this report widely for community education purposes. Copies of the report will be given to local, state and federal elected officials and relevant agencies, and will be made available on the Web site. Key stakeholder organizations will also receive copies. The report serves as a clear marker for what the Workgroup accomplished over 13 months, both in the sense of their concerns and recommendations as well as their ideas for the future. And, the creative brainstorming of tools that might be considered as alternative to WSR will be considered at the regional level. Thus, it should be noted that while the initial set of meetings has concluded, the VC/PW will still meet in the future during the next phase.

Each participant in the VC/PW, again, should be thanked. They gave a lot of time attending meetings and reading documents. The level of dialogue, listening and understanding among all the interests grew as the process unfolded.



Vallecito Creek drains into Vallecito Reservoir, which is a recreational destination for people from all over the world. The reservoir serves as a hub for recreation, including fishing, and fosters surrounding small businesses. It also is the water supply for many downstream agriculture, residential and municipal users.

Cattle grazing is an important aspect of the history and culture of the area.



## River Protection Workgroup Information Sheet

Vallecito Creek and Pine River

<http://ocs.fortlewis.edu/riverprotection>

This *Information Sheet* was prepared to inform participants involved in the Vallecito Creek/Pine River Workgroup. Please refer to the Glossary of Terms and the Glossary of Agencies handouts for clarification on any words used or entities mentioned (documents available on the Web site here: <http://ocs.fortlewis.edu/riverprotection/> (refer to Important Documents)).

**Area of Focus:** (please refer to the map on pp. 28)

The area of focus includes the watersheds of Vallecito Creek and the Los Piños River upstream of the USFS boundary with private land. The area drained by Vallecito Creek at the USFS boundary falls mainly in La Plata and San Juan Counties, but also includes portions of Hinsdale County. The area drained by Vallecito Creek includes no private land. The area drained by the Los Piños River at the USFS boundary falls mainly in Hinsdale County but does include small portions of La Plata and San Juan Counties. This area includes no private land. **Please refer to the last page of this document for a map.**

The San Juan Public Lands Draft Land Use Plan (2007), found Vallecito Creek and the Los Piños River (and 6 tributaries), upstream of the USFS boundary, to be "eligible" for Wild and Scenic Rivers ("WSR") designation. In addition, the Los Piños and 6 tributaries upstream of the USFS boundary were found to be "preliminarily suitable" (Draft Land Use Plan 2007). See pages 3 and 10 for more information.

### **Values (in alphabetical order):**

***Economic:*** Livestock grazing; agricultural, domestic and municipal water supplies; outfitting businesses (water-related, dude ranches, hunting, fishing, etc.); and a regional public access and recreation attraction. The Pine River/Weminuche Ditch and the Weminuche Pass Ditch convey water trans-basin from the Pine River drainage to the Rio Grande drainage. The Pine River/Weminuche Ditch rights are owned by the San Luis Valley Conservation District and private interests for irrigation and other uses. The Weminuche Pass Ditch rights are held by the Colorado Division of Wildlife and supply water for sport fisheries in the Rio Grande Reservoir.



**Fish:** Fish species in the Los Piños River and Vallecito Creek drainages (above the point where the rivers cross the USFS boundary) include but are not limited to Colorado cutthroat trout, rainbow trout, brook trout, brown trout, various subspecies of cutthroat trout, and Emerald lake rainbow trout. Emerald Lake rainbow trout are a rainbow and cutthroat hybrid from a late 1880s stocking – a unique strain of fish. The Emerald Lakes were barren of fish until fish were brought up from the Los Piños River where there was a hatchery operation in the late 1880s. Gunnison River rainbow trout were stocked one time in the early 1890s and the result has been a hybridized “cutbow” – the Emerald Lakes rainbow trout. Yellowstone cutthroat trout were stocked by air one time in 1954 (4000 fingerlings), and genetic tests suggest that that single stocking introduced Yellowstone genetics into the hybridized population. Yellowstone cutthroats are a more lake adapted sub-species of cutthroat trout.

