

SAN JUAN COUNTY, COLORADO
BOARD OF COMMISSIONERS MEETING AGENDA

January 25, 2023

Due to the continuing COVID-19 concerns, San Juan County meetings will be conducted in a hybrid virtual/in-person format. All persons including Board Members, Staff and those with appointments scheduled on the agenda may meet in person or via zoom. At risk participants are strongly encouraged to wear a mask. We encourage community members to participate via zoom. The information necessary to connect to the public meeting is listed below.

CALL TO ORDER: 6:30 P.M.

BOCC Meeting Minutes for January 11, 2023

APPOINTMENT

6:35 P.M. Anthony Edwards – Development Agreement with the Town of Silverton for Anvil Mountain

7:00 P.M. Nick Croce of C&G Alpine Partners to Amend Existing Improvement Permit to Allow for a Water Storage Pond on the Former Wildcat Lode and Development of a Parking Area on the Anglo Saxon Placer

7:30 P.M. Aaron Brill-Silverton Mountain Request for Minor PUD Amendment

CORRESPONDENCE

Hardrock 100 Thank You

OLD BUSINESS

Boards and Offices

NEW BUSINESS

Cooperative Forest Road Agreement

Sales Tax Update

Public Comment

Commissioner and Staff Reports

Next Regular Meeting – February 8, 2023 8:30 A.M.

Join Zoom Meeting

<https://zoom.us/j/92136473203>

Meeting ID: 921 3647 3203

One tap mobile

+16699006833,,92136473203# US (San Jose)

+12532158782,,92136473203# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Meeting ID: 921 3647 3203

This Development Agreement and Contract for Dated is made and entered into effective as of January _____, 2023 by and between San Juan County, Colorado, Box 466, Silverton, CO 81433 ("County") and the Town of Silverton ("Developer").

Whereas, County has developed and is the owner of the Anvil Mountain Subdivision located adjacent to the Town of Silverton, CO, and is seeking a Developer to initiate construction of new homes in that subdivision consistent with the covenants and restrictions applicable thereto; and

Whereas, Developer has the knowledge, expertise, resources, contracts, relationships and ability to initiate and complete construction of new homes in the Anvil Mountain Subdivision and has made a proposal to the County to do so;

Whereas, the Town of Silverton has been duly authorized to enter into this Agreement and satisfied any other requirements to ensure the validity of this Agreement as a binding obligation of said entity;

Now therefore, the parties agree as follows:

I. Purchase of Lots:

- A. County hereby agrees to Sell and Developer hereby agrees to purchase and construct homes on, lots 17, 16, 23 and 25 in Anvil Mountain Subdivision ("the Property"). As provided below in Section II(A), Developer will confirm that each such buyer meets any applicable criteria required based upon the classification of attainable housing as published by the State of Colorado at the time of this Agreement or at the time of sale of the lot by Developer to the qualified buyer.
- B. Developer acknowledges that all of the lots which are the subject of this Agreement are so called affordable and or attainable lots subject to deed restrictions set forth on the Plat of Anvil Mountain subdivision. Developer further acknowledges that homes constructed on the lots may be sold only to families which meet certain income qualifications set by the State of Colorado (generally, income below 140% of the local median income) and may be sold at prices no greater than permitted by the State standards then in effect.
- C. The purchase price for each of said lots, payable by Developer pursuant to the terms hereof shall be One Thousand Dollars (\$1,000.00) each payable as provided herein.
- D. Transfer of any lot to the Developer by delivery to Developer of a general warranty deed executed by County shall take place at Developer's request. Developer will have title to the lot in time to enable Developer to obtain construction financing for

the construction of homes on the lots.

- E. Developer acknowledges that the lots being purchased are located on the former site of an industrial activity, the Walsh smelter, and that any known environmental hazards associated therewith have been remediated under the supervision of the United States Environmental Protection Agency in accordance with applicable laws and regulations. Developer acknowledges that it is buying the lots "As is" without any warranties or guaranties regarding its physical condition and that it shall sell such lots to the initial buyers as such.
- F. Because the lots being sold to Developer are located within a subdivision owned and developed by the County, the parties agree that the County shall not be obligated to maintain or service the lots. At the time of signing this Agreement, to its knowledge, there are no easements. leases. contracts or other agreements affecting title to the Property which are not of record.
- G. The parties hereby acknowledge that, because the lots being sold and purchased have been owned by the County, they have not been subject to any property tax. Upon transfer of deed by Town of Silverton to a Buyer of any lot, notice shall be given by the Town of Silverton to the County Assessor and County Treasurer and the lot once deeded to the Buyer shall be entered on the tax rolls of San Juan County and shall be subject to property tax from and after the date of transfer. All Buyers shall be responsible for, and shall pay, all such taxes and all bills and expenses applicable to the property being purchased and sold, including past due amounts, interests and penalties from and after the date of closing regardless of when such became or become due. County hereby warrants that the lots in Anvil Mountain are not located within any special taxing district.

II. Construction and Sale of New Homes:

- A. Immediately upon signing of this Agreement, Developer without cost to the County, shall diligently pursue all steps reasonably necessary to advertise and market the Property to qualified potential home purchasers and to locate, qualify, arrange financing for, contract to build new homes for, and construct homes for potential buyers of homes to be developed on each of the lots being purchased by Developer.
- B. Developer shall provide County copies of all building designs and plans. All construction on any lot shall be consistent with the designs and plans approved by the County.
- C. No later than December 1, 2024, Developer shall commence construction of at least foundations for two or more dwellings.

- D. Developer shall comply all covenants and restrictions applicable to the Property and shall also comply with all applicable building regulations. In addition to any other requirements otherwise applicable to the Property or to homes built thereon, Developer shall ensure that all homes constructed on the Property shall be designed to be complimentary of area development. The Developer shall diligently take all steps reasonably necessary to ensure that any housing constructed on the affordable lots will be saleable within the affordable pricing limits.
- E. No real estate commission shall be due or payable in connection with Developer's purchase of the lots from the County. The real estate commissions and fees which shall be payable in connection with the sale of any of the Property by Developer to any buyer shall be not more than Six Percent of the total sale price of the house, which shall include any options added and the lot being sold.
- F. Unless expressly authorized in writing by the County, Developer shall not be permitted to sell or resell any of the lots designated as affordable or attainable to any person or entity other than a qualified family or individual who will reside in the home being purchased as his, her or their principal residence.
- G. Developer shall provide to the initial purchasers of each lot sold by Developer, at Developer's own expense, title insurance for each such lot being sold to the extent required by the purchaser or any lender. All sales by Developer of lots within the Property shall be subject to recorded deed restrictions as required by the covenants and restrictions applicable to the Property including restrictions on resale. Developer shall not place any covenants or restrictions on any lot without the prior written approval of the County.

III. **General Provisions:**

- A. In the event of any default by either party hereunder, the party claiming default shall immediately provide the other party hereto with a notice setting forth the precise nature of the claimed default and the desired action to remedy the claimed default. If the parties are not able to resolve the matter informally within ten days of the receipt of any such notice of default, the parties agree to promptly mediate their dispute.
- B. This document shall become a contract between San Juan County and the Developer upon its being signed by both of the parties. A copy of this document may be executed by each party, separately, and when each party has executed a copy thereof, such copies taken together shall be deemed to be a full and complete contract between the parties. Notices under this agreement shall be by regular U.S. mail or by personal delivery to the party or parties to whom directed or to their

attorney. When fully executed by both parties hereto, a copy of this document shall be recorded in the land records of San Juan County.

C. This Agreement and the obligations contained herein shall not be assigned by either party without the prior written consent of the other party.

This Development Agreement and Contract for *Deed* contains the entire agreement of the parties with regard to the subject matter hereof and there are no other promises or conditions,

**San Juan Regional
Planning Commission**
SAN JUAN COUNTY TOWN OF SILVERTON
Silverton, Colorado 81433
P.O. Box 223

December 13, 2022

Board of County Commissioners
San Juan County
Silverton, CO 81433

Members of the Commission:

RE: Proposed Amendment to Existing
County Improvement Permit Application
Proposed Water Storage Pond on
Wild Cat Lode, USMS No. 16993
CR 110 Near Gladstone, San Juan County

At the regular meeting of the San Juan Regional Planning Commission on December 13, 2022, members of that Commission held a meeting to discuss the Proposed Amendment to County Improvement Permit Application for the Proposed Water Storage Pond, on the former Wild Cat Lode USMS No. 16993 CR 110, near Gladstone. The applicant is Nick Croce, Property owner C&G Alpine Partners LLC. Includes Land Use Permit Application for proposed parking area and signage on the Anglo Saxon Placer USMS No.16687, CR 110,near Gladstone, SanJuan County. Applicant is Nick Croce of C&G Alpine Partners LLC. Property Owners, Esther, and Lloyd Swartz.

After considerable discussion and background of the project, questions and presentations from the County Planner, Lisa Adair, and the applicant, the Planning Commission voted unanimously to recommend to the San Juan County Commissioners that you approve the proposed amendments to the County Improvement Permit Application as submitted with the twelve proposed conditions of approval from the County Planner.

Thank you for considering this recommendation.

Sincerely,
The Planning Commission Members and
James Weller
Chairman

STAFF REPORT FOR THE BOARD OF COUNTY COMMISSIONERS

REGARDING: THE UNDER CONSTRUCTION BED & BREAKFAST STRUCTURE, KNOWN AS THE AERIE LODGE, LOCATED ON THE FORMER HIDDEN TREASURE & WILD CAT LODES, COUNTY ROAD 110, NEAR GLADSTONE, SAN JUAN COUNTY, COLORADO.

(1) PROPOSED AMENDMENT TO AN EXISTING COUNTY IMPROVEMENT PERMIT: PROPOSED WATER STORAGE POND ON THE FORMER WILD CAT LODE.

(2) COUNTY LAND USE PERMIT APPLICATION: PROPOSED PARKING AREA AND SIGNAGE ON THE ADJACENT ANGLO SAXON PLACER.

REPORT DATE: December 30, 2022

MEETING DATE: January 25, 2022

FROM: Lisa Adair PE

Applicant: The Applicant is Nick Croce of C&G Alpine Partners LLC.

Owners: The Property Owners are C&G Alpine Partners LLC and Esther & Lloyd Swartz.

Project Site: Three adjacent mining claims:

Hidden Treasure Lode USMS No. 19018 (Revised/Consolidated).

Wild Cat Lode USMS No. 16993 (Revised/Consolidated).

Anglo Saxon Placer USMS No. 16687.

General Location: The project site is located near Minnesota Gulch on County Road 110 between Silverton and Gladstone.

Location of Improvements:

A bed & breakfast structure is currently being constructed on the former Hidden Treasure Lode.

A pond is proposed on the adjacent former Wild Cat Lode.

A parking area with signage is proposed on the adjacent Anglo Saxon Placer.

SUMMARY: The Applicant is requesting approval of a proposed amendment to an existing County Improvement Permit for a proposed water augmentation/storage pond on the former Wild Cat Lode. The Applicant is also requesting a County Land Use Permit for a proposed parking area and signage on the adjacent Anglo Saxon Placer. The proposed improvements are associated with the bed and breakfast structure named The Aerie Lodge which was approved in 2020 and is currently under construction. The application and proposed improvements appear to comply with the Master Plan and the County Zoning and Land Use Regulations. The Planning Department and Planning Commission suggests that the Board of County Commissioners can consider conditional approval of this application, with the conditions of approval at the end of this staff report.

Application: A copy of the application is attached for your review.

Previous Approval: A County Improvement Permit Application was approved by the Board of County Commissioners in 2020, for a proposed bed and breakfast structure (now named the Aerie Lodge), and proposed associated grading/utility improvements, on the Hidden Treasure and Wild Cat Lodes. Part of the approval was a Lot Consolidation of those two overlapping mining claims (to create one parcel to reduce

STAFF REPORT FOR BOCC, WILD CAT LODGE & ANGLO SAXON PLACER, DECEMBER 30, 2022.

the potential for future development rights or sale of the Wild Cat Revised Lode). A copy of the Conditions of Approval associated with the 2020 County Improvement Permit for the bed and breakfast structure is included in the attached application for your reference.

Access to the Project Site: The project site is located on County Road 110 about halfway between Silverton and Gladstone, near Minnesota Gulch. Accessing the site in a vehicle from Silverton, on County Road 110 driving towards Gladstone, a driver would pass by the Anglo Saxon Mine (which is on the left/west side of CR 110), then the Anglo Saxon crib wall (on the left), then the proposed parking area (on the right/east), then the Minnesota Gulch avalanche path, then the proposed water pond (on the right), then the existing driveway for the bed and breakfast structure (on the right), then the existing driveway for the Ajax Mill Site cabin (on the right). The bed and breakfast structure, under construction and called the Aerie Lodge, has been assigned a street address of 4245 CR 110, indicating the site is roughly four miles from Silverton. For reference the Silverton Mountain Ski Area and Gladstone are approximately 7 miles from Silverton. The proposed pond and parking area are both located on the right hand (eastern) side of County Road 110.

Proposed Pond: The applicant is requesting an amendment to his existing 2020 County Improvement Permit, to allow for the construction of a proposed water pond. The pond would be located on the former Wild Cat Lode. The purpose of the proposed pond is water storage and augmentation which are both associated with the surface water rights for the under construction bed & breakfast structure. Augmentation means releasing in-lieu water in the unlikely event of a “call” on water rights, although augmentation ponds are usually empty due to drought when there is a call. The proposed pond would have potential benefits of increased potable water, wildlife habitat, and fire suppression water. The proposed pond would not be located adjacent to County Road 110, so there is little concern with it causing a traffic hazard. The proposed pond location is between a hillside and an existing overhead electric line. Between County Road 110 and the pond, there is Cement Creek and the existing overhead electric line. Preliminary plans for the pond are included in the application. The pond area will be excavated (4 feet depth, 1 foot of freeboard, 6 foot berm). The pond is designed to have an outlet (discharge pipe with screened intake and meter) and an emergency spillway (weir with riprap). Since it is a relatively small pond but it will have an outlet and spillway I believe this would be classified by the State as a “small non-jurisdictional dam” which typically requires “notification” to the State via submittal of a form called a Notice of Intent to Construct a Non Jurisdictional Water Impoundment Structure, filed with the State dam safety engineering office (and the Water Court staff in Durango). That “notification form” can be addressed as a Condition of Approval, since all County Permits are contingent on Applicants’ compliance with State/Federal Regulations. The proposed pond is located directly adjacent to the existing utility easement for the San Miguel Power Association (SMPA) overhead electric line and power poles. SMPA should be consulted prior to pond construction regarding any required pole protection which may or may not be necessary. Given that the spillway will be directly adjacent to power poles, the closest pole(s) may need some concrete protection around the base. In the event that the pond outlet pipe were to become clogged, the spillway would release the water, or if a berm blowout were to occur, either of which is not anticipated but could cause unexpected rapid erosion to the soil surrounding adjacent power pole(s). The applicant has submitted a letter from a wetlands consultant describing that wetlands were not encountered at the proposed pond location. Given that there were some historic uses at/near the site, such as railroad, spur line, sawmill, bridge, etc., pond construction should temporarily cease if any unanticipated historic relics are encountered. The plans for the proposed pond included in the application are preliminary, currently being completed, and were drawn by a Durango-based Professional Engineer. Visual impact (as viewed from CR 110) is expected to be minimal as the proposed berm appears to be only approximately one foot above grade. A minimum of three feet of freeboard may be required by the State, but that might not apply to non jurisdictional dams. If

STAFF REPORT FOR BOCC, WILD CAT LODGE & ANGLO SAXON PLACER, DECEMBER 30, 2022.

three feet of freeboard is required, then the berm might be expected to be approximately four feet tall above the existing ground surface, which would still be anticipated to create a relatively minimal visual impact. The proposed pond and its associated design details shall be in compliance with any/all applicable State requirements, per Applicant consultation with the State dam safety engineering office. If there is an existing pedestrian trail located at the proposed pond, then the Applicant shall maintain or reroute that trail to allow for a continuation of public trail access. The possible methods used to fill the pond may include water originating from the on site Cascade Creek, an onsite infiltration gallery, a drilled on-site water well, and/or hauled treated water obtained from the Town. At this time the plans do not depict any proposed buried intake pipe (or a ditch) to fill the pond. Tree clearing is not anticipated for the pond construction but you may wish to verify that with the Applicant. Ponds/berms in San Juan County usually include an impermeable plastic liner instead of the proposed clay shown on the plans, due to the lack of local clay and the high cost of importing clay from afar. The proposed water augmentation/storage pond on the former Wild Cat Lodge appears to be acceptable and beneficial.