The Colorado Division of Wildlife (“CDOW”) applies standard fishing regulations to all waters in the two drainages, except the following:

- Emerald Lakes (Big and Little): artificial flies and lures only, bag and possession limit and maximum size for trout is two fish, 14 inches long, and fishing is prohibited Jan.1 – July 15 in the Lake Creek inlet for ½ mile above Big Emerald Lake.
- Los Piños River (headwaters to USFS southern Weminuche Wilderness boundary): flies and lures only, 2 fish limit.
- Vallecito Creek (headwaters to southern boundary of Weminuche Wilderness): flies and lures only, 2 fish limit.

All streams located in the Vallecito and Los Piños drainages within the Weminuche Wilderness capable of supporting trout are wild trout streams (i.e., no stocking occurs). There are no Conservation Populations of Colorado River cutthroat trout in these drainages. A Conservation Population of cutthroat trout is defined as being 90% or more genetically pure. Colorado cutthroat trout have been introduced into the previously barren Sierra Vandera Creek drainage, with success as yet unknown. If successful, it will be a Conservation Population. Most headwater lakes have been stocked by air with CRCT since 2005. Because there is little to no reproduction in these cold, high elevation lakes, CRCT will eventually be the only fish in the lakes.

**Flora:** The USFS Region 2 Forester identifies a list of Sensitive Species of animals and plants (<http://www.fs.fed.us/r2/projects/scp/sensitivespecies/>) for which population viability is a concern, based on significant current or predicted downward trends in populations and/or habitat. See the handout entitled: *Checklist of sensitive plant species known to occur, or with potential to occur, in the Vallecito Creek and Los Piños River drainages above the San Juan National Forest boundary*. There are no known occurrences of plant species listed under the federal Endangered Species Act.

**Geology:** The geology of the Area illustrates a broad span of earth’s geologic history and contributes to the dramatic scenic values of the two drainages. There are essentially three distinct layers of volcanic activity, each representing large spans of time, overlaying even more ancient sedimentary rocks. Some of the geologic formations include the Pine River Batholith granitic formation, the Rio Grande Pyramid which is part of the Rio Grande Volcanic Flow, and the San Juan Dome.

**Healthy Natural Landscape:** These two watersheds are valuable because they represent a diverse ecosystem that encompasses a diversity of life zones starting with ponderosa pine up to alpine, both with abundant stream and natural lake habitat. They are healthy and intact and provide wildlife movement corridors. In fact, the area was the last place in Colorado to support grizzly bears. Due to their overall “intactness”, as well as the presence of Wilderness within the drainages, they maintain a wild quality. The Weminuche Wilderness is the largest wilderness area in Colorado. The fact that the majority of both of these watersheds fall within designated wilderness is unusual and significant in Colorado.

**Recreation:** The area is part of a highly used regional recreation center in close proximity to Durango and other southwest Colorado communities. It is used for a variety of recreational activities including:

- Backcountry skiing
- Backpacking
- Camping
- Extreme kayaking
- Fishing
- Hiking
- Horseback riding and horse packing
- Hunting
- Mountaineering
- Rock-climbing

**Scenery:** The area is very beautiful, with many high lakes, all of which are natural lakes, not reservoirs, although some, like Emerald Lake, may have had their levels raised by additional damming in the past.

**Terrestrial wildlife:** Some of the wildlife species common in the area include: elk, mule deer, big horn sheep, black bear, coyote, bobcat, mountain lion, beaver, and snowshoe hare. Mountain goats and moose also use the area. The area was once grizzly bear habitat and was the place where the last grizzly in Colorado was found in the 1950s.