Proposed Parking Area: The Applicant is requesting a County Land Use Permit to allow for the construction of a proposed parking area. The proposed parking area would be located on the Anglo Saxon Placer. The Anglo Saxon Placer is located next to the Applicant's property (the former Hidden Treasure and Wild Cat Lodges). A Stamped Survey Plat from Earnie Schaaf is included in the application showing the abutting boundaries and shared property corner pins of the three project site mining claims. The Anglo Saxon Placer at the proposed parking area is owned by Esther & Lloyd Swartz. The purpose of the proposed parking area is primarily for bed & breakfast guest private parking in the winter. I believe when necessary during times of snow the guests will park at the proposed parking area, and will be transported by the caretaker in a snowcat up the existing driveway to the bed and breakfast structure. The details of the proposed parking area and signage are included in the attached application for your review. The purpose of the review of the winter parking area is in part to satisfy a previous County Improvement Permit Condition of Approval (as specified in the attached 2020 document). The attached application includes a preliminary access easement deed, and an acknowledgement from the Property Owner that this application is being submitted. The parking area appears to be located very close to the current/known runout zone of the Minnesota Gulch avalanche path. The parking area location is on the right (west) side of CR 110, outside of the County Road easement, with no gates/fences shown. The Applicant proposes some minor grading, consisting of placement of some shallow fill, to level out the existing flat area. The Applicant plans to maintain and plow the proposed parking area with his own equipment. One sign is proposed, with a drawing included in the attached application. County Sign Permits are typically handled by the Building Department, although you may wish to comment on the proposed signage or its text. The Anglo Saxon Placer is a mining claim with existing/proposed mining remediation. In accordance with the County Ordinance included in the application, this proposal required a "signoff" from the CDPHE (Colorado Department of Public Health and the Environment, represented by Mark Rudolph). An email is attached from Mark Rudolph, giving a clearance or a preliminary approval for the proposed parking area, as shown on the attached aerial site plans, on the Anglo Saxon Placer. The CDPHE shall be given an opportunity to view the parking area site prior to construct after the snow melts, and County Permits are contingent on compliance with all State/Federal regulations. Comments were obtained from the County Road & Bridge Department Supervisor Louie Girodo. The email he sent is attached, along with a highlighted area on the aerial map clarifying the location he agrees with for the proposed parking. Louie has requested that the parking area be confined to the area north of the existing Minnesota Gulch culvert (the culvert is visible in the attached aerial site plans). There are some concerns about possible avalanche and/or debris flow hazards associated with the proposed parking area. The County may want to add a sentence on the proposed sign warning citizens that the parking area could be in a natural hazard area and to park at your own risk. The parking area appears to be "just outside of" the current/known Minnesota Gulch avalanche

STAFF REPORT FOR BOCC, WILD CAT LODE & ANGLO SAXON PLACER, DECEMBER 30, 2022.

hazard area, and appears to possess a visible debris flow hazard, although the County staff is not qualified to definitively draw a line delineating the potential natural hazards. The parking area is intended for winter use, whereas debris flow would typically occur in snow-free months. The parking area does not appear to have any potential wetlands, as it appears to consist of bare ground, with visible cobbles and soil from an apparent past debris flow event. Parking area proposed grading is expected to include some fill placement, but not any proposed below grade cut. Construction (minimal proposed grading) of the proposed parking area should temporarily cease if any unanticipated possible wetlands are observed, or any unanticipated historic relics are encountered.

Comparison to the Master Plan: The County Zoning and Land Use Regulations are posted on the County website. The regulations state: *All applications for review under this Chapter will be examined initially to determine whether the proposal is consistent with the County's Master Plan.* The 2010 Town/County Master Plan is posted on the County website. The Master Plan states: *Private property rights are respected in San Juan County. The mountain landscapes retain their character. The backcountry outside of Silverton in the county is a predominantly natural landscape with visible mining history and pockets of developed recreation. Impacts of residential and commercial development on natural assets are mitigated. Where residential development occurs on mining claims, it is designed to cluster structures in focused growth areas and/or build them in low-visibility places outside of environmentally sensitive areas, leaving visible ridgelines and other scenic resources undeveloped and minimizing impacts on the environment.* The proposed improvements (proposed water pond and proposed parking area) appear to comply with the intent of the Master Plan. Additionally the site appears to be located within one of the County's Economic (Development) Corridors where proposed improvements are generally encouraged in comparison to proposed development on remote backcountry sites.

Comparison to the County Regulations: The County Zoning and Land Use Regulations state: *If consistent with the Master Plan, all applications will be reviewed to determine whether, based upon the objective facts contained within the record before the reviewing body:*

*(a) The proposal will have any adverse impact on public health, **safety**, morals or welfare.*

The proposed pond and parking area are not expected to have a significant adverse impact on health, safety, morals, or welfare.

*(b) Adequate potable **water** is available or can be developed to safely support the proposed use, including fire control and suppression.*

Water is available at the project site for the bed and breakfast structure, through several sources, and the proposed water augmentation/storage pond is intended to increase compliance with this requirement.

*(c) Adequate **sewage** disposal can be provided to support the proposed use.*

Plans for the proposed septic system, designed to serve the under construction bed & breakfast structure, were previously reviewed in 2020. County Improvement Permits (and Building Department Certificates of Occupancy) are contingent on the Applicants/Owners obtaining final approval of their proposed septic system from San Juan Basin Public Health Department. The proposed pond and parking area are not expected to affect the proposed septic system.

*(d) The proposed use will have any adverse effect on public or private **property** in the vicinity of the development.*

The proposed pond and parking area are not expected to have a significant adverse impact on nearby public or private property.

*(e) The proposed use will have any adverse effect on **scenic values**, **historic sites or structures**, **air or water or environmental quality**, **wildlife** (including habitat, food sources, migration routes, hunting, etc.), **erosion** or other geological condition.*

The proposed pond and parking area are not expected to have a significant adverse impact on scenic values, historic sites/structures, environmental quality, wildlife, erosion, or geological conditions. At this time there are no known historic structures/relics at the proposed pond location, nor at the proposed parking

STAFF REPORT FOR BOCC, WILD CAT LODGE & ANGLO SAXON PLACER, DECEMBER 30, 2022.

area. There were railroad beds, a sawmill, a bridge, a siding spur, adits, tunnels, and other historic structures in the past at/near this site, and if any historic relics are encountered during construction the work shall cease to allow for a site visit and requirements from the County Historic Impact Review Committee. The anticipated visual impacts associated with the proposed pond/berm, and the proposed parking area/signage, are expected to be minimally visible from County Road 110. Regarding wildlife, ponds in this area can sometimes provide habitat for copious mosquitoes which could potentially affect residents of nearby structures. The erosion potential associated with the pond outlet, spillway, or an unanticipated berm failure can be addressed with finalizing the plans for the proposed riprap shown on the plans, and through consultation with SMPA regarding any necessary power pole protection.

(f) Adequate road access exists or can be developed to ensure access appropriate to the use, including access for emergency services. "Adequate access" shall require proof that any access is either a public San Juan County road or state highway or else a private road or other access which meets the following minimum standards: (i) have adequate water bars, bar ditches, culverts and other drainage improvements to prevent erosion of the road which might interfere with access; and (ii) be subject either to (a) deed(s) granting access across all private property the access traverses from the parcel being improved to the nearest public San Juan County road or state highway (in which event the applicant also shall demonstrate the existence of a perpetual agreement governing the use and maintenance of such private road across private property) or (b) one or more valid road permits across any federal or state property If access is via a private road, the applicant also shall either prove that an existing access permit exists for the road issued by San Juan County (if the private road intersects a County road) or by CDOT...

The proposed pond is located on land that the Applicant owns, the former Wild Cat Lodge, and requires no access easement. The proposed parking area is on the Anglo Saxon Placer, which is not owned by the Applicant, and currently one of the two married Anglo Saxon Placer Property Owners has signed an attached written preliminary access easement deed, which appears to be adequate for the review of the intended land use of a proposed basic parking area. It is my understanding that the parking area access easement deed will be finalized in the next few months and will likely include assistance from a Licensed Surveyor. The forthcoming final version of the parking access easement deed, signed by both of the Anglo Saxon Placer Property Owners, Esther & Lloyd Swartz, shall be filed at the Courthouse. The Applicant shall contact the Swartzes to provide an anticipated date of construction commencement, prior to the parking area grading on the Anglo Saxon Placer. The County's approval of this application is contingent on the forthcoming Property Owners' final written approval of the proposed parking area grading and access easement deed on their private land.

(g) Adequate road access exists or can be developed to ensure access appropriate to the use, including access for emergency services.

This site is located on a plowed, maintained year round, adequate vehicular access road, County Road 110, with better access than the typical remote backcountry access for most mining claims. However County Road 110 can sometimes infrequently close, due to avalanche/natural hazards, sometimes for several days. The bed and breakfast structure at this site was previously approved in 2020, and this proposal is for a proposed water pond and a proposed parking area. The proposed pond and parking area will not affect the status of the emergency services access for this site. All County Permit Applicants are required to acknowledge that "...emergency services may not be available in a timely manner, and may not be available at all."

(h) Adequate utilities are or can be made available for the proposed use, unless deemed unnecessary or not practical.

The proposed water pond and the proposed parking area do not appear to include/affect any proposed utilities. The utilities for the bed and breakfast structure were previously reviewed in 2020.

(i) Adequate emergency services exist to serve the proposed use, unless deemed unnecessary or not practical. Approval of the proposed improvements (proposed pond and proposed parking area) is not expected to overburden the existing local emergency services agencies.

STAFF REPORT FOR BOCC, WILD CAT LODGE & ANGLO SAXON PLACER, DECEMBER 30, 2022.

(j) There are natural hazards which may adversely affect the site or the proposed use of the site ...

The adopted County avalanche hazard map and geohazard map are attached. The applicant has placed red marks on the maps at the estimated locations of the proposed pond and the proposed parking area. The County hazard maps are approximate. The applicant has provided some additional hazard mapping, some expert information, and photo(s) in the application. According to the County hazard maps, the proposed pond is probably within an avalanche area, and a previous/current potential debris fan or debris flow area. If a natural hazard event occurs at the pond, it could fill up with soil or snow, and while unfortunate that would not be expected to significantly affect public health safety or welfare. The proposed parking area, as shown on the aerial site plans, appears to be on a visible previous debris flow area. The parking area appears to be located on cobble soil draining downhill from Minnesota Gulch. There is an existing CR 110 culvert at that location, the failure of which could potentially impact the parking area/vehicles in an unpredictable way. However that would probably be in summer, while the parking area is intended for winter use. In consultation with the County Road and Bridge Supervisor, and the Applicant, and reviewing all available information, some of which is included in the attached application, I believe the proposed parking area is “probably” in a small sliver of relatively avalanche free land, situated between the apparent current outside edge of the Minnesota Gulch avalanche runout zone, and the adjacent Red Point avalanche runout zone. However, avalanche paths can change unexpectedly, can expand, can create new routes via erosion, in unpredictable ways, and can be affected by repeated overlying avalanches, beetle kill dead trees, erosion, nearby grading and drainage, plowing/berms, etc. There is no guarantee that the proposed parking area is free from avalanche hazard, but the risk appears to be low compared to the directly adjacent lands subject to mapped runout zones. A sentence should probably be added to the proposed sign warning the general public that there may be a risk of avalanche/natural hazards at the parking area which could potentially cause vehicle damage/personal injury. The parking area is intended to be private parking for winter, but could inadvertently end up being used at times by members of the general public year round. There shall be a site visit at the proposed parking area after the snow melts, and the applicant shall invite the County Road & Bridge Supervisor, Surveyor, CDPHE, contractor, and County staff, prior to construction. The applicant shall comply with the requirements of the reviewing agencies which may not become apparent until that snow free site visit occurs.

Adjacent Land Owners: The adjacent land owners who own private land within 1500 feet of the exterior boundaries of the former Wild Cat and Hidden Treasure Lodes, and the Anglo Saxon Placer (and the “Anglo Saxon Group” of 12 overlapping claims) were notified by mail by the Planning Department on November 28, using envelopes and stamps provided by the Applicant. The adjacent land owner list and the adjacent land owner notification letter are included in the attached application. Adjacent land owner comments were received by email from Orla Ray Reese, attached. Adjacent land owners Lloyd Swartz and Ryan Bennett were unopposed to this application and they participated verbally in the Planning Commission meeting via Zoom on December 13.

Legal Notice: A Legal Notice has been prepared, it is attached, and it is scheduled to be published in the Silverton Standard & Miner newspaper on Thursday January 5.

Sketch Plan and the 3 Step Review Process: The proposed pond is an amendment to an existing 2020 County Improvement Permit. The proposed parking area is being processed as a separate County Land Use Permit Application because it is on a separate parcel not owned by the applicant and not part of the 2020 Permit. This dual County application can be considered a “Sketch Plan” which is step one of the three steps described in the County Regulations (Sketch Plan, Preliminary Plan, Final Plan). Considering that the overall more significant proposed improvements (the bed and breakfast structure and the associated grading/utilities) at this project site were recently approved by the County, the Board of County

STAFF REPORT FOR BOCC, WILD CAT LODGE & ANGLO SAXON PLACER, DECEMBER 30, 2022.

Commissioners may decide to allow an abbreviated review process, for this specific proposal (water pond and parking area). Since this application involves relatively minimal proposed grading/improvements, a pond and parking area which are accessory to a recently-approved land use (bed and breakfast structure), I would suggest that this might not need to return to the Planning Commission. I would however recommend that the County should require a County staff site visit after the snow melts and prior to any grading. The Applicant should also be required to provide the County Staff a set of updated pond/parking plans after those are finalized, and the Applicant could be required to return to one or both of the Boards if any significant/major changes are made to the pond/parking locations/plans.

County Mining Remediation Ordinance: County Ordinance 2020-01 is included in the attached application. It contains an “Inventory,” which is a list of mining claims for which Colorado Department of Public Health and Environment (CDPHE) clearance is required, prior to any County Planning/Building Permit Application being processed. The Inventory lists claims that have existing and/or proposed mine remediation. The County Staff is required to check the Inventory upon receipt of any County permit application. The Anglo Saxon Placer is part of this project site, and it is listed on the Inventory. In compliance with the Ordinance there is CDPHE correspondence attached which indicates an approval or a preliminary sign-off; however, the CDPHE personnel shall be given an opportunity to visit the site, and add any applicable conditions, after snow melt, prior to grading. The attached Ordinance should be interpreted such that the CDPHE possesses the right until then, to approve, approve with conditions, deny, or review concurrently, and part of that review process is a site visit (with some survey staking if that ends up being needed by the CDPHE). I believe that the proposed parking area is far removed from the mining remediation site associated with the Anglo Saxon Mine, as described in the attached CDPHE email, and the Applicant shall give the CDPHE an opportunity to verify that at the site when it is snow free prior to grading.

Planning Commission Review: The Planning Commission reviewed this application on December 13. The notes I have from the meeting indicate that the Planning Commission recommended conditional approval of this dual County Application, the proposed pond on the Wild Cat Lodge, as well as the proposed parking area on the Anglo Saxon Placer, with the conditions of approval in the staff report, and they added the words “and comply with” to condition number 6 as reflected below. They briefly discussed adding some text, warning the public of potential natural hazards, onto the proposed parking area sign, but they did not specifically include that in their Motion. A letter from the Planning Commission Secretary summarizing their December 13 recommendations will be requested, and should be included in the packet. With the exception of adding the words “and comply with” to condition number 6, I have changed no other text in the conditions below.

Options: The Board of County Commissioners is being asked to make a decision regarding this dual County Application for the Board of County Commissioners. The County Commissioners have the following options:

- Approve all or part of this dual application “as presented.”
- Conditionally approve all or part of this dual application, in which case I would suggest you consider using the motion and conditions of approval listed below.
- Deny of all or part of this application. If the application is denied by the Board of County Commissioners, then the County Commissioners will need to specify the reason(s) for denial, using the 2010 Town/County Master Plan, and/or the County Zoning and Land Use Regulations.
- You may choose to “table” all or part of this dual application, in which case you should specify for the Applicant what critical piece of information you need to make a decision.

STAFF REPORT FOR BOCC, WILD CAT LODGE & ANGLO SAXON PLACER, DECEMBER 30, 2022.

Staff Recommendation: Finding that the submitted application documents appear to be adequate and that the proposed improvements appear to be in general compliance with the Master Plan and the County Zoning and Land Use Regulations, the County Planning Department staff suggests you may **conditionally approve this application**, with the conditions of approval listed below.

If you decide to grant conditional approval, here is a motion to consider:

“...a motion that the Board of County Commissioners grants conditional approval of the proposed amendment to the 2020 County Improvement Permit for the proposed water pond on the former Wild Cat Lode and the County Land Use Permit Application for the proposed parking area with signage on the Anglo Saxon Placer, with the conditions of approval listed in the staff report.”

Conditions of Approval: Here are proposed Conditions of Approval for this dual County Application, submitted by Applicant Nick Croce, for a proposed water augmentation/storage pond and a proposed parking area with signage, on the former Wild Cat Lode and the adjacent Anglo Saxon Placer, on County Road 110 near Gladstone.

1. Compliance with all **State and Federal** regulations is required as a condition of this County Permit. If regulations differ, then the most stringent shall apply. Failure to comply with State and Federal regulations shall void this County permit.
2. San Juan County requires **reseeding** in accordance with the specifications in the County Zoning and Land Use Regulations.
3. The Applicant and the proposed improvements shall comply with the San Juan County Zoning and Land Use **Regulations**. Violation of the County Regulations may cause this permit to be void. If requirements differ, the most stringent shall apply.
4. As a condition of all County permits, the Applicants/Owners shall acknowledge that **emergency services** may not be available in a timely manner, and may not be available at all.
5. Any on-site existing public **trails** shall remain open to public access.
6. After the snow at the site is melted and prior to any grading/construction, the Applicant shall contact the County Road & Bridge Dept. Supervisor, County Administrator, Building Inspector, CDPHE, and the Anglo Saxon Placer Property Owners, to schedule a pre-construction **site visit**, in order to receive AND COMPLY WITH any additional agency requirements (the capitalized words were added by the Planning Commission on December 13).
7. No **historic** objects are anticipated. However, if any historic objects are encountered during construction, the construction shall temporarily cease, and recommendations of the County Historic Impact Review Committee shall be obtained and followed.
8. The Applicant shall file a signed copy of the final access **easement** deed at the County Courthouse Clerk’s Office for the parking area on the Anglo Saxon Placer.
9. SMPA should be consulted prior to pond construction regarding any required **pole protection** which may or may not be necessary.
10. The parking associated with the bed and breakfast structure shall only be located north of the existing Minnesota Gulch **culvert**, as recommended by the County Road and Bridge Department Supervisor.
11. Updated pond design **plans** shall be provided by the Applicant to the County Administrator, Road and Bridge Dept., Building Dept., and CDPHE prior to construction.
12. The Applicant shall comply with these **Conditions** of Approval, as well as the requirements of the County Road and Bridge Department personnel, CDPHE, Building Inspector, County Staff, and Army Corps of Engineers. The final version of these Conditions of Approval shall be signed by the Applicant and filed in the Clerk’s Office of the County Courthouse.

Prepared By: Lisa Adair PE, Planning Department, San Juan County Colorado, planner@sanjuancolorado.us

PUBLIC HEARING

Notice is hereby given to the members of the general public that the San Juan County Colorado Board of County Commissioners will hold a Public Hearing at the San Juan County Courthouse, 1557 Greene St., Silverton, CO, at 7:00 PM on Wednesday, January 25, 2023, in person and via Zoom to receive public comments on a County Permit Application for a proposed water storage pond on the Wild Cat Lode, and proposed parking area on the adjacent Anglo Saxon Placer, County Road 110, near Gladstone. The Applicant is Nick Croce of C&G Alpine Partners LLC. The purpose of the Application is to request approval of the proposed improvements intended to serve the adjacent under construction bed and breakfast structure approved by the County in 2020.

NOTICE is further given that all persons may present oral/written testimony regarding this Application prior to/during the Public Hearing. Comments may be sent by email to planner@sanjuancolorado.us, by mail to San Juan County, PO Box 466, Silverton CO 81433, or hand-delivered to the County Courthouse. The Zoom Meeting ID Number for County meetings is 921 3647 3203. Interested persons may contact the Planning Department with any questions or comments about the Application.

Published in the Silverton Standard & Miner: January 5, 2023.

Re: Anglo Saxon Placer, for CDPHE Review

Rudolph - CDPHE, Mark <mark.rudolph@state.co.us>

Sat, Dec 3, 2022 at 12:20 PM

To: Lisa Adair <planner@sanjuancolorado.us>

Cc: "solkepler@gmail.com" <solkepler@gmail.com>, Willy Tookey <admin@sanjuancolorado.us>, Bevan Harris <bharris@silverton.co.us>, Dennis Golbricht <dennis@animaslaw.com>

Lisa, thank you for meeting on Thursday. I did go up to visit the site after our meeting and see no issues for the parking space as identified in the permit application. This location is approximately 0.2 miles upgradient and away from any impacts from the Anglo Saxon mine and any current or future work that will occur there. I did notice a drainage culvert passing underneath CR110 adjacent to the parking area. I would expect that the proposed parking area will not impact this culvert.

Thanks

Mark

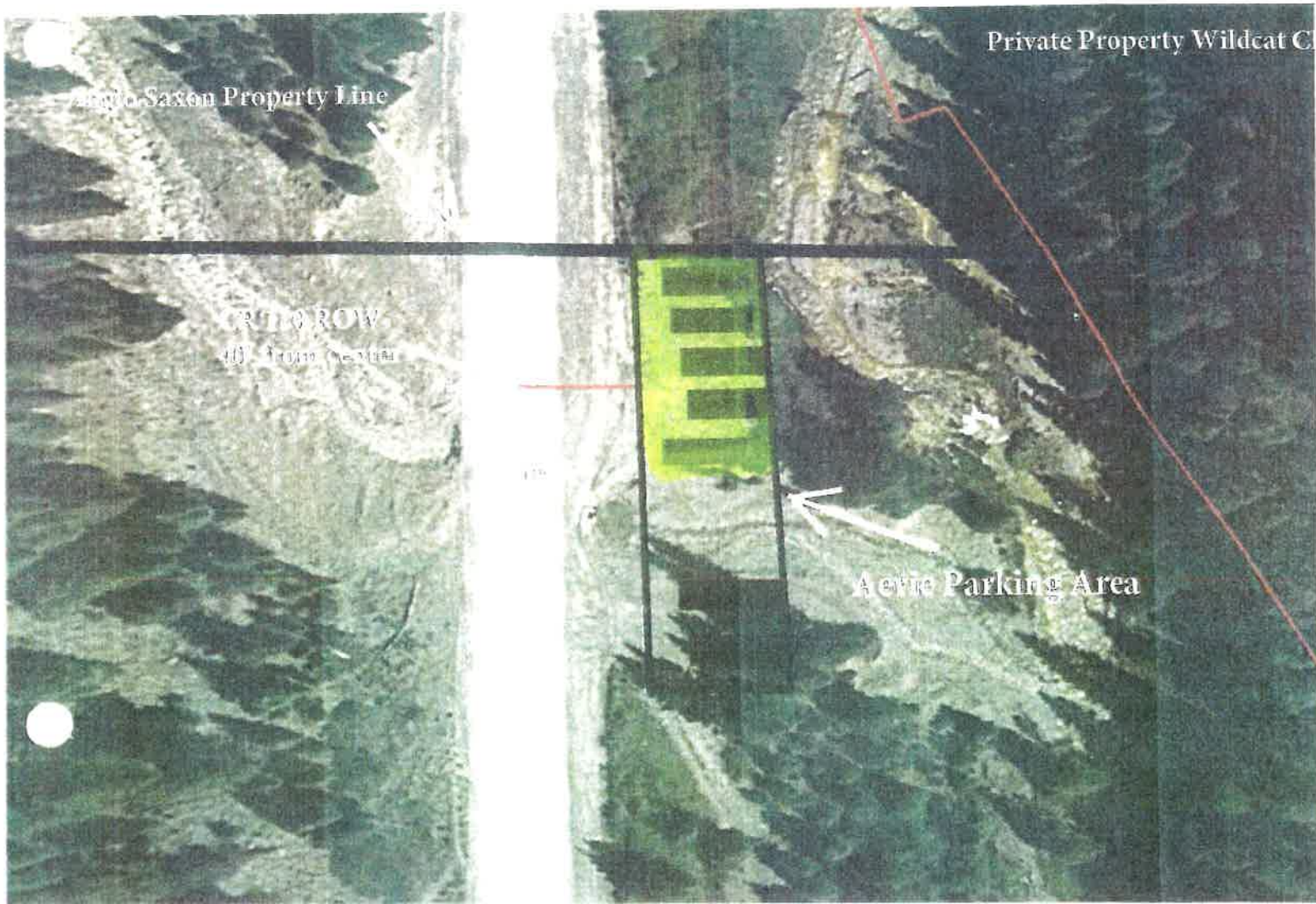
RE: Croce Application, Wild Cat Pond & Anglo Saxon Parking

From Louis Girodo

Lisa, I am ok one parking area on the outside of CR-110 near the Minnesota Gulch culvert but not with the proposed parking south of the culvert on the inside of the roadway! This parking area is in possible avalanche danger from the Red Point slide path and also from flooding from Minnesota Gulch in the spring and during heavy rain cycles. The other parking can be expanded. There would be no culvert needed for access just a minor ditch needed>

Louie

Here is a map I highlighted with Louie when I met with him on Dec. 6 to clarify the email above:



C&G Alpine Partners
The Aerie Silverton
4245 CR 110
Silverton, Colorado 81433

Date: November 6, 2022

To: San Juan County
Attn: Lisa Adair, Planning Director and William Tookey, County Administrator
1360 Greene St.
Silverton, Colorado 81433

Applicant: C&G Alpine Partners, LLC
Nick Croce
Nick@TheAerieSilverton.com
970-450-7241

Subject: **Additions of a Winter Parking Area and a Multi-Use Pond to Improvement Permit # 2020-01**

Lisa Adair and William Tookey,

This submittal has been prepared by owner/applicant, Nick Croce, of C&G Alpine Partners LLC and The Aerie Silverton LLC, requesting approval of a Land Use Application for a winter guest parking area and the addition of a multi-use pond to the existing improvement permit (#2020-01) for The Aerie Silverton lodge project, currently under construction.

C&G Alpine Partners is currently constructing The Aerie Silverton, a year-round mountain adventure lodge located approximately 4 miles north of Silverton on CR 110. We have been working with numerous engineers and hydrologists over the last several years to develop the property's access and utility infrastructure in such a way as to provide the most efficient, reliable and safe experience for guests and staff alike.

1. Winter Parking:

Access to The Aerie lodge is located on the east side of CR 110, just north of Minnesota Gulch, which is a known avalanche path. As such, it is not safe for guests to park on Aerie property within this avalanche zone during winter months. As an alternative, we have contacted the owner of the adjacent Anglo Saxon mining claim, Mr. Lloyd Swartz who has agreed to grant a parking easement on his property (see attached "**Exhibit A: Agreement for Parking Easement**"). The final permanent easement will be surveyed and recorded with SJC prior to use of the parking area.

The proposed parking area is at the very northern end of the Anglo Saxon property, on the east side of CR 110, approximately 1,400 ft. south of The Aerie access driveway (See "**Exhibits B & C: Winter Parking Map & Winter Parking Map Detailed**"). The area is outside of the Minnesota Gulch avalanche runout zone (see **Exhibit D – "Trautner Avalanche Map"**) and has good line of sight in both directions. It is already relatively flat and is free of vegetation. It is outside of the 80' county road right-of-way and is well above the Cement Creek 100yr flood plain (resides at the same elevation as the county road, see attached "**Exhibit E: FEMA Flood Plain Map**"). These factors make this an ideal location for lodge guests to park their vehicles during the winter season. We have already discussed this location as a potential winter parking area with the County Road and Bridge Supervisor, Louie Girodo, who agreed, it would work well and did not express any concerns. There will be no additional burden on the County Road and Bridge Department as Aerie staff would be responsible for plowing the parking area and for any seasonal maintenance/grading work that is needed. The area would be clearly identified as "Aerie Guest Parking" using some form of signage, to be approved by the County. We feel this location provides the ideal scenario with guest vehicles being parked in a safe location while also providing guests easy access to their vehicles during their stay at the lodge.

2. Multi-Use Pond:

A multi-use pond is being proposed, located on Aerie private property, known as Parcel A (formerly known as the Hidden Treasure and Wildcat claims). This pond would provide highly beneficial water storage for several possible uses such as; firefighting purposes, augmentation water and wildlife/aquatic habitat.

The pond would be located toward the north end of the former Wildcat claim, on the east side of CR 110 and east of Cement Creek. This location has been assessed by Ecosphere

Environmental for wetland and other aquatic features. None were found to be present (see **Exhibit F** "Ecosphere Site Review Letter"). The maximum pond size would be approximately 6,600 square feet in a narrow, oblong shape. At 4 feet deep, it could hold approximately 197,000 gallons of water (see **Exhibit G**, "Overall Site Plan"). The pond would be filled using a pump in our gallery well storage tank, which taps very good quality Cascade Creek water, during high-flow peak runoff season. This feature would be attractive to various wildlife species for new habitats.

Exhibit H, "C&G Water Rights – Draft Notice of Intent", details the plan we are pursuing to make absolute a part of the Animas Service Area Water Right under the 2006 decree 06CW0127. Given unprecedented and ongoing drought conditions, the pond, if constructed to maximum potential size, would be capable of replacing our domestic water depletions at a rate of 306 GPD for nearly two years. The final pond size is to-be-determined and will likely be smaller than 6,600 square feet, but, nonetheless, this pond would provide an important layer of protection against a downstream call on the Animas River, making our overall water rights strategy more robust and ensuring the lodge can continue to operate even in extreme drought.

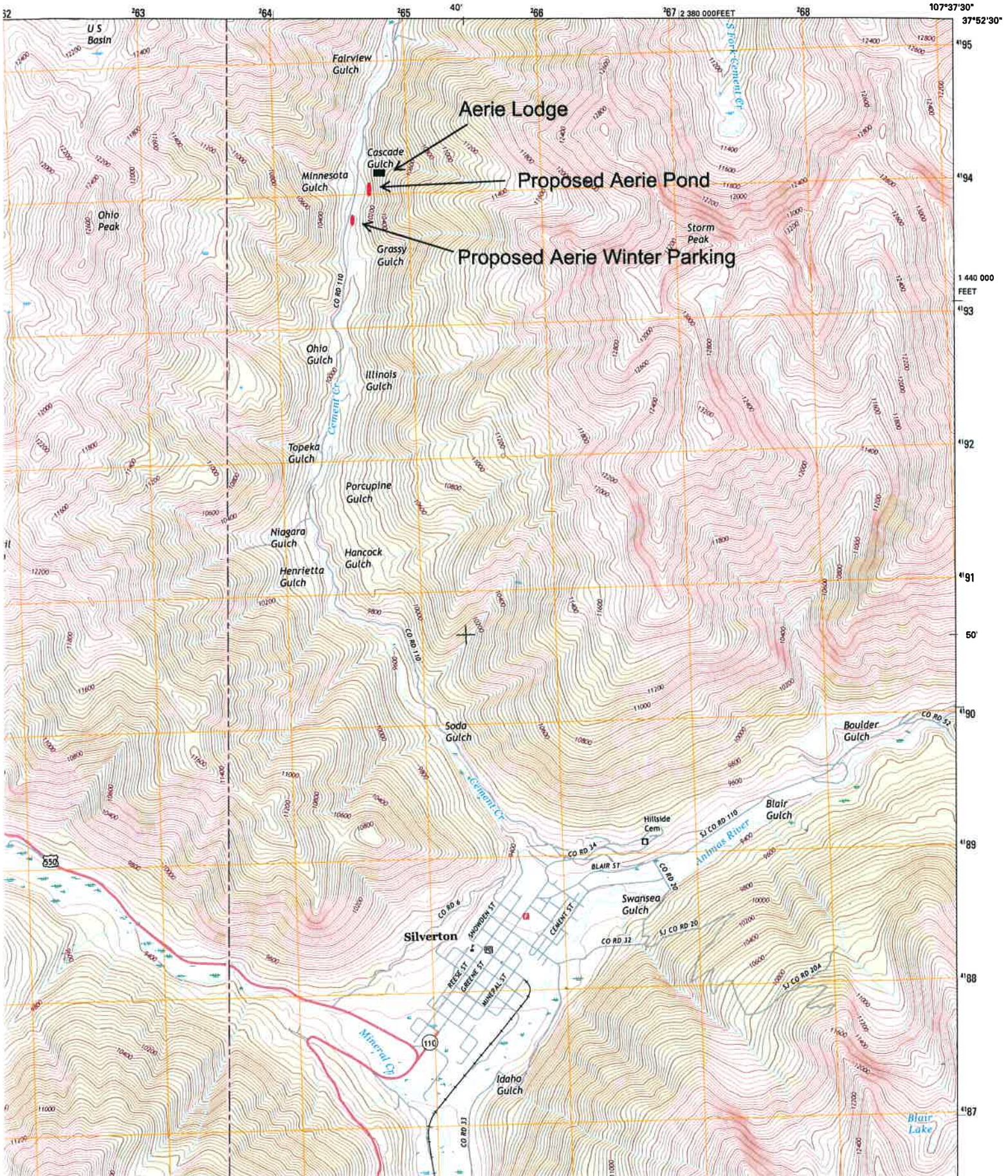
We are respectfully requesting that this submittal be considered at the next planning board/Board of County Commissioners meetings.

Thank you for your time and consideration. Please contact Nick Croce, C&G Alpine Partners LLC with any questions.

Sincerely,

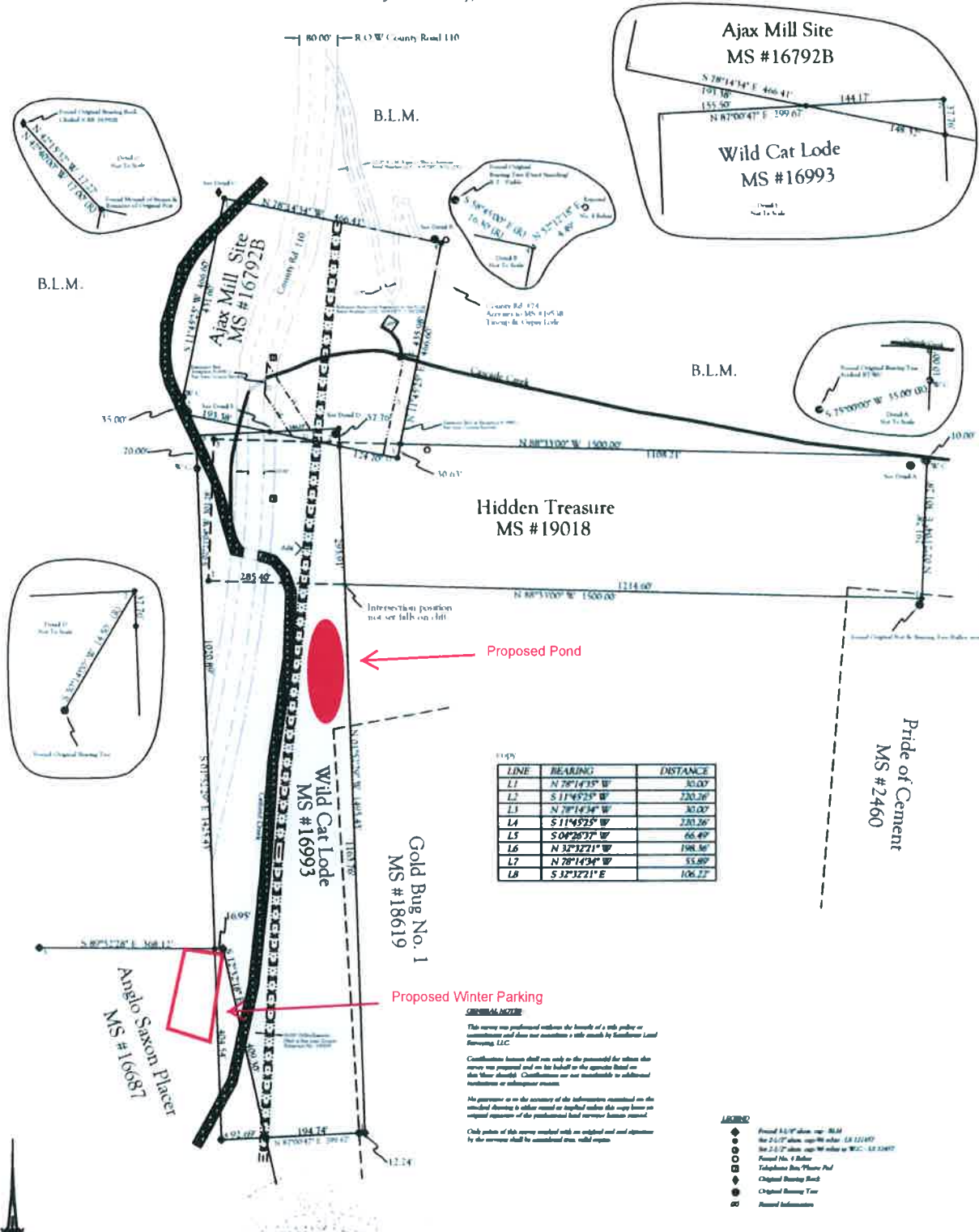
A handwritten signature in black ink, appearing to read 'N. Croce', written in a cursive style.