The USFS identifies a list of "Sensitive Species," some of which are known or likely to occur in the area. In addition, the Colorado Division of Wildlife's (CDOW) *State Wildlife Action Plan* identifies species most in need of pro-active conservation measures. The CDOW Plan identifies a 2-tiered list of Species of Greatest Conservation Need, with Tier I species having the most urgent need. A handout is available that provides more information on USFS, state and federally listed species with potential to use the Area of Focus.

**USFS-Identified Outstandingly Remarkable Values or "ORVs":** As part of its evaluation of rivers for Wild and Scenic River (WSR) eligibility, the USFS analyzes rivers for any river-related values that are unique, rare, or exemplary, and that are significant on a regional or national scale. These features are identified as "Outstandingly Remarkable Values." The following box provides a description of the ORVs identified for Vallecito Creek and for the Los Piños River and 6 tributaries based on the San Juan Public Lands Center's *2007 Draft Land Management Plan*. See Appendix D (pages D-80 to 88) of that plan for the San Juan Public Land's complete description of the values associated with these streams and the Suitability Analysis provided, including: (1 Characteristics of the river, (2 Current status of land ownership and use, and (3 Potential uses and effects of WSR status on those uses.

<p style="text-align: center;"><b>Vallecito Creek</b></p> <p><b>Scenery</b> The valley provides outstanding views of the stream in the impressive granite canyon, and the views of surrounding mountains.</p> <p><b>Recreation</b> The creek is popular with extreme kayakers due to its difficulty (Class 5+) and the sheer-walled granite canyon which provides extremely narrow slots. It is recommended for expert kayakers only. It has crystal-clear water flowing through an incredible gorge with some of the highest-quality drops to be found. It is also nationally significant for whitewater recreation. It's listing on American Whitewater's national river inventory, while not sufficient by itself to be an ORV, supports the above analysis [DLMP Appendix D].</p>	<p style="text-align: center;"><b>Los Piños River and 6 Tributaries (Lake Creek, Flint Creek, Sierra Vandera Creek, Snowslide Gulch, Rincon la Osa, Rincon la Vaca)</b></p> <p><b>Scenery</b> The Los Piños River corridor stands out as spectacular and distinctive. The peaks and granite ridge tops are focal points capping the deep canyons delineated by rock outcrops and precipitous vertical walls. Near the Continental Divide the granite landscape gives way to peaks surrounded by open alpine valleys and slopes. The corridor and valley support both coniferous and deciduous forests and shrub lands, giving way to dramatic displays of color in the fall. The upper valley is dotted with numerous lakes and ponds, and the waters running down valley rest in pools between a series of cascades and vertical waterfalls [paraphrased from Los Piños River – 3-4-89 Wild and Scenic Recommendation].</p>
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## Land and Water Protections Currently in Place

**Roadless Area:** The majority of the Area of Focus lies within the Weminuche Wilderness. However, about 3,100 acres of the “Weminuche Adjacent” 2006 Inventoried Roadless Area fall within the Area of Focus. The 2001 Roadless Area Conservation Rule (36 CFR 294) prohibits road construction and timber harvest, with limited exceptions, in Inventoried Roadless Areas. The 2001 rule is currently in litigation with different courts issuing conflicting decisions. It seems likely that some version of a roadless rule – although it is not clear which one (the Colorado Rule or the Federal Rule) – will be in place in the future, restricting road construction and timber-harvest.

**Wilderness:** The majority of the Vallecito Creek watershed (46,400 acres) and the entire Los Piños River watershed (67,840 acres), where they cross the USFS boundary with private land, fall within the Weminuche Wilderness.

**Wild and Scenic Suitability:** The Wild and Scenic Rivers Act of 1968 directed the US Department of Agriculture and the US Department of Interior to evaluate selected rivers for potential addition to the W&S Rivers System. In 1979, one such suitability study was completed for the Los Piños River and tributaries, and recommended designation for these segments. The Los Piños River and 6 tributaries were re-evaluated in 1989, with no changes made. In order to manage this “suitable” river for its potential inclusion into the National Wild and Scenic River System, the USFS uses existing authorities to protect the Los Piños River’s free-flowing character, water quality, ORVs, and recommended classification as Wild. According to the San Juan Public Lands 2007 Draft Environmental Impact Statement (p.3.549): “A finding of suitability does not create a water right. A water resource project proposed on a suitable river will be analyzed as to its effect on a river’s free-flow, water quality, and outstandingly remarkable values, with adverse effects prevented to the extent of existing agency authorities (such as special-use authority) and subject to valid existing rights. Projects on a suitable river may be subject to more intense analysis and additional mitigation, compared to rivers not eligible or suitable.”

See page 10 for information on the currently proposed suitability under the San Juan Public Lands 2007 Draft Land Management Plan.

**USFS management:** The entire focus area is managed by the USFS. The box below provides more information:

<b>Vallecito Creek (above the USFS boundary)</b>	<b>Los Piños River (above the USFS boundary)</b>
<p>The San Juan Public Lands Center's - <i>2007 Draft Land Management Plan</i> allocates the entire watershed to Management Area (MA)1W, "Natural Processes Dominate: Designated Wilderness, Wilderness Study Areas and Piedra Area", other than a small area in the southeastern portion of the drainage on the west flank of Middle Mountain. This area falls outside of the Weminuche Wilderness Area and the Draft Plan allocates it partly to MA 3 "Natural Landscape with Limited Management," (portions of the "Weminuche Adjacent Inventoried Roadless Area"), and partly to MA 5 "Active Management". The MA 5 portion is mapped as suitable for cattle and sheep grazing, as well as timber harvest and some motorized recreation. Under current management, this area outside of the Weminuche Wilderness is all allocated to MA 5 "Active Management."</p> <p>Overall, the majority of the area would continue to be managed similarly to how it has been in the past if the <i>Draft Plan's</i> recommendations are made final.</p>	<p>The San Juan Public Lands Center's - <i>2007 Draft Land Management Plan</i> allocates all of the area in the Los Piños River drainage to Management Area (MA)1W, "Natural Processes Dominate: Designated Wilderness, Wilderness Study Areas and Piedra Area."</p> <p>The area would continue to be managed similarly to how it has been in the past if the Draft Plan's recommendations are made final.</p>

***In-Stream Flows and Minimum Lake Levels:*** 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. A Minimum Lake Level is a non-consumptive, in-lake use of water made exclusively by the Colorado Water Conservation Board for minimum levels in natural lakes in order to preserve or improve the natural environment to a reasonable degree. Both in-stream flow and natural lake level rights are administered within the state's water right priority system.

***Vallecito Creek Drainage above USFS boundary:*** In-stream Flows: There are no in-stream flow appropriations within the Vallecito Creek watershed.

*Minimum Lake Levels:*

<b>Lake Name</b>	<b>Case No.</b>	<b>Level (Acre- feet)</b>	<b>Appropriation Date</b>
Donut Lake	W-1777-77	7	3/9/1977
Hazel Lake	W-1538-76	225	5/12/1976
Irving Lake	W-1537-76	87	5/12/1976
South Leviathan Lake	W-1781-77	225	3/9/1977
Lower Leviathan Lake	W-1780-77	4	3/9/1977
Lower Sunlight Lake	W-1504-76	536	5/12/1976
Mystery Lake	W-1784-77	215	3/9/1977
North Leviathan Lake	W-1782-77	108	3/9/1977
Sunlight Pothole #1 Lake	W-1507-76	29	5/12/1976
Sunlight Pothole #2 Lake	W-1508-76	28	5/12/1976
Trinity Lake (aka Upper Storm King)	W-1786-77	1040	3/9/1977
Upper Sunlight Lake	W-1505-76	503	5/12/1976
Vallecito Lake	W-1515-76	595	5/12/1976

Los Piños River Drainage above USFS boundary

*In-Stream Flows:*

<b>Stream Name</b>	<b>Case No.</b>	<b>Amounts (CFS)</b>	<b>Appropriation Date</b>
Los Piños River	84CW283	32	7/13/1984