Nicholas Croce
C&G Alpine Partners, LLC
970-450-7241
Nick@TheAerieSilverton.com



BOUNDARY SURVEY OF

Ajax Mill-Site MS #16792B, Wild Cat Lode MS #16993 & Hidden Treasure Lode MS #19108
San Juan County, Colorado



LINE	BEARING	DISTANCE
L1	N 78°14'34" W	30.00'
L2	S 11°45'25" W	230.26'
L3	N 78°14'34" W	30.00'
L4	S 11°45'25" W	230.26'
L5	S 04°28'37" W	66.49'
L6	N 32°32'21" W	198.56'
L7	N 78°14'34" W	55.89'
L8	S 32°32'21" E	106.22'

GENERAL NOTES:
This survey was performed within the limits of a title policy or commitment and does not constitute a title search by Southwest Land Surveying, LLC.
Conflicts between shall run only to the parcel(s) for which this survey was prepared and not be held to the opposite parcel on this (their share). Conflicts are not resolvable to additional restrictions or subsequent means.
No guarantee is made as to the accuracy of the information contained on the recorded drawings in either actual or implied unless this survey forms an integral portion of the professional land surveyor's business.
Only copies of this survey recorded with an original and not otherwise by the surveyor shall be considered true, valid copies.

- LEGEND:**
- Found 3/4" iron nail - BLM
 - the 2 1/2" iron nail - EA 12/18/97
 - the 2 1/2" iron nail - WCC - EA 10/18/97
 - Found No. 4 Baller
 - Telephone Box (Phone Pad)
 - Chopped Survey Bench
 - Chopped Survey Tree
 - Found Information

BASE OF BEARINGS:
Line 14 of the W.M. Cor Lode MS #16893 was found to bear N 01°52'00" using Trimble GPS, and is represented as shown herein. All other bearings are shown as shown.

CERTIFICATE OF SURVEY:
I, Thomas E. Schulz, Registered Land Surveyor in the State of Colorado, do hereby certify that the aforementioned represents a correct and true survey made by me or under my direction and supervision. I am duly sworn. My commission expires January 31, 2025.

REFERENCE:
BLM, Department of the Interior, Bureau of Land Management, 12/20/2019
Colorado Constitution, 2020, Article XX, Section 1, 2020, October 11, 2020.

LAND SURVEY REPORT:
Date: _____
Sheet: _____
Deposit No.: _____

U.S. MINERAL SURVEYORS
REGISTERED LAND SURVEYORS
AK, AL, CO, HI, IL, IN, IA, KS, KY, LA, MI, MN, MO, NE, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, VA, VT, WA, WI, WY

SOUTHWEST LAND SURVEYING LLC
1315 Shoshone St., Silverton, CO 81432
303.874.2412 mobile 303.874.8812 fax 303.874.2412

Boundary Survey
Wild Cat Lode, Hidden Treasure Lode
&
Ajax Mill Site
San Juan County, Colorado

Tom & Rosalee Keating
4220 E. Denver St., #10
P.O. Box 6074-0004

SWP 11/16/20 2024 2024

LAND USE PERMIT
San Juan County, Colorado

Applicant: Nick Croce / C&G Alpine Partners LLC	Permit No.
Address: PO Box 69	
City and State: Setauket, NY 11733	Telephone: 970-450-7241

<p>Description of Use: Proposed parking area, approx 40ft wide by 150ft long, to be used by Aerie Silverton guests during winter months (November through May) on the Anglo Saxon Placer property, owned by Lloyd and Esther Swartz. The parking area will not require any excavation but could require some gravel fill for grading/drainage. The area is mostly free of vegetation, therefore no tree or shrub removal is required. A single metal sign indicating that the parking area is on private property and for use by Aerie guests, or county road and bridge emergency use, only is also being proposed. Aerie staff will keep the parking area plowed, pushing snow off the embankment, toward the Cement Creek drainage using a pickup truck or snowcat, both of which will be parked on Aerie property. There will be no additional burden on the county road and bridge department.</p>
--

<p>Dates and Times of Use: Seasonally, November through May, 24hrs per day, 7 days per week.</p>
<p>Location of Use: North end of Anglo Saxon Placer. Approx 4 miles north of Silverton on the east side of CR 110, outside the country road right-of-way.</p>

Areas of Concern: Applicant should provide attachments for each relevant area
Land Use Administrator will initial approval if appropriate

Property Ownership _____	Permission of Property Owner _____
Vicinity Map _____	Plans and Drawings _____
Natural Hazards _____	Zoning Compatibility _____
Sanitation _____	Environmental Impacts _____
Building Permit _____	Federal and /or State Permits _____
Security _____	Emergency Services _____
Parking _____	insurance Coverage _____
Clean Up _____	County Road Impact _____
Other _____	Other _____

Date Application Submitted: November 22, 2022	By (signature): <i>Nicholas Croce</i>
Date Permit Issued:	By (signature):
Conditions	
Acceptance of Conditions:	By (signature):

SAN JUAN COUNTY, COLORADO
DRIVEWAY AND ROAD ACCESS PERMIT

Improvement
Permit No. _____

Applicant: Nick Croce / C&G Alpine Partners LLC

Location of Proposed Driveway or Access on County Road No. 110 :

North end of Anglo Saxon Placer, approx 4 miles north of Silverton on the east side of CR 110.

Description of Proposed Driveway or Access, including materials to be used:

Proposed parking area providing access to CR 110 - adjacent and parallel to the county road right-of-way,
therefore no driveway is required/proposed.
Parking area may require some gravel fill for grading/drainage.

Comment and Recommendations of County Road Supervisor:

Terms and Conditions of Issuance of Permit (or reason for denial):

Permit Approved _____ or Denied _____, Date: _____

Land Use Administrator: _____

SIGN PERMIT

No. _____

SAN JUAN COUNTY, COLORADO

Applicant Nick Croce / C&G Alpine Partners LLC		Date Nov 22, 2022
Address PO Box 69 Setauket, NY 11733		Phone 970-450-7241
Property Owner (If Other Than Applicant) Lloyd and Esther Swartz		
Address 35 Canoncito Rd NE Albuquerque, NM 87122		Phone 505-252-0915
Property Description Anglo Saxon Placer - Parcel # 47750310040009		
Existing Signs On Property None		Square Footage
Proposed Location Of New Sign(s) North end of property, east side of CR 110		
Type of Sign(s) <input checked="" type="checkbox"/> Free Standing <input type="checkbox"/> Projecting <input type="checkbox"/> Wall <input type="checkbox"/> Window <input type="checkbox"/> Awning		
Material Metal	Size 24" x 36"	Square Footage 6 sq ft
Drawing and Description		
<div style="border: 2px solid black; padding: 10px; width: fit-content;"> <p style="font-size: 1.5em; margin: 0;">Private Property</p> <p style="font-size: 1.5em; margin: 0;">Parking for Aerie</p> <p style="font-size: 1.5em; margin: 0;">Guests Only</p> <p style="font-size: 1.5em; margin: 0;">November - May</p> </div>		<p>A metal rectangular sign indicating the parking area is on private property, for use by Aerie lodge guests only. (November through May)</p>
Permit: <input type="checkbox"/> Issued <input type="checkbox"/> Denied	Reason For Denial	
Fees Paid	Restrictions	
Date	Land Use Administrator	

Exhibit A

PRELIMINARY AGREEMENT FOR PARKING EASEMENT

This Agreement is made and entered into on this 23rd day of November 2022 by and between Lloyd Swartz, owner of the Anglo Saxon Placer, Parcel #47750310040009, ("Swartz") and C&G Alpine Partners, owner of the Properties known as the Wild Cat Lode USMS No. 16993 and the Hidden Treasure Lode USMS No. 19018 ("C&G").

WHEREAS, C&G is in the process of constructing a lodge on its properties for commercial use as a bed and breakfast or lodge for use by visitors to the area in both summer and winter; and

WHEREAS, C&G is desirous of acquiring additional parking space beyond what is available on its properties for use by its guests at the lodge;

WHEREAS, Swartz is amenable to providing C&G with a parking easement on his property under certain terms and conditions that are mutually agreeable;

NOW, THEREFORE, the parties agree as follows:

1. Swartz will grant C&G a parking easement located generally as depicted in Exhibit A on the northernmost end of the Anglo Saxon parcel. The number of spaces available will be mutually agreed upon by the parties. The parking easement will provide additional parking for guests at the lodge owned by C&G and operated by Aerie Silverton, LLC.
2. C&G will provide whatever rock/gravel/fill is in excess of what is needed for the parking area to Swartz at no cost in exchange for the easement. If sufficient surplus rock/gravel/fill is not available to meet the needs of Swartz for his access road/driveway construction, C&G will provide a payment to Swartz to fairly compensate for the easement, such amount to be mutually agreed upon by the parties.
3. The parties agree that use of the parking easement by lodge guests will not be done in a manner that impedes or blocks access by Swartz to the Anglo Saxon property, specifically parking will not be permitted that blocks the existing driveway/access on the north end of the Anglo Saxon parcel.
4. Swartz will retain the right to access his property, specifically from the existing driveway/access on the north end of the property.
5. The easement will be limited to the months of December through April.
6. C&G and Aerie Silverton, LLC will be responsible for all plowing and maintenance of the parking area.
7. C&G agrees to pay for recording costs, survey, drafting and other costs associated with developing and recording the new easement in the records of San Juan county, Colorado.
8. C&G will indemnify Swartz from any claims for damages to vehicles or persons resulting from use of the parking easement.

9. The parties intend that this preliminary agreement will serve as the basis for a final easement to be granted and the terms and conditions of that easement.

The Parties indicate their adoption of this Preliminary Agreement for Parking Easement by their signatures below.

C&G Alpine Partners



By:



Lloyd Swartz



Gmail

Nick Croce <nick@theaeriesilverton.com>

Lodge Parking

1 message

ravensnestestates@gmail.com
<ravensnestestates@gmail.com>

Wed, Nov 23,
2022 at 11:56 AM

To: Lisa Adair <planner@sanjuancolorado.us>
Cc: Nick Croce <nick@theaeriesilverton.com>

Good Morning Lisa,

Sorry I dropped the ball on this letter over the last week, been crazy at work. I attached a copy for your use. I am already engaged in collaboration with surrounding property owners for everyone's benefit. I have agreed to work with Nick for his winter time parking needs, and am fine with him working on whatever land use development he needs. The spot he proposes is barren rock right on CR 110 and outside of anything I will be needing next year to develop the Anglo Saxon properties. We will work out a formal easement and details later, most likely next summer. I am working on all the moving parts for my own proposal for next year. (EPA, Engineering, BLM, and so on)

Have a Great Thanksgiving!

Lloyd Swartz

505-252-0915

Ravens Nest and Anglo Saxon

State Documentary Fee
\$37.00 10-17-2022

154617
Page 1 of 1
SAN JUAN COUNTY, COLORADO
LADONNA L. JARAMILLO, RECORDER
10-17-2022 08:10 AM Recording Fee \$13.00

SPECIAL WARRANTY DEED

THIS DEED, Made this 14th Day of October, 2022

Between **TRANVAAL PROPERTIES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY and ANGLO SAXON PROPERTIES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY**

of the County of Tulsa and State of Oklahoma, grantor

and **LLOYD O. SWARTZ and ESTHER M. SWARTZ**

whose legal address is 35 Canoncito Rd NE
Albuquerque, NM 87122

of the County of Bernalillo and State of New Mexico, grantee

State Documentary Fee

Date: 10/14/2022

\$ 37.00

WITNESSETH, That the grantor for and in consideration of the sum of -----**TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION**----- the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, not in tenancy in common but in joint tenancy, all the real property together with improvements, if any, situate, lying and being in the County of San Juan and State of Colorado described as follows:

TRACT I:

The **ANGLO-SAXON PLACER, ANGLO-SAXON # 1, ANGLO-SAXON # 2, ANGLO-SAXON # 3, ANGLO-SAXON # 4, ANGLO-SAXON # 5, and ANGLO-SAXON # 7 LODES, Mineral Survey No. 16687 and the MONARCH LODE, Mineral Survey No. 884, Animas Mining District, San Juan County, Colorado.**

LESS AND EXCEPT any portion of the above named mining claim, within overlapping senior mining claims whether excepted or not in the patent for the above described Lodes Mining Claims.

TRACT II:

The **FREYA, MIDNIGHT SUN, RUBY and TRANVAAL LODES, Mineral Survey No. 17255, Animas Mining District, San Juan County, Colorado.**

LESS AND EXCEPT any portion of the above named mining claim, within overlapping senior mining claims whether excepted or not in the patent for the above described Lodes Mining Claims.

TOGETHER WITH ANY AND ALL WATER, WATER RIGHTS, DITCH, DITCH RIGHTS APPERTAINING TO THE PROPERTY DESCRIBED ABOVE.
As known by street and number as: **TBD CR 110**
Silverton, CO 81433

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, their heirs and assigns forever. The grantor, for itself, its successors does covenant, and agree that the grantor shall and will **WARRANT AND FOREVER DEFEND** the above bargained premises in the quiet and peaceable possession of the grantee, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof, by, through or under the grantor, except: 2022 taxes due and payable in the year 2023. Subject to Statutory Exceptions as defined in CRS § 38-30-113(5).

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

TRANVAAL PROPERTIES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: Thomas A. Warlick
THOMAS A. WARLICK, MANAGER

ANGLO SAXON PROPERTIES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: Thomas A. Warlick
THOMAS A. WARLICK, MANAGER

STATE OF OKLAHOMA
COUNTY OF TULSA

The foregoing instrument was acknowledged before me this 10 Day of October, 2022

By: **THOMAS A. WARLICK AS MANAGER FOR TRANVAAL PROPERTIES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY and ANGLO SAXON PROPERTIES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY**

My commission expires:

Witness my hand and official seal

Loni Strength
Notary Public

SPECIAL WARRANTY DEED (To Joint Tenants)



Sbaao3/33

Exhibit B - Winter Parking Map



Aerie Winter Parking

Parking area is on Anglo Saxon private property and is outside of the CR 110 right-of-way