*Minimum Lake Levels:*

<b>Lake Name</b>	<b>Case No.</b>	<b>Level (Acre-feet)</b>	<b>Appropriation Date</b>
Emerald Lake Reservoir	W-1510-76	8532	5/12/1976
Half Moon Lake	W-1543-76	6	5/12/1976
Little Emerald Lake	W-1511-76	306	5/12/1976
Moon Lake	W-1513-76	108	5/12/1976
Annie Lake	W-1540-76	248	5/12/1976
Bettie Lake	W-1539-76	219	5/12/1976
Big Flint Lake	W-1512-76	855	5/12/1976
Divide Lake	W-1545-76	119	5/12/1976
Elk Lake	W-1547-76	108	5/12/1976
Granite Lake	W-1544-76	2016	5/12/1976
Little Flint Lake	W-1511-76	240	5/12/1976
Rock Lake	W-1514-76	2772	5/12/1976

# Important Water Information

## **Court Actions:**

**USFS Reserved Rights:** A case is pending (USFS Reserved Rights Application in Case W-1605-76B) that involves whether the USFS is entitled to water rights "reserved" as of the date Congress reserved land for the National Forest for fluvial geomorphological (stream-channel maintenance) purposes, and, if so, how much water per stream across USFS land. In short, this case relates to whether or not the USFS holds a Federally Reserved Water Right and, if so, its size. Negotiations to resolve the case have been limited since 2003.

**Municipal and other Consumptive Uses:** Vallecito Creek and the Los Piños River are sources of water for numerous state adjudicated water rights located downstream of the USFS boundary, including but not limited to irrigation, domestic, stock, commercial, fish and municipal water for the communities of Bayfield and Ignacio.

**Potential for Additional Consumptive Uses:** There are no conditional water rights within either the Vallecito Creek or the Los Piños River above the USFS boundary; therefore there is currently no potential for additional consumptive use within the Area of Focus. A presidential exemption would be needed for development of facilities within the wilderness boundary.

**Potential Water Diversion and Storage Locations: SWSI sites** — The State Water Supply Initiative ("SWSI") was a basin-by-basin study conducted by the Colorado Water Conservation Board to examine Colorado's water uses, water-supply needs, and future water-planning efforts. SWSI focused on using a common technical basis for identifying and quantifying water needs and issues. SWSI catalogued the specific projects, plans, and processes that local water suppliers have identified and are undertaking as components of their own water-supply planning efforts to meet the needs they themselves have identified. In addition, pursuant to House Bill 1117 and the Water for the 21<sup>st</sup> Century Act, the Southwest Water Roundtable is evaluating the consumptive and non-consumptive needs in the basin. For more information, go to: <http://cwcb.state.co.us/IWMD/> (then go to the SWSI I and SWSI II). There are no SWSI identified sites within the Area of Focus.

**Stream-Flow Data:** Several U.S. Geological Survey gauges have been operated in the area. The chart below shows the gauge sites' number, name and dates of operation.

<i>Gauge Site Number</i>	<i>Site Name</i>	<i>Dates of Operation</i>
09352500	LOS PINOS R BL SNOSLIDE CAN, NR WEMINUCHE PS, CO.	1938-1953
09351000	PINE R-WEMINUCHE PASS D AT WEMINUCHE PASS, CO.	?
09352900	VALLECITO CREEK NEAR BAYFIELD, CO.	Active

Note: Stream-flow data for each of these gauges is available in a variety of formats on the U.S. Geological Survey Water Data Web site at: <http://waterdata.usgs.gov/nwis/>

**Water Rights:** The following chart shows water rights. There are no storage water rights within the Area of Focus. The only direct flow water rights are trans-basin rights from the Los Piños River to the Rio Grande River via the Pine River/Weminuche Ditch and the Weminuche Pass Ditch. *Please refer to the Glossary of Terms (handed out at the meetings and also on the Web site) to understand these various types of water rights.*

<b>TRANSBASIN DIRECT FLOW WATER RIGHTS</b>	Total # of Rights	Total CFS (Cubic feet per second)
<i>VALLECITO CREEK (above USFS boundary)</i>		
Absolute water rights	0	0
Conditional water rights	0	0
<i>LOS PIÑOS RIVER (above USFS boundary)</i>		
Absolute water rights	7	58
Conditional water rights	0	0

**Water Quality:** The Colorado Water Quality Control Commission is the agency responsible for developing specific state water-quality policies to implement the broader policies set forth by the Legislature in the Colorado Water Quality Control Act. The Commission adopts water-quality classifications and standards for surface and ground waters of the state, as well as regulations aimed at achieving compliance with those classifications and standards. There are various categories that apply to measuring water quality. Basic standards are the general water-quality standards that apply to all surface waters of the state. For more detail on water-quality standards, please refer to the handouts at the meeting and/or the State of Colorado’s Water Quality Control Division.

Above the Weminuche Wilderness boundary, all tributaries of Vallecito Creek and the Los Piños River are officially designated as “Outstanding,” as are all streams in Colorado wilderness areas. The hard Pre-Cambrian geology of the two watersheds contributes to the generally good water quality. There is one stream within the Vallecito Creek watershed that does have naturally high sulphate levels. There is a USGS national benchmark water quality station at the Vallecito Creek Gage, just inside the wilderness boundary. Between the wilderness boundary and Vallecito Reservoir on both Vallecito Creek and the Los Piños River, the water quality is classified just as it is above the Wilderness Boundary: Cold Water Fishery 1, Recreation E, Water Supply and Agricultural (See WQTableValue Standards\_Vallecito\_Pine.pdf and WQStandards\_San Juan\_Dolores.pdf).

**2007 Draft Wild and Scenic River (WSR) Information:** Both Vallecito Creek and the Los Piños River above the USFS boundary with private land were found to be “eligible” for Wild and Scenic Rivers (“WSR”) designation by the United States Forest Service (USFS) in the San Juan Public Lands *2007 Draft Land Management Plan*. The Los Piños River and 6 tributaries were found “preliminarily suitable.” See Appendix D (pages D-80 to 88) of that plan for the San Juan Public Land’s complete description of the values associated with these streams and the Suitability Analysis provided, including: (1) Characteristics of the river, (2) Current status of land ownership and use, and (3) Potential uses and effects of WSR status on those uses.



<b>Stream</b>	<b>Eligible Segment</b>	<b>Classification</b>	<b>Length</b>	<b>ORVs</b>	<b>Eligible</b>	<b>Suitable</b>
Vallecito Creek	Headwaters to USFS boundary with private land	Wild	16.59mi	Recreation and Scenery	Yes	No
Los Piños River, above Vallecito Reservoir	Headwaters to USFS boundary with private land	Wild	21.89mi	Scenery	Yes	Yes
Lake Creek	Headwaters to confluence with Los Piños River	Wild	8.05mi	Scenery	Yes	Yes
Flint Creek	Headwaters to confluence with Los Piños River	Wild	7.03mi	Scenery	Yes	Yes
Sierra Vandera Creek	Headwaters to confluence with Los Piños River	Wild	3.67mi	Scenery	Yes	Yes
Snowslide Gulch	Headwaters to confluence with Los Piños River	Wild	3.51mi	Scenery	Yes	Yes
Rincon la Osa	Headwaters to confluence with Los Piños River	Wild	5.69mi	Scenery	Yes	Yes
Rincon la Vaca	Headwaters to confluence with Los Piños River	Wild	4.33mi	Scenery	Yes	Yes

Source: San Juan Public Lands Center, 2007 *Draft Land Management Plan*.