Exhibit C - Winter Parking Detailed

Private Property Wildcat Claim

Anglo-Saxon Property Line

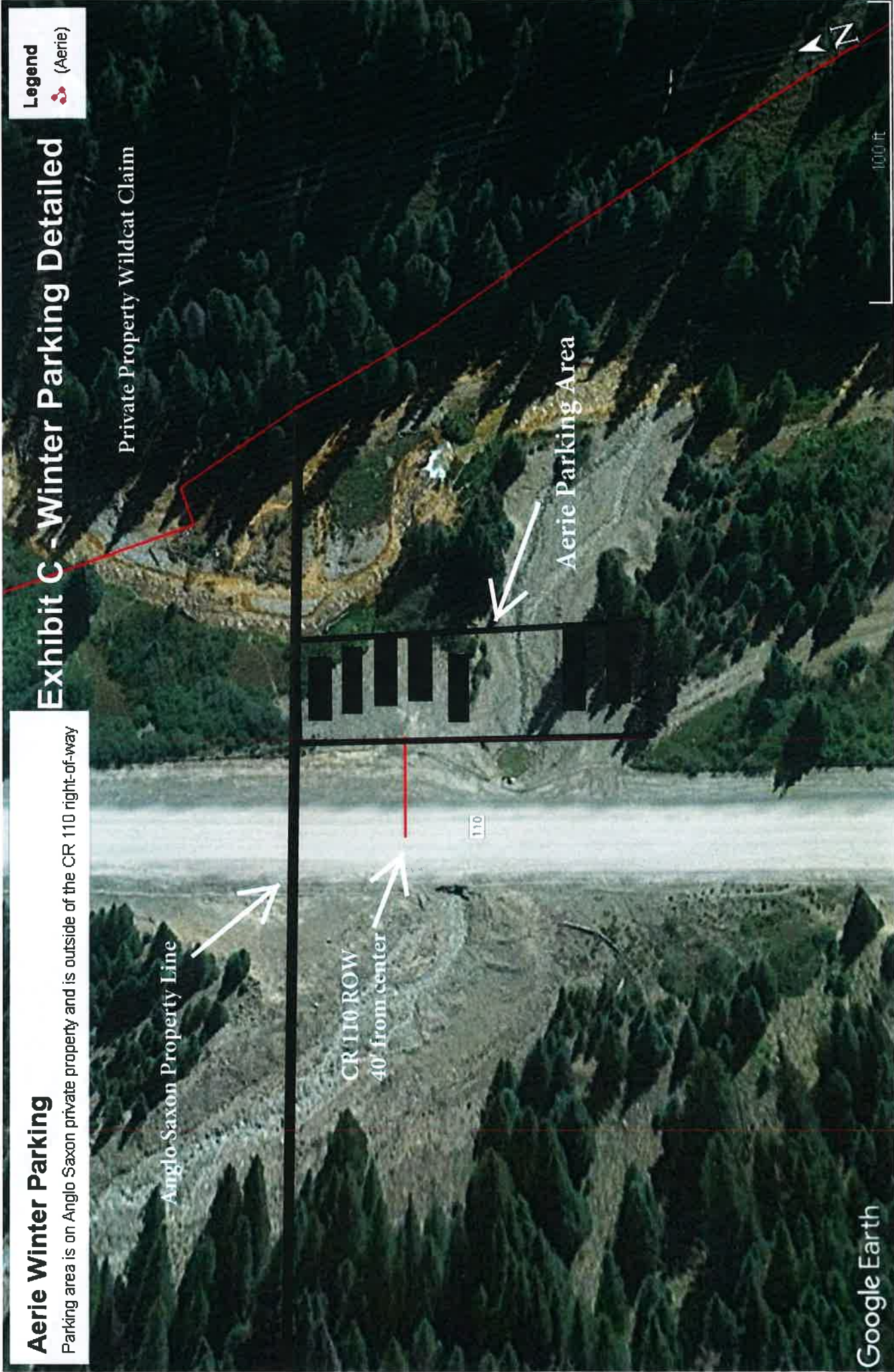
CR 110 ROW
40' from center

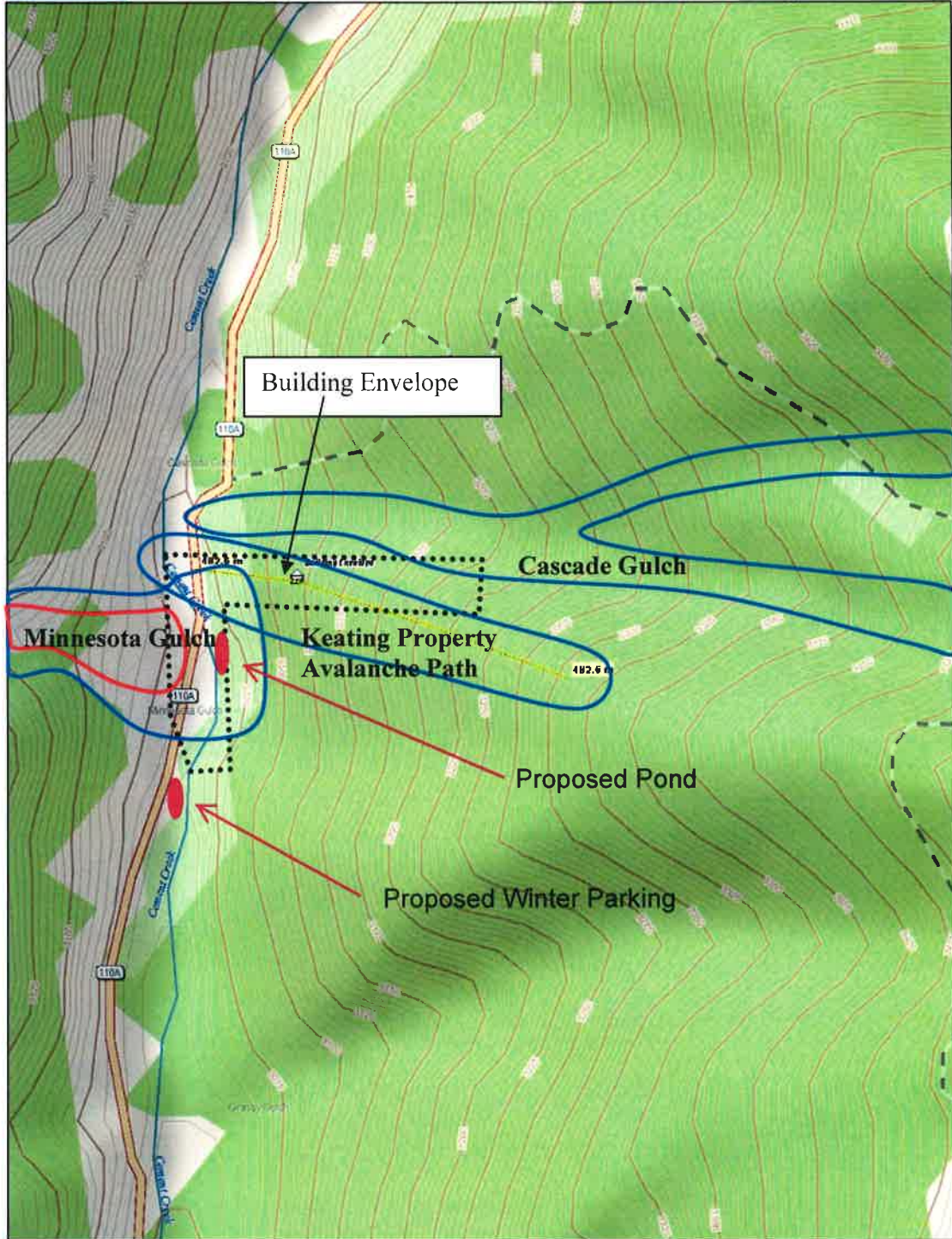
Aerie Parking Area

Google Earth

Legend
(Aerie)

100 ft





Data use subject to license.
© 2006 DeLorme, Topo USA® 6.0.
www.delorme.com

MN (10.3 E)

0 60 120 180 240 300 m
Data Zoom 15-0

Plate 1. Avalanche paths in vicinity of Keating Properties. Dotted line is approximate property boundary. House shows approximate building envelope location. Blue line indicates Blue Zone and red line indicates Red Zone of avalanche paths.

Exhibit D

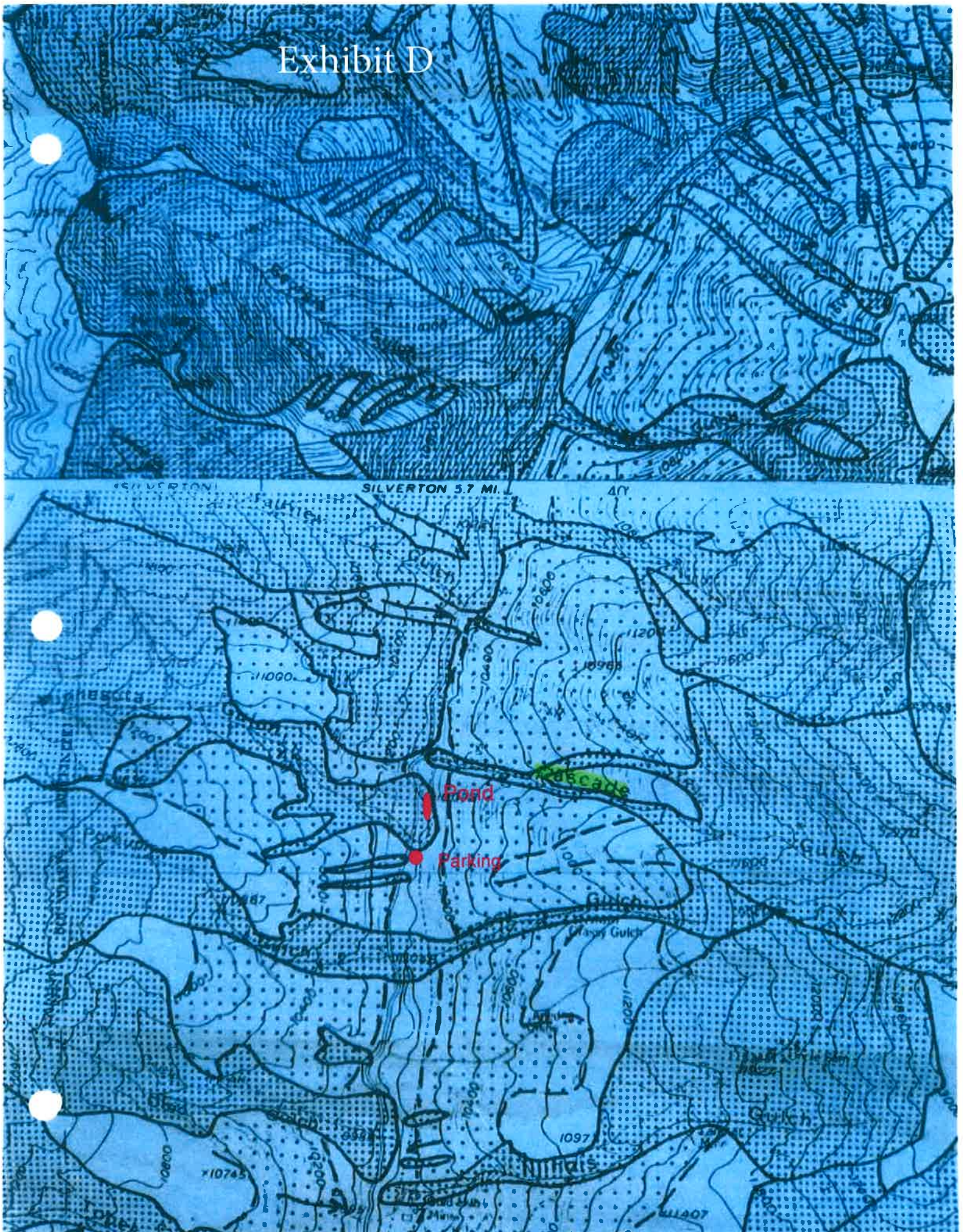


Exhibit D



Silverton Avalanche School is with **Grady Ham.**



Mar 12, 2019 · 🌐

Minnesota Gulch. Photo Credit: Rusty Melcher
March 2019 Avalanche Cycle #theavypros



Exhibit D

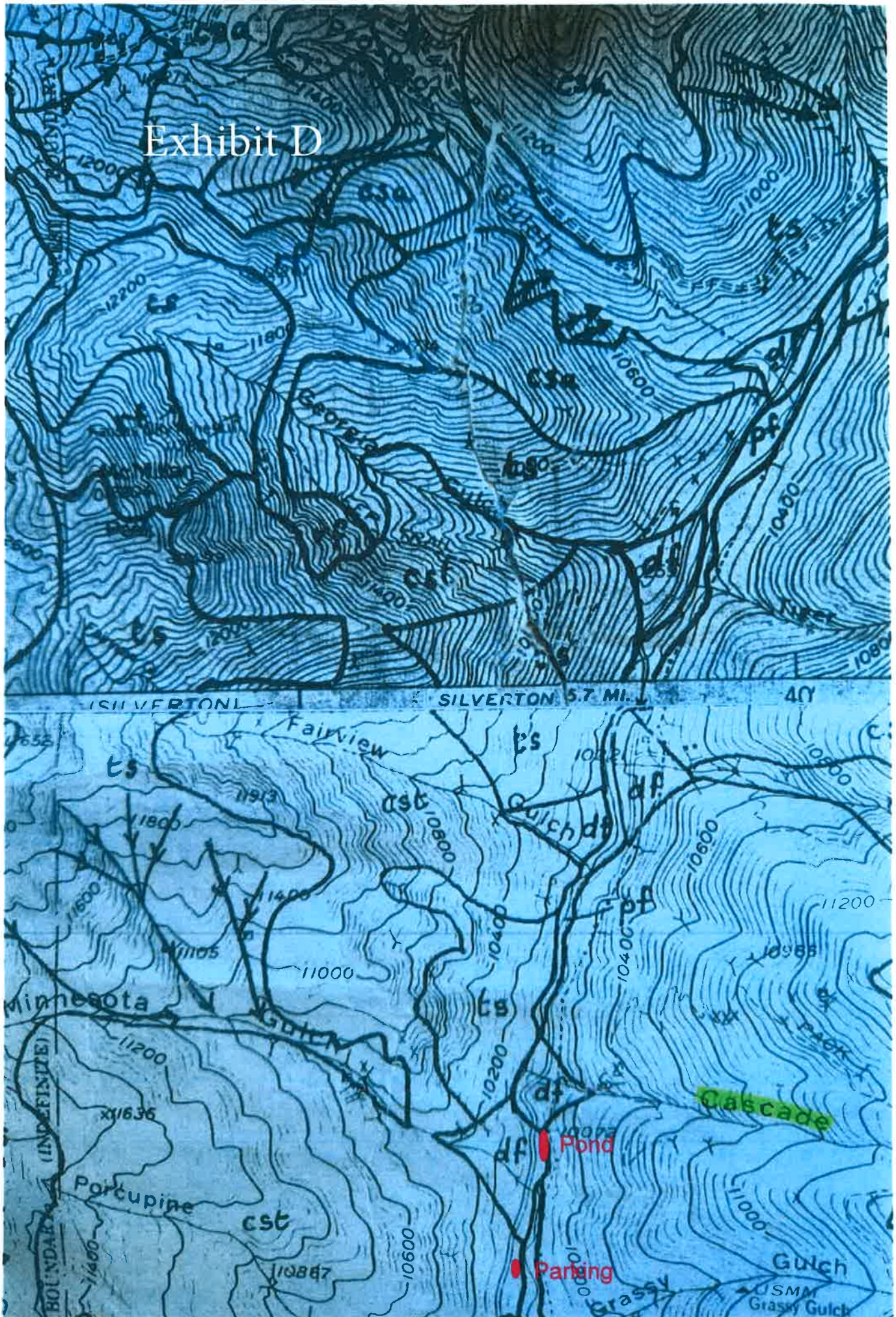


Exhibit E - Flood Plain Map

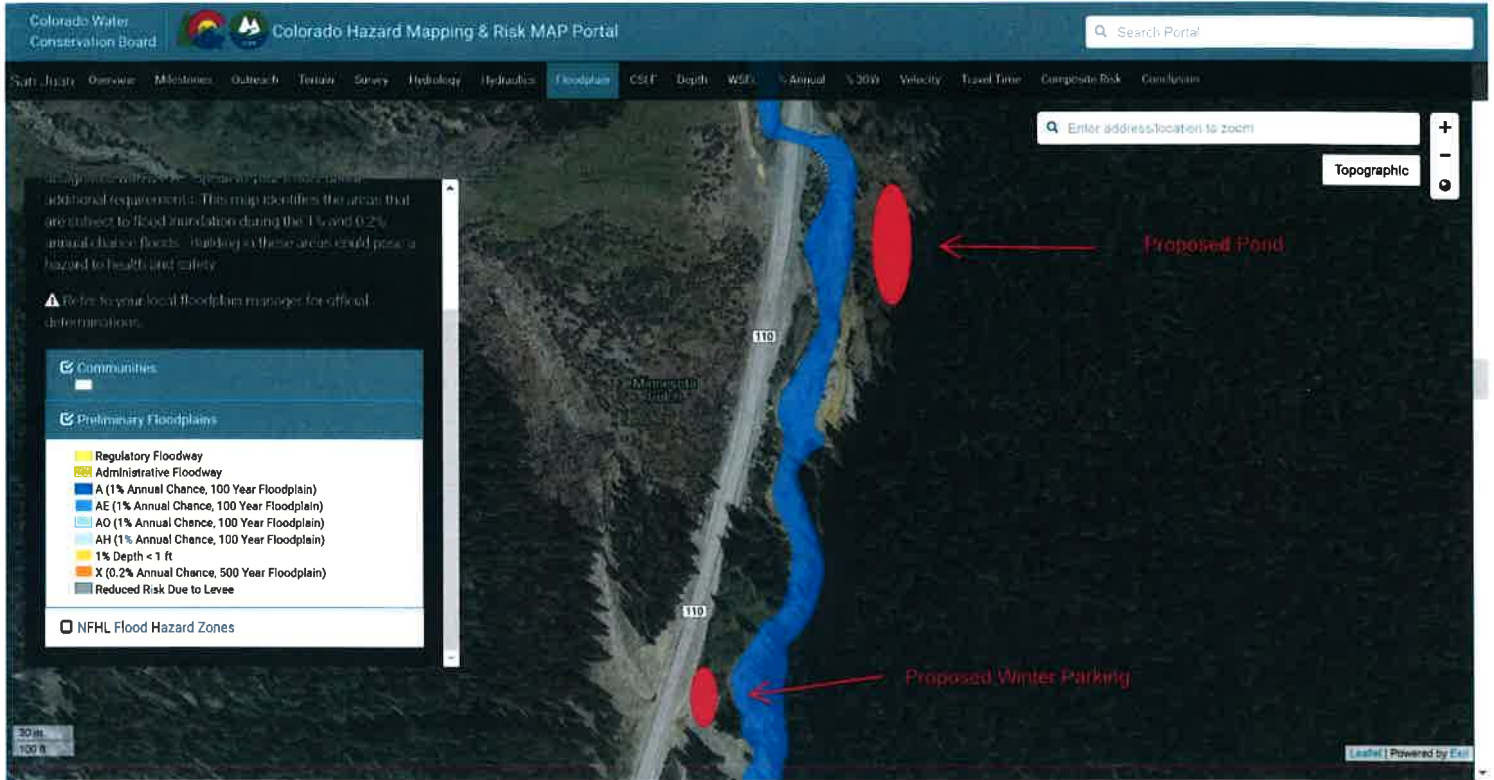
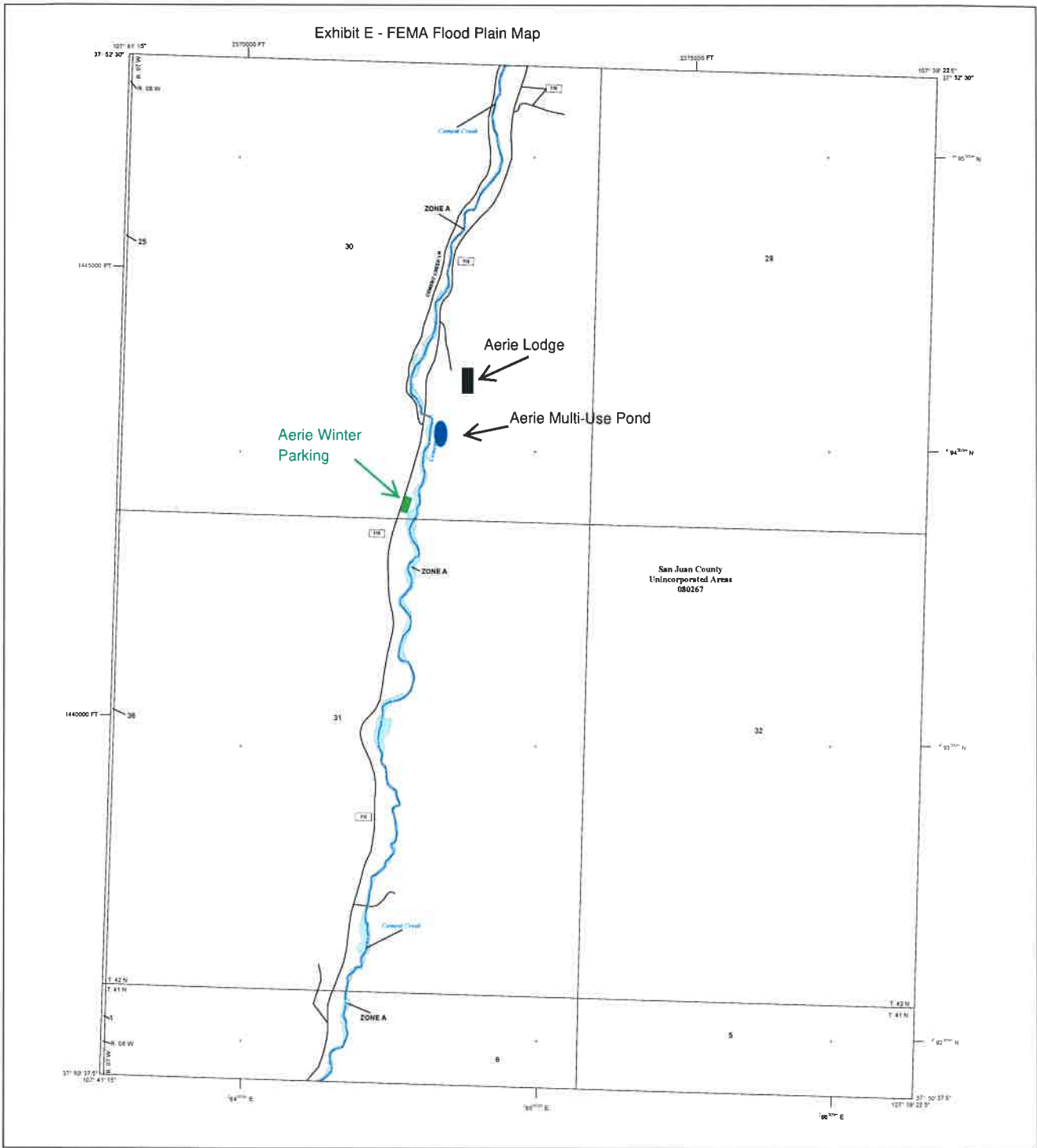


Exhibit E - FEMA Flood Plain Map



FLOOD HAZARD INFORMATION

SEE FIRM REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
 THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING
 DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT
[HTTPS://MSC.FEMA.GOV](https://MSC.FEMA.GOV)

	Without Base Flood Elevation (WFE) Zone A, X, A99
	With WFE or Depth Zone AC, AO, A1, VE, AR
	Regulatory Floodway
	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
	Future Conditions 1% Annual Chance Flood Hazard Zone X
	Area with Reduced Flood Risk due to Levee See Notes, zone x
	Area with Flood Risk due to Levee Zone D
	Area of Minimal Flood Hazard Zone X
	Area of Undetermined Flood Hazard Zone D
	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall
	Cross Sections with 1% Annual Chance Water Surface Elevation
	Coastal Tract
	Coastal Tract Baseline
	Profile Baseline
	Hydrographic Feature
	Base Flood Elevation Line (BFE)
	Limit of Study
	Anticollision Boundary

NOTES TO USERS

For information and questions about the Flood Insurance Rate Map (FIRM), available products associated with the FIRM, including products for the National Flood Insurance Program (NFIP) and other products, or the National Flood Insurance Program (NFIP) or general information call 1-800-358-3447. For more information on the FIRM, including information on the FIRM, call 1-800-358-3447 or visit the FIRM website at <https://www.fema.gov>. Available products may include previously issued, future or new products. Flood insurance products are not available in some areas. Many of these products will be available or obtained directly from the website.

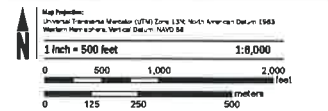
Comments involving land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM data. These may be obtained directly from the Flood Map Service Center at the number listed above.

For community or county maps, refer to the Flood Insurance Study Report for the jurisdiction.

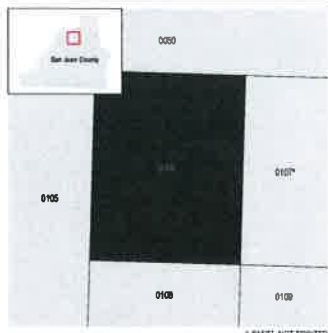
To determine if flood insurance is available in the community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-8620.

Some map information shown on the FIRM was derived from U.S. Census Bureau TIGER files, the U.S. Geological Survey, and the San Juan County GIS Department, dated 2015, and the U.S. Department of Agriculture, dated 2014.

SCALE



PANEL LOCATOR



FEMA
 National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
 FLOOD INSURANCE RATE MAP

SAN JUAN COUNTY, COLORADO
 and Incorporated Areas
 PANEL 106 of 300

COMMUNITY	NUMBER	PANEL	SUFFIX
SAN JUAN COUNTY	106	300	

PRELIMINARY
 1/18/2021

VERSION NUMBER
 2.6.4.6
 MAP NUMBER
 0811100106C
 EFFECTIVE DATE



#	DATE	DESCRIPTION

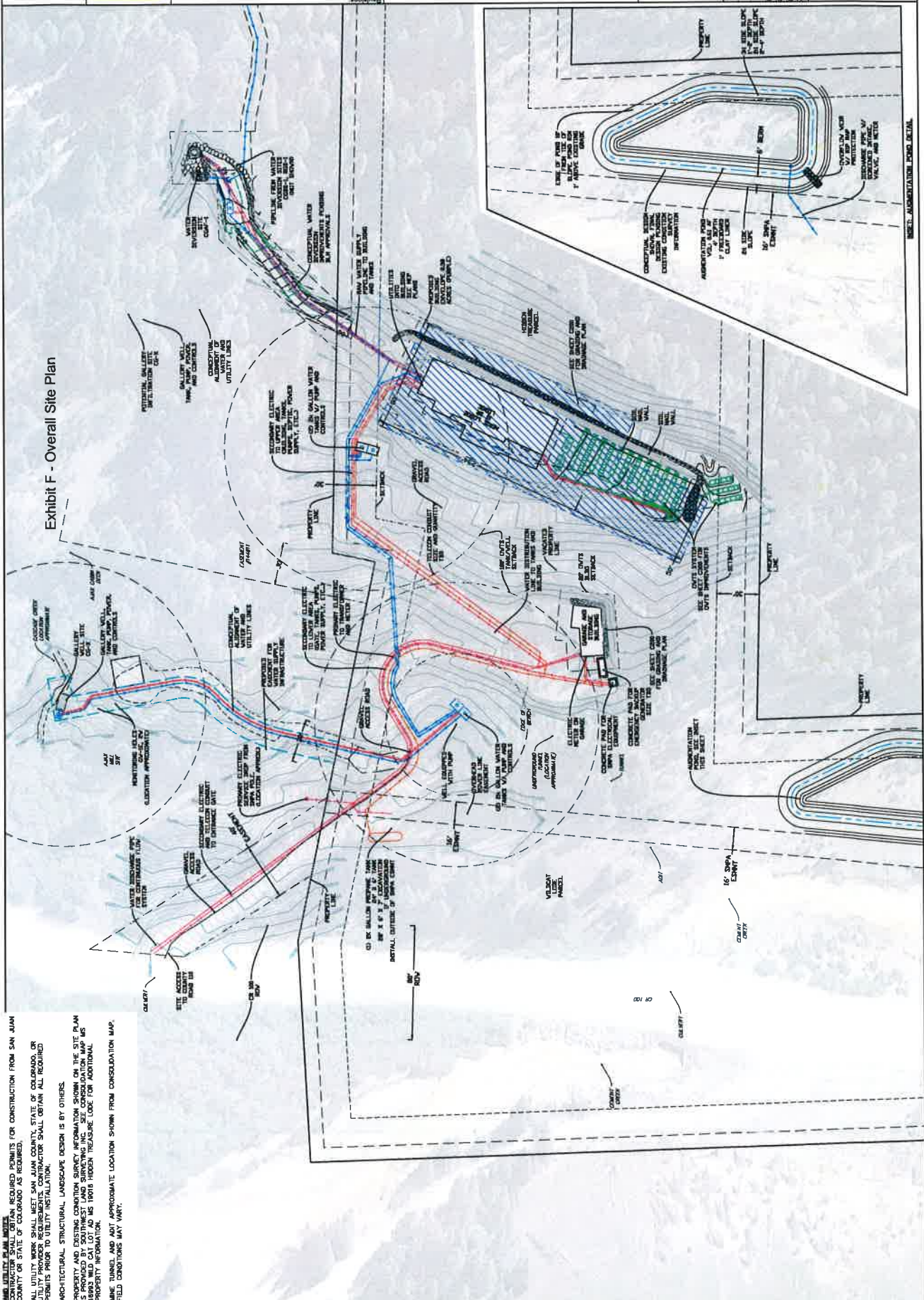
**ARIEE LODGE
OVERALL SITE AND UTILITY PLAN**

MOUNTAIN CIVIL CONSULTING
155 Eagle Pass
Durango, CO 81301
970.246.1175

PLAN NO. CT100

PROJECT NAME ARIEE LODGE
Date: 10/27/22
Drawn By: AHR
Checked By:
FOR CONSTRUCTION

Exhibit F - Overall Site Plan



1. THE USER SHALL OBTAIN ALL NECESSARY PERMITS FOR CONSTRUCTION FROM SAN JUAN COUNTY OR STATE OF COLORADO AS REQUIRED.
2. ALL UTILITY WORK SHALL MEET SAN JUAN COUNTY, STATE OF COLORADO, OR FEDERAL REQUIREMENTS FOR INSTALLATION. CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO UTILITY INSTALLATION.
3. ARCHITECTURAL, STRUCTURAL, LANDSCAPE DESIGN IS BY OTHERS.
4. PROPERTY AND EXISTING CONSTRUCTION SURVEY INFORMATION SHOWN ON THE SITE PLAN IS BASED ON A SURVEY DATED 10/15/2022 BY MOUNTAIN CIVIL CONSULTING. CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS PRIOR TO UTILITY INSTALLATION.
5. MINE TUNNEL AND ADIT APPROXIMATE LOCATION SHOWN FROM CONSOLIDATION MAP. FIELD CONDITIONS MAY VARY.

Exhibit G

Notice of Intent to Make Absolute

N.O.I. # _____
(Assigned by SWCD)

The below identified applicant hereby notices its intent to make absolute an increment of the Animas Service Area conditional water right decreed in **Case No. 06CW127** consistent with the terms and conditions decreed therein. Use additional pages as needed.

Applicant Information:

Name: C&G Alpine Partners LLC Telephone: 970-450-7241

Email Address: nick@theaeriesilverton.com with copy to sbushong@bh-lawyers.com

Mailing Address: PO Box 69, East Setauket, NY 11733
(The approved NOI will be mailed to this address)

Prospective Water Right Increment Information:

Proposed Use of Water (e.g. domestic, irrigation, commercial):

Two uses/water right structures as follows: (1) Commercial and domestic use associated with a bed and breakfast resort development (The Aerie Silverton) with a maximum

Proposed Source (groundwater, surface water):

(1) POD for resort (Ajax Well) will be alluvial groundwater from Cascade Gulch, tributary to Cement Creek, tributary to the Animas River. If issues arise in the year-round use of

Proposed Place of Use (include parcel # if possible):

4245 County Road 110, Silverton, CO 81433 - aka Hidden Treasure and Wildcat Lode - aka San Juan County parcel number 47750300050006

Anticipated Amount of Depletions (number of acres irrigated, stock use, domestic surface area, and pond evaporation, etc. in the time periods per the 06CW127 decree):

Depletions associated with year-round occupancy of the 24 person Aerie Silverton lodge is calculated as follows: An average use of 2,040 gallons per day (85 gallons per day per person x 24 people), equals 744,600 gallons per year (2.285 AF). With septic system and the 06CW127 factor of 15% depletion -- the total annual depletion is 37,230 gallons (0.343 AF), or an average daily depletion rate of 0.000473 cfs. See attached monthly depletion table in cfs. Since there will be no outdoor irrigation use, the depletion is constant on an annual basis.

Evaporative depletions associated with small augmentation pond currently estimated to be 6930 square feet surface area (0.159 surface acres) with average depth of 4 feet (total capacity 0.636 AF), at an elevation of approximately 10,800 feet, is 0.4626 AF a year based upon the 06CW127 factors for ponds 8,500 feet or higher in elevation. See attached monthly depletion table in cfs based upon 06CW127.

The augmentation pond will also need an initial fill of 0.636 AF and will need additional water if/when the pond is lowered for use in an augmentation plan to be decreed (or for maintenance).

The applicant is advised and recognizes that the execution of this Notice of Intent to Make Absolute confers no right, title, or interest in water beyond the right to perfect an increment of the Animas Service Area conditional water right consistent with the decree in Case No. 06CW127.

Applicant is hereby given authority by Southwestern Water Conservation District and La Plata County to file an application to make the conditional water right absolute pursuant to the terms and conditions in Case No. 06CW127. The Southwestern Water Conservation District and La Plata County reserve the right to file opposition to such claim if deemed necessary.

Signed for the Applicant, (Title)

(Date)

Printed Name

Governmental Endorsements:

La Plata County

(Date)

Printed Name

SWCD

(Date)

Printed Name

C&G Alpine Partners LLC
Addendum to DWR Notice of Intent to Make Absolute
October 18, 2022

Proposed Use of Water

Two uses/water right structures as follows: (1) Commercial and domestic use associated with a bed and breakfast resort development (The Aerie Silverton) with a maximum occupancy of 24 persons; (2) small augmentation pond approximately 6600 square feet surface area.

Proposed Source

(1) POD for resort (Ajax Well) will be alluvial groundwater from Cascade Gulch, tributary to Cement Creek, tributary to the Animas River. If issues arise in the year-round use of the POD, alternate PODs were identified (Aerie Falls, Springs, and Hidden Treasure) to address the issue if necessary, all of which are tributary to Cascade Gulch and shown in the attached map. (2) the foregoing PODs will also be used to fill the Pond along with a surface water pump on Cement Creek.



Exhibit H

Durango, CO
Pagosa Springs, CO
Albuquerque, NM
Farmington, NM

November 6, 2022

Nick Croce
Aerie Silverton

Sent via email: nick@theaeriesilverton.com

RE: Augmentation Pond Site Review

Dear Nick:

This letter summarizes the findings of Ecosphere's site assessment of a proposed water augmentation pond on The Aerie Silverton property immediately east of County Road 110. The area evaluated was approximately ½-acre and characterized as an alluvial bench perched 2-5 feet above Cement Creek. There is an existing electric utility line and two-track maintenance road that extends across the parcel. The land is flat with small patches of trees and shrubs with grassy openings. Tree and shrub cover is estimated at 30 percent of the area. There are no wetlands or other aquatic features (i.e. creeks or springs) on the bench.

The location is of sufficient size to provide The Aerie Silverton with alternative design sizes and configurations.

Please feel free to contact me if you have any questions or need further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Fitzgerald", is written over a light blue horizontal line.

Mike Fitzgerald

Principal



Town of
Silverton

PO Box 250
Silverton, CO 81433
970-387-5522



SAN JUAN COUNTY

PO Box 466
Silverton, CO 81433
970-387-5766

Date: May 12, 2020.

Applicants: C&G Alpine Partners, **Nick Croce**, Vincent Gubin.

From: Town/County Planning Director L. Adair.

Project: Proposed Bed & Breakfast Structure, **Hidden Treasure** Revised Lode & Wild Cat Revised Lode, County Road 110, near Gladstone, San Juan County, CO.

Regarding: List of County Improvement Permit Conditions of Approval.