Anyone interested in more information can access the actual Wild and Scenic Rivers Act of 1968 and its amendments by going to <http://www.rivers.gov/> and look under the Information Tab for "WSR Act". This site also offers more user friendly summaries of the Act, under the Publications Tab, in "Technical Papers."

**Note: The website is maintained by the interagency Wild and Scenic Rivers Council.**

**According to the website:** "The Council consists of representatives of the four wild and scenic rivers administering agencies—the Bureau of Land Management, National Park Service, U.S. Fish and Wildlife Service, and U.S. Forest Service. Other federal agencies with river interests have key contacts and participate in discussions affecting their interests. The public has an opportunity to provide input at all Council meetings; their support is crucial to the Council's success."

## Other Important Information

***Potential Conflicts:*** To be discussed thoroughly in the Vallecito Creek and Pine River Workgroup meetings and process.

***Air Quality:*** According to the San Juan Public Lands *2007 Draft Land Management Plan*, "the Weminuche Wilderness Class I Area has been recognized by Congress as being an "outstanding special area" – deserving the highest air-quality protection in the nation." Under the Clean Air Act of 1963, as amended, federal land managers are responsible for protecting the air quality related values within class I areas.

### ***Reasonably Foreseeable Economic Development:***

***Logging*** – There is very little land within the Area of Focus that is available for timber production due to wilderness designation. However, a small portion of the Vallecito Creek drainage above the USFS boundary, on the west flank of Middle Mountain, has been harvested in the past and remains suitable and available for timber production under the San Juan Public Lands *Draft Land Management Plan, 2007*.

***Oil, Gas, and Mineral development*** – Designated wilderness areas are withdrawn from mineral entry, including oil and gas leasing. There are no privately owned patented mining claims and there are no unpatented mining claims within the Area of Focus. There is no oil and gas potential nor production within the Area of Focus.

***Private land development*** – There is no private land within the Area of Focus. There is private land with some potential for new development downstream of the points where Vallecito Creek and the Los Piños River cross the USFS boundary.

***Commercial outfitting (fishing, hunting, horseback riding, mountaineering, climbing, kayaking etc.)*** – Commercial outfitters require a permit to operate on USFS lands. There are several active permits within the Area of Focus. There is potential for increasing the number of permitted outfitters.

***Livestock grazing*** – Livestock owners require a permit to graze on public lands. There are active cattle allotments within the lower portion of the two watersheds; all sheep allotments are currently vacant due to proximity to the wild bighorn sheep population.

**Transportation:**

<b>Los Piños Watershed</b>	<b>Vallecito Creek Watershed</b>
The entire watershed is located within the Weminuche Wilderness, therefore there are no roads. However, there are many trails along the main stem and tributaries: over 53.8 miles within the river corridors evaluated for Wild and Scenic.	The entire watershed is located within the Weminuche Wilderness, therefore there are no roads. However, there are 17.6 miles of trail within the corridor evaluated for Wild and Scenic by the USFS.

**Weeds:** The San Juan National Forest’s Invasive Species Action Plan for FY2007-2009 identifies as priorities for treatment the following weed species that are known to occur in the vicinity of the Vallecito Creek and Los Piños River watersheds: scentless chamomile, dames rocket, yellow toadflax, hounds tongue, spotted knapweed, leafy spurge, oxeye daisy, hoary cress, Scotch thistle, musk thistle, bull thistle, and Canada thistle. Weed infestations are largely focused along trails and roads.

**Wildfire:** Two recent wildfires – the 2002 Missionary Ridge Fire that burned 70,000 acres around Vallecito Reservoir, and the 2003 Bear Creek Fire that burned 1,500 acres in the upper Vallecito Creek watershed – significantly impacted water quality in the drainage in the years immediately following the fires.

**Map: see next page and find the map at this link:**  
<http://ocs.fortlewis.edu/riverprotection/pine/pineMaps.htm>.

# RIVER PROTECTION WORKGROUP

## PINE RIVER & VALLECITO CREEK