On April 8, 2020, the San Juan County Colorado, Board of County Commissioners approved the Combined Preliminary-Final Plan for your County Improvement Permit Application. Your County Improvement Permit Number is **2020-01**. Please review, and acknowledge agreement with, the following Conditions of Approval, by signing at the bottom of this document, in the presence of a Notary Public. A signed notarized copy of this document shall immediately be filed at the San Juan County Courthouse (contact County Clerk Ladonna Jaramillo at 970-387-5671). There was an addition to Condition of Approval Number 12 made on April 8, 2020, which is below in *italics*. The final County Improvement Permit Conditions of Approval for your review and acknowledgement of agreement by signature are the following:

1. All **State and Federal** permits and regulations are required as a condition of this County permit, including but not limited to: any required BLM permits, NPDES/CDPHE stormwater permits, Army Corps of Engineers wetlands permitting, OSHA, Utility Notification Center of Colorado, ATF blasting permits, septic system Colorado Regulation 43. All required State and Federal permits shall be obtained prior to commencement of the work. If regulations differ, then the most stringent shall apply. Failure to comply with State and Federal regulations shall void this County permit.
2. The Applicants shall develop a written Hidden Treasure B&B Emergency Operation & Management Plan, in conjunction with the following agencies, and shall provide copies of the final Emergency **O&M Plan**, by the time of the structure Certificate of Occupancy, to these agencies: County Planning Department, County Road & Bridge Department, Silverton San Juan Volunteer Fire Department, Silverton Mountain Ski Area, County Sheriff Department, Ambulance Association, Search and Rescue, Office of Emergency Management. A copy of the Plan shall be kept in a visible location within the Hidden Treasure structure available for the caretakers and the guests. The Plan shall encompass the actions to occur, in the event of various foreseeable emergency situations, such as: power telecommunication and/or utility outages, road closures, water/sewer system failure, natural hazards such as avalanche or debris flow events limiting site access, vicinity avalanche mitigation operations, medical emergencies, wildfire, and structure fire, so that those at the B&B and all agencies will be aware of the standard protocols during a variety of possible

emergencies. Maps and contact info shall be included. A courtesy copy shall also be provided to the owner of the directly adjacent Ajax Mill Site & Ajax Cabin.

3. Approval of a County Improvement Permit is conditional upon San Juan Basin Health Department's written approval of the **septic** system. No Improvement Permit work can commence until San Juan Basin Health Department provides written approval. San Juan Basin Health and San Juan County requires a written approval of the septic system design, prior to issuance of a Building Permit and placement of foundation concrete. Revision(s) to the proposed improvements on the approved Site Plan, with revision(s) deemed relatively significant as determined by the County Administrator, shall require the Commissioners' approval of the revisions, prior to commencement of the work. The septic system shall be designed to comply with Colorado Regulation 43.
4. Due to unknown potential mine stability hazards, and potential water quality effects, no grading shall occur near the existing historic mine **adit** located along CR 110, without the written prior permission of the Colorado Department of Public Health and the Environment.
5. San Juan County requires **reseeding** of any disturbed soil ground surface with certified weed free native seed. The reseeding shall comply with the applicable San Juan County Zoning and Land Use Regulations.
6. San Juan County has "dark sky" **lighting** requirements. Any lighting associated with this structure shall comply with the applicable San Juan County Zoning and Land Use Regulations.
7. The site shall have adequate **screening** in general compliance with the County's adopted "screening" requirements. If the structure is visible from CR 110 then evergreen planting shall be required.
8. The Applicants shall contract with a qualified **avalanche** expert, to determine the orientation of the proposed structure uphill corner, design methods to reduce the overall on-site avalanche potential to humans and structure(s), to assist in selecting utility depths/locations (including overhead utilities and propane tanks), and assist with proposed parking locations to reduce avalanche exposure.
9. The project shall comply with all applicable San Juan County Zoning and Land Use **Regulations**. The violation of San Juan County Zoning and Land Use Regulations, any State or Federal regulations, shall cause this permit to be void. If requirements differ, the most stringent shall apply.
10. A **caretaker** residing overnight within the structure on all nights that there are Bed & Breakfast guests is required. B&B guests present overnight without a resident caretaker or innkeeper may cause this County permit to be voided. This Bed & Breakfast approval excludes any future use of the structure as a Vacation Rental, which would require a separate County Permit.
11. A wildfire mitigation consultant from the Four Corners region shall be used to create a defensible space and **fire mitigation** written and field-verbal recommendations, to reduce the

overall hazards of a forest fire causing fire to the proposed structure, and to reduce the hazards of this structure causing a forest fire. The wildfire mitigation consultant shall work with the Applicants and the local fire authorities, to develop recommendations, which shall be installed/followed by the Applicants, on items including but not limited to: defensible space, dead standing/brush/tree thinning, placement/sizing of cisterns, any fire sprinklers/alarms/suppression system, availability of water, placement of propane/combustibles, selection of heat, woodstoves, fire resistant building materials.

12. On site **burning** of cut tree limbs and brush requires notification of the Sheriff and Fire Departments prior to the controlled burn. Water and tools shall be readily available directly adjacent to the fire during any controlled burn and there shall be no unsupervised campfires or burn piles. The Sheriff and Fire Departments shall have the right to prevent the owner and contractor from burning, if weather conditions are expected to be dry or windy. *Additionally, all required permits, including but not limited to San Juan Basin Health Department and CDPHE permits, shall be obtained by the Applicants prior to controlled burns.*
13. Immediately prior to tree clearing, grading, and foundation excavation occurring within 30 feet of any of the project site property lines, the property lines shall be roped off using **survey** flagging or caution tape, by a Licensed Surveyor. The flagging marking the closest property line shall be clearly understandable in the field, for measuring and to prevent the tree clearing/heavy equipment from trespassing onto any adjacent lands.
14. Fire **sprinklers** shall be installed.
15. The Applicants shall correspond with Silverton Mountain **Ski Area** to research and coordinate the existing Ski Area avalanche mitigation procedures. A brief written agreement would be suggested, describing any mutual decisions, such as any limited B&B guest access to areas of public land backcountry skiing, the existing operations of the Ski Area during avalanche/helicopter mitigation, the proposed actions of the B&B caretakers during that mitigation, proposed methods of Ski Area/B&B telecommunication. General information about how the B&B operations will coordinate with the existing nearby Ski Area avalanche mitigation operations shall be provided to the County prior to structure Certificate of Occupancy.
16. Bed & Breakfast vehicle **parking** shall be located outside of the eighty feet wide CR 110 right of way, unless approved in writing otherwise, prior to grading, by the County Road & Bridge Department. A basic parking area site plan, showing locations of summer/winter parking areas, approximate dimensions, vehicles, cut/fill depths, shall be submitted to County Planning and/or Road & Bridge Department. Parking associated with the proposed structure shall not cause a safety hazard to public/private plowing, Road & Bridge, the travelling public. Parking area locations shall be selected to minimize human avalanche exposure. Two off street parking spots shall be provided and shuttling of guests, and/or adequate parking for guests shall be provided by the Applicants.
17. **Building materials** shall meet the requirements of the San Juan County Land Use regulations including natural colors and non-reflective materials. The building materials shall consist of natural materials reflecting the natural terrain.

18. Because of the wildfire hazard in this area and since a Bed & Breakfast has a commercial “lodging establishment” business aspect, the **Fire Inspector** and/or Fire Chief shall visit the site at the time of structure Certificate of Occupancy, to inspect chimneys, spark arresters, woodstove clearance from walls, smoke alarms, fire extinguishers, egress, and overall fire safety of the structure and the site.
19. Proposed **retaining walls**, if greater than six feet, shall require design by a Professional Engineer, including adequate grading and drainage uphill of and behind walls to reduce hydrostatic pressure. Applicants shall continue work on reducing the potential need for walls and blasting.
20. The Applicants shall complete a “**lot consolidation**” with the Assessor. The Lot Consolidation process shall include a Survey Plat filed at the Courthouse, and shall be completed prior to structure Certificate of Occupancy.
21. The Applicants hereby acknowledge that **emergency services** may not be available in a timely manner and may not be available at all.
22. If the Final Plan for this Improvement Permit Application is approved by the Board of County Commissioners, the Applicants shall cause this List of Conditions of Approval to be signed by the Property Owner(s) in the presence of a **Notary Public**, and shall file this document at the San Juan County Colorado County Courthouse.
23. A “secure **communication**” system shall be installed by the Applicants.
24. A “**bear proof trash**” solid waste storage system is required.
25. Any on-site existing **trails** shall remain open to public access.

This concludes the final list of the Conditions of Approval as discussed and approved by the Board of County Commissioners on April 8, 2020. Please contact me or the San Juan County Staff if you have any questions.

Lisa M. Adair PE, Town & County Planning Director, ladair@silverton.co.us, (970) 946-9408.

By signature the Applicants Nick Croce and Vincent Gubin do hereby acknowledge and agree to the above listed County Improvement Permit Conditions of Approval.

Signature: _____

Print Name: _____

STATE OF _____)
) ss.
 County of _____)

The foregoing document was acknowledged before me this _____ day of _____, 20_____, by _____.

Witness my hand and official seal. _____
Notary Public

My commission expires: _____.

By signature the Applicants Nick Croce and Vincent Gubin do hereby acknowledge and agree to the above listed County Improvement Permit Conditions of Approval.

Signature: _____

Print Name: _____

STATE OF _____)
) ss.
County of _____)

Witness my hand and official seal. _____
Notary Public

My commission expires: _____.

In accordance with Condition of Approval Number 22 above this document shall be signed and filed at the San Juan County Courthouse in Silverton, Colorado.

ORDINANCE NO. 2020-01

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY, COLORADO FOR THE REGULATION OF LAND USE, DEVELOPMENT AND ACTIVITIES UPON ANY PROPERTY WITHIN UNINCORPORATED SAN JUAN COUNTY CONTAINING MINE WASTE SOURCE AREAS WHERE RESIDUAL MINE WASTES AND REMEDIATION COMPONENTS EXIST, SPECIFICALLY INCLUDING THE BONITA PEAK MINING DISTRICT SUPERFUND SITE

WHEREAS, San Juan County (the “County”) has jurisdiction over Mine Waste Source Areas, as defined herein, where residual mine wastes and remediation components exist, and the Board of County Commissioners adopts this Ordinance to control and regulate land use at all such Mine Waste Source Areas within unincorporated San Juan County, specifically including, but not limited to, the Bonita Peak Mining District Superfund site, pursuant to authority granted in C.R.S. § 29-20-104 and C.R.S. § 30-11-101, *et seq.*; and

WHEREAS, the United States Environmental Protection Agency (“EPA”) and the Colorado Department of Public Health and Environment (“CDPHE”) have and will conduct Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”) response actions including, but not limited to, response actions selected in the Interim Record of Decision dated May 20, 2019 (“IROD”) and possible other future CERCLA response actions, at portions of the Bonita Peak Mining District Superfund Site (collectively referred to as “CERCLA response actions”), in San Juan County; and

WHEREAS, properties where CERCLA response actions have occurred within the Bonita Peak Mining District (“BPMD” or “Site”) are more fully described in the inventory of Remediated Mine Waste Source Areas, **attached hereto as Attachment A** (“Inventory”), and as may be modified from time to time and maintained within the Office of the San Juan County Clerk and Recorder for public viewing. Specifically, the subject CERCLA response actions may include: managing acidic water discharging from mine portals with diversion trenches; diverting storm water around mine waste piles; maintaining existing mine portal sediment ponds; excavating in-stream mine wastes; and containing and isolating contaminated soils at mine-impacted recreation staging areas using covers; and

WHEREAS, prior to the BPMD Superfund site listing, non-CERCLA reclamation measures were implemented on other Mine Waste Source Areas in San Juan County within and beyond the BPMD. These sites may be more fully described in the Inventory, as may be modified from time to time and maintained within the Office of the San Juan County Clerk and Recorder for public viewing. Specifically, the subject non-CERCLA reclamation measures may include: managing acidic water discharging from mine portals with diversion trenches; diverting storm water around mine waste piles; maintaining existing mine portal sediment ponds; excavating in-stream mine wastes; and containing and isolating contaminated soils at mine impacted recreation staging areas using covers; and

WHEREAS, although the CERCLA response actions are conducted to protect human health and the environment in accordance with the National Contingency Plan (40 C.F.R. Part 300), residual mine waste will remain at many of the BPMD Remediated Mine Waste Source Areas, including all of the IROD Mine Waste Source Areas. Likewise, residual mine waste remains at the non-CERCLA Remediated Mine Waste Source Areas. Contact with residual mine waste could result in unacceptable human exposure to lead and arsenic; and

WHEREAS, the CERCLA response actions and non-CERCLA reclamation measures include engineered components such as diversion trenches, sediment ponds and covers that will not function as intended if disturbed; and

WHEREAS, the Colorado Environmental Covenants Law, C.R.S. § 25-15-320(2), requires environmental covenants for environmental remediation projects related to remedial decisions made after July 1, 2001, that result in residual contamination levels determined safe for one or more specific uses, but not all uses, or where engineered features or structures are incorporated requiring monitoring, maintenance or operation or that will not function as intended if disturbed. Environmental covenants are only required for remedial decisions made pursuant to the: Resource Conservation and Recovery Act, 42 U.S.C. §§ 6921-6939e, 6972, 6973 and 6991-6991i; CERCLA, 42 U.S.C. § 9601, *et seq.*; Uranium Mill Tailings Radiation Control Act of 1978, 42 U.S.C. § 7901 *et seq.*; Colorado Radiation Act, C.R.S. §§ 25-11-101 to 114 and 301-205; Colorado Hazardous Waste Act, C.R.S. §§ 25-15-310 to 328; and Colorado Solid Waste Disposal Sites and Facilities Act, § 30-20-100.5 *et seq.*; and

WHEREAS, BPMD response actions, including those in the IROD, are selected pursuant to CERCLA and after July 1, 2001, thus triggering the requirement for environmental covenants at BPMD Remediated Mine Waste Source Areas. The non-CERCLA remediation measures were not conducted pursuant CERCLA or other statutes listed in the recital above, many of which were completed prior to July 1, 2001, and therefore are not subject to the environmental covenant requirement; and

WHEREAS, C.R.S. § 25-15-320(3)(b) authorizes CDPHE to waive the requirement for an environmental covenant for parcels of land where the owner does not grant an environmental covenant under C.R.S. § 25-15-320 and where the County, City, or municipality having jurisdiction over the affected land has enacted an ordinance or resolution imposing the relevant environmental use restrictions, and has entered into an intergovernmental agreement with CDPHE; and

WHEREAS, the County finds that this Ordinance is necessary to protect human health and the environment and to maintain remediation measures, including engineered components at the subject CERCLA and non-CERCLA Remediated Mine Waste Source Areas.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY, COLORADO as follows:

Section 1. Title.

This Ordinance shall be known and referred to as the San Juan County and Bonita Peak Mining District Environmental Regulations.

Section 2. Authority to Promulgate Ordinance.

The Board of County Commissioners has authority to regulate land use, development and activities in hazardous areas pursuant to C.R.S. § 29-20-104, and to adopt and enforce ordinances and resolutions regarding health, safety and welfare pursuant to C.R.S. § 30-11-101, *et seq.*

Section 3. Purpose.

The Board of County Commissioners of San Juan County, Colorado, finds and declares that residual contamination following remediation at Mine Waste Source Areas may pose a threat to the health, safety, and welfare, of the citizens of San Juan County, Colorado. The Board of County Commissioners also finds and declares that the land use restrictions are necessary to protect remediation measures, including engineered components at Remediated Mine Waste Source Areas.

Section 4. Scope of Ordinance.

This Ordinance shall apply to all Remediated Mine Waste Source Areas located within unincorporated San Juan County. Remediated Mine Waste Source Areas are hereby defined as any portion of real property upon which mine waste and any remediation components designed to contain, treat, divert, avoid or otherwise address any aspect of such mine waste, are located, either partially or wholly. Remediated Mine Waste Source Areas may be more fully described in the Inventory, and as may be modified from time to time and maintained within the Office of the San Juan County Clerk and Recorder for public viewing. The determination as to whether a specific property is subject to this Ordinance shall be made by the CDPHE and/or the County. This Ordinance is intended to create an additional permitting process applicable to Remediated Mine Waste Source Areas, in addition to any process required by the San Juan County Zoning and Land Use Regulations. Nothing herein shall be construed as limiting the scope or the authority of the San Juan County Zoning and Land Use Regulations, or any other applicable local, state or federal law, rule or regulation.

Section 5. Regulation of Land Use Activities.

A. Regulation of Excavation Activities at Remediated Mine Waste Source Areas

- (1) No excavation, drilling, grading, digging, tilling, or any other soil-disturbing activity is allowed within any Remediated Mine Waste Source Areas containing residual contamination at levels that have been determined to be safe for one or more specific uses, but not all uses, including mine tailings, waste-rock impoundments, or engineered structures or features that require monitoring, maintenance, or operation or that will not function as intended if it is disturbed, except as authorized in a remedial decision document or with the prior written authorization of CDPHE as set forth in this Section 5.

B. Remediated Mine Waste Source Area Permit – CDPHE Consult Required

- (1) Any application to the County for any building permit, zoning, subdivision, planned unit development, use by right, special review use, or any development activity (“Permit application”) that will result in any soil-disturbing activity within the boundary of a Remediated Mine Waste Source Area shall be preceded by an application for consultation with CDPHE.
- (2) CDPHE consultation prior to a County Permit application may be requested by any person having an interest in the property for which a County Permit will be sought. At a minimum, the consultation application must include:
 - (a) A general site plan showing the major details of the proposed development, consisting of the location of building and structures, off-street parking and loading areas, service and refuse areas, means of ingress and egress, major landscaping and screening proposals, and signs and pedestrian areas, or a relevant summary of the development activity proposed to be conducted within the boundaries of the Remediated Mine Waste Source Areas;
 - (b) A time schedule for the proposed development;
 - (c) A plan for maintaining the integrity of any engineered component of the remedial action; and
 - (d) Any other information the applicant believes will support his or her request.
- (3) Prior to proceeding to the CDPHE consultation and County Permit process, any applicant may request a determination as to whether the subject property is within a Remediated Mine Waste Source Area. Upon written request, the CDPHE and the County shall make such a determination within a reasonable period of time. Said time-frame may be impacted by such factors as weather, snowpack, and general access. The applicant, upon

such a request, shall provide a survey plat as well as a corresponding survey staking of the subject site, as may be required by the County and CDPHE. The determination regarding inclusion or exclusion of a specific property is subject to change for reasons including but not limited to changes on the ground, current or proposed remediation measures, and/or the discovery or processing of additional information.

- (4) The following activities shall be exempt from the County Permit and CDPHE authorization processes set forth herein:
 - (a) Operations, inspection and maintenance activities undertaken at a Remediated Mine Waste Source Area by EPA, CDPHE or their duly authorized contractors;
 - (b) Operations, inspection and maintenance activities undertaken at a Remediated Mine Waste Source Area by the County or their designee(s);
 - (c) Any other activity exempted from the provision of this Ordinance pursuant to the joint written consent of the County and a duly authorized representative of CDPHE.

C. CDPHE Consultation Review and Results

- (1) Within a reasonable time following written submittal of a consultation application to the CDPHE representative, along with the minimum required application information and any additional information requested, the CDPHE representative shall prepare a letter to the County setting forth the position of the CDPHE as to the permit being sought. The letter shall include either: 1) a denial of authorization to proceed; 2) authorization to proceed with the permit as described in the application; 3) authorization with conditions; or 4) a determination by the CDPHE to participate in the County Permit process, with a final position to be deferred.

D. County Permit Application

- (1) Following receipt of CDPHE's written authorization, authorization with conditions, or request to participate jointly in the County Permit process, the County shall proceed with processing the application pursuant to the San Juan County Zoning and Land Use Regulations. If CDPHE is participating in the County Permit process prior to issuing authorization, said authorization or denial by CDPHE may be determined at any point during the County Permit process. Final Authorization by CDPHE and final issuance of a County Permit shall authorize CDPHE to review and work with the County Permit recipient to assure no activity disturbs the engineered features of the remediated areas of the property unless authorized in a remedial decision document.

E. No Development without Permit

- (1) No application for any building permit, zoning, subdivision, planned unit development, use by right, special review use, or any other development activity that will result in any soil-disturbing activity within the boundaries of a Remediated Mine Waste Source Area shall be allowed until such time as the property owner or applicant has secured CDPHE's written authorization and a County Permit, and has fully complied with any conditions set forth in the Permit. The issuance of CDPHE's written authorization shall be a condition precedent to any soil-disturbing activity within the boundaries of a Remediated Mine Waste Source Area.

Section 6. Violations and Penalties.

A. This Ordinance may be enforced pursuant to the provisions of the San Juan County Zoning and Land Use Code and C.R.S. §§ 30-28-124, 124.5, 209 and 209.5. Violation of any provision of this Ordinance, or a Permit issued pursuant to Section 5, shall constitute a violation of the San Juan County Zoning and Land Use Code which shall carry such penalties and entitle the County to seek such remedies as are provided by the San Juan County Zoning and Land Use Code or state law.

B. Any person who violates the Ordinance or a Permit Section shall also be guilty of a class 2 petty offense, and, upon conviction thereof, shall be punished by a fine of not more than one thousand (\$1,000) dollars for each separate violation.

C. The penalty assessment procedure provided in C.R.S. § 16-2-201 shall be followed for any violation of this Ordinance. Any person found in violation pursuant to subsection (A) of this Section 6 shall be assessed a penalty by the apprehending peace officer or by the County Code Enforcement Officer. The penalty assessment shall be a summons and complaint which:

- (1) identifies the alleged offender by name, address and social security number (if available);
- (2) specifies the offense with which the person is charged;
- (3) states both the applicable maximum one thousand (\$1,000) fine and maximum six (6) months jail sentence (if convicted and sentenced by the Court) and the violator's option to instead voluntarily pay a fine of five hundred (\$500) dollars payable to the County Treasurer; and
- (4) states the requirement that the alleged offender either pay the optional five hundred (\$500) fine to the County Treasurer in person or by mail within fourteen (14) days of the issuance of the penalty assessment or else appear to answer the charge before the County Court at 9:00 a.m. on the date of its next regular session at the San Juan County Courthouse.

Any person who chooses to acknowledge his or her guilt may, within fourteen (14) days of the date of issuance of the penalty assessment, voluntarily pay a fine of five hundred (\$500) to the San Juan County Treasurer either in person or by mail at the address as shown on the penalty assessment. Any such payment shall be accompanied by a copy of the penalty assessment signed by said person acknowledging his or her guilt. Payment of the foregoing fine shall relieve the person receiving the penalty assessment of any further obligation to appear in the County Court to answer the offense charged in the penalty assessment.

D. When imposing a fine under this Ordinance, the Court shall separately state, as a part of the total fine, the surcharge specified in C.R.S. § 24-4.2-104(1). The defendant shall also pay Court costs and docket fees.

E. Pursuant to C.R.S. § 25-15-322, this Ordinance, and the Intergovernmental Agreement referenced herein, whenever CDPHE and/or the County finds that any person is or has been in violation of any requirement of this Ordinance or a Permit as it relates specifically to property or actions at a Remediated Mine Source Area, CDPHE and/or the County may bring suit in district court for injunctive relief, enforcement of this Ordinance, or a Permit, and recovery of attorneys' fees and costs for any such enforcement action pursuant to C.R.S. § 25-15-322. CDPHE may also issue an administrative order identifying the factual and legal elements of such violation and requiring the person to comply with any such requirements to remedy the violation. All remedies for violations of this Ordinance shall be cumulative.

Section 7. Prosecution.

All prosecutions pursuant to Section 6(A)-(D), shall be by the 6th Judicial District, District Attorney according to the Colorado County Court Rules of Criminal Procedure in the San Juan County Court. The simplified county court procedures set forth in part 1 of article 2 of title 16, C.R.S., shall be applicable to the prosecution of violations of this Ordinance.

Section 8. Severability.

If a Court of competent jurisdiction shall hold any part of this Ordinance void or unconstitutional, such part shall be deemed severable, and the invalidity thereof shall not affect the remaining provisions of the Ordinance.

Section 9. Disposition of Fines, Fees, and Forfeitures.

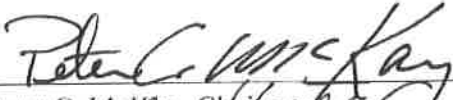
All fines and forfeitures obtained through enforcement actions initiated under Section 6 for violations of the provisions of this Ordinance shall be paid into the treasury of San Juan County upon payment of said fines and forfeitures.

Section 10. Effective Date.

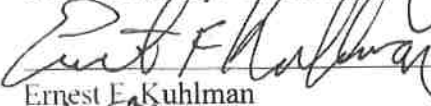
This Ordinance shall be in full force and effect thirty days after publication of the Notice of Adoption in the *Silverton Standard*.

INTRODUCED, FIRST READING AND ORDERED PUBLISHED IN FULL this 12th day of November, 2020.

ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN FULL this 15th day of December, 2020.



Peter C. McKay, Chairman

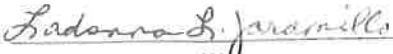


Ernest E. Kuhlman



Scott Fetchenhier

ATTEST:



Ladonna Jaramilla

ATTACHMENT A

Claim Name	Parcel ID Number	Mineral Survey Number	Patent
A J BRILEY	4777000040003	2600	15955
A P HILL	47750160050027	1922	12437
ACHILLES	48310180010102	2580	17219
ADVENTURE	47750140050004; 47750140050044	14443	36006
ALICE	47750160050027	17371	43397
AMERICAN EAGLE	47750160050013	13270	32580
AMERICAN EAGLE M S	47750160050012	13270	32580
ANGLO SAXON	47750160050028	14875	40966
ANGLO SAXON PLACER	47750310040007	16687	41909
ANIMAS BELLE	47750110050006	4854	17904
ANN HARRIS PLACER (PARCEL C of Sunnyside Gold Corporation - Perino Boundary Adjustment)	48290090010039	11596	28491
AQUILLA	48310180010102	42	1834
BANDORA	48270000030023	7416	23280
BASTILE	47750160050017; 47750160050172; 47750160050173	15680	46082
BELCHER	47750160050013	2044	14878
BEN BUTLER	45690250050006	1291	25653
BEND PLACER	48290090010033	11596	28491
BENJAMIN FRANKLIN	47750140050004; 47750140050044	1011	7817
BERDILLA	47750180040005	1524	11398
BLAIR MOUNTAIN PLACER	48290100010012	16469	43204
BLAIR PLACER (part)	48290090010043	841	7983
BOSTON	45690360050004	54	3294
BREWSTER	47770240040002	15697	36439
BROOKLYN	47750190040007; 47750190040071	18982	298380
BROUILLET	47750310010009	19125	258712
BUENA VISTA	48290000010013	14012	34052
BULLION KING	47770000040003	2604	16060
BURROWS #2	45690360050006	107	3910
BYRON	47730170050013	419	6473
BYRON M S	47730170050010	419	6473
C H MILL SITE	48290090010033	20594	1126475
CARBON LAKE	47770130040019	1177	9128
CATARACT	48270000030023	20459	1050666
CLIPPER	47750140050002	1689	14301
COMET	47750120050005	17034	41816
CONGRESS	47770240040006; 47770240040111	1259	10127
CYNIC	47730170050001	126	2985
DEAN B	47750160050016	16795	40581
DEWITT	45690360050004	52	3271
DOOLEY	47750190040009; 47750200040007	18624	149242
E PLURIBUS	47750090050008	520	6060
EDWARD	47730170050001	210	5944
EUREKA POWER M S	47730190050014	16977	42149
EVENING STAR	47750120050004; 47750120050041; 48290120010111	17034	41816
FAMILY	45690360060002	4801	17907
FATTED CALF	47750100050001	18247	110836
Forest Lily MS	47730080050002	4835	18679
FOREST QUEEN #10	47730310050001	18843	156409
FRANKLIN	45690360050006	1739	11030
GALENA QUEEN	47770130040005; 47770130040053; 47770130040054; 47770130040055; 47770130040056; 47770130040057	2061	15364
GEM	48270040040005	13249	32742
GOLD	48290090010043	14012	34052
GORILLA	47750010010001	17549	43631
GOVERNOR	47750160050027	17371	43397
GOVERNOR	48270040040006	13249	32742
GRAND MOGUL	47750100050009	521	5970
GRAY COPPER	47750090050018	20377	1035597
GREENFIELD	45690360050018	49	3143
H M MILL SITE	48290090010010	20595	1120728
H V B MILL SITE	48290090010043	20594	1126475
HARRISON M S	47750160050028	14710	37311
HERBERT PLACER	47750210050011	13562	35681
HERCULES	47750180040044	18626	139274
HIDDEN HAND	47750140050004; 47750140050045	1658	14262
HIDDEN TREASURE	47750110050121	5010	17563
HIGH JACK	45710300050005	20470	1062852
Howardsville MS	48290020010022	9883	27301
HOWARDSVILLE PLACER (buildable portion)	48290010010091; 48290010010091	942	6908
I X L	47750160050027	1923	37468

ATTACHMENT A

IRON MASK	47750140050004; 47750140050044	14443	36006
IRON SILVER	47770230040012; 47770230040125	4599	16219
JEANNETTE ROUX PLACER (Tailings Pond Part)	48290090010043	11596	28491
JOHN H FRENCH PLACER	47730310050022	45	2490
JOHN H FRENCH PLACER	47730310050021	45	2490
JUNCTION	47770140040008	19335	365180
JUNCTION #1	47770140040008	19335	365180
JUNCTION #2	47770140040008	19335	365180
JUPITER	47750120050061	17034	41816
KANSAS CITY	47750190040006; 47750190040062; 47750190040065	18494	125561
Katy MS	48290110010001	797	7488
KILLARNEY	47770140040007; 47770140040009	2690	17339
L C M MILL SITE	47750210050006	20726	1131333
LA GARITA	47730060050016; 47730060050161	18221	0
LAST CHANCE	47750140050002	17901	110023
LETTER B	47750160050013	2045	14901
LIBBIE BAUDER EXT	47750160050027	17371	43397
LITTLE MARY	47750140050002	2038	15010
LITTLE TODD	48270000030023	7416	23280
LONDON	45690360050018	5961	22971
LONGFELLOW	47770140040008	5341	17913
LUCKY JACK	45710300050005	17907	45542
M B MILL SITE	48290100010006	20595	1120728
M D THATCHER (PARCEL D of Sunnyside Gold Corporation - Perino Boundary Adjustment)	48290090010040	17699	45664
MAY	47750310010009	19125	258712
MINERAL KING	47750180040005	2051	11816
MORNING STAR	47770230040012; 47770230040124	6793	21105
MORNING STAR	47750120050061	17034	41816
MOUNTAIN QUEEN	47750100050001	792	8979
N N MILL SITE	48290100010006	20595	1120728
NATALIE PLACER	47750280050004	15171	39983
NOBLE	48270000030023	7416	23280
None Such MS	48290020010023	1864	23894
OREGON	47750150050001	17233	42968
ORIENTAL	47770230040012; 47770230040125	16099	39190
ORLEANS M S	47750210050021	15061	38352
PARADOX	47770130040110	19343	377099
PARALLEL	45690350060016	18152	240272
PETER PLACER (PARCEL F of Sunnyside Gold Corporation - Perino Boundary Adjustment)	48290090010042	11596	0
PIEDMONI	48290090010035	15112	37830
POLAR STAR M S (PARCEL E of Sunnyside Gold Corporation - Perino Boundary Adjustment)	48290090010041	7608	0
PRIDE OF THE ROCKIES	47750110050121	7628	31534
PRIDE OF THE WEST	48310190010005	41	2250
QUEEN OF THE WEST	45690360060012	1215	9385
RED CLOUD	45690360050006	120	3909
REGULATOR M S (E of Cunningham Creek)	48310180010030; 48310180010031	154	3295
REPUBLIC	47750140050002	12724	31197
RICHMOND	48310190010005	678	8313
RIVER	48290090010035	15112	37830
ROB ROY	47730170050001	499	7784
ROB THE RANTER	47750090050014	778	8834
ROYAL CHARTER	48290110010004	1710	11359
SALEM	47770130040109	1178	15951
SAMPSON M S	47750160050014	1618	11520
SAN JUAN	48290100010004	15112	37830
SELMA #1	47770130040006	19343	377099
SENATOR	47730190050014	16804	40898
SHAMROCK	47750010010002	17549	43631
SILVER LEDGE	47770230040012; 47770230040122	1523	17456
SILVER PITCHER	47770130040005; 47770130040053; 47770130040054; 47770130040055; 47770130040056; 47770130040057	2062	15365
SPARTA	47770240040003	18626	139274
SUCCESS PLACER	47750160050014	1914	11521
T H W MILL SITE (TRACT A)	48290100010006	20595	1120728
T H W MILL SITE (TRACT B)	48290100010006	20595	1120728
THERESA	47750090050008	15968	40372
THERESA M S	47750090050033	15968	40372
THUNDERBERG	47750140050002	1395	9388
TRACT 41 (PARCEL A of Sunnyside Gold Corporation - Perino Boundary Adjustment)	48290090010037	0	186140

ATTACHMENT A

TRACT BB (PARCEL B of Sunnyside Gold Corporation - Perino Boundary Adjustment)	48290090010038	0	186140
TRAIL S 500 FT	48310180010030	130	3096
TURKOIS	47770230040128; 47770230040129	1496	9589
VENUS	47750120050061	17034	41816
Vienna Placer	48290110010005	14057	34524
W M G L	47730060050005	19931	898231
WALKYRIE	47730060050005	19931	898231
WASHINGTON	45690250060015	104	4042
WINNING	47770000040121; 47770000040123	11560	29635
YOUNG	47750090050008	16523	39991
ZOO	47770000040121; 47770000040123	11560	29635

SAN JUAN COUNTY



PO Box 466, Silverton CO 81433

November 28, 2022

Dear Property Owner:

The Planning Department of San Juan County Colorado has received two applications. You have been identified as an Adjacent Land Owner. A property you own is located within approximately 1500 feet of a project site listed below. You are under no obligation to reply to this letter or take any action.

(1) Proposed Amendment to Existing County Improvement Permit, Proposed Water Storage Pond, on the former **WILD CAT LODE** USMS No. 16993, County Road 110, near Gladstone, San Juan County, Colorado (Applicant Nick Croce, Property Owner C&G Alpine Partners LLC) and County Land Use Permit Application, Proposed Parking Area and Signage, on the **ANGLO SAXON PLACER** USMS No. 16687, County Road 110, near Gladstone, San Juan County, Colorado (Applicant Nick Croce of C&G Alpine Partners LLC, Property Owners Esther & Lloyd Swartz).

(2) County Improvement Permit Application, Proposed Careaga Cabin and associated improvements, **SANDUSKY LODE** USMS No. 1345, County Road 99, Picayune Gulch, San Juan County, Colorado (Applicants Kate & Aaron Careaga, Property Owner Animas Forks Land Holding Company LLC).

If you are interested in these applications, you may view the application documents on the "San Juan County Colorado" government website. County applications are being posted on the County website under the following tabs: County Government – Building & Planning – Proposed Additions/Applications.

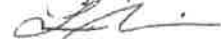
These applications will be reviewed by the San Juan Regional Planning Commission on Tuesday December 13, 2022. Their meetings usually begin at 7 PM and are open to the public, in-person at the County Courthouse and also via free Zoom software (Zoom Meeting ID Number 921 3647 3203).

Adjacent Land Owners and Citizens may submit written and/or verbal comments regarding County applications, before and/or during the meeting. Comments before the meeting can be sent to the Planning Department using the contact information below. Emailed/written comments are preferred because those are printed for the Planning Commissioners.

The Planning Commission is an advisory board which makes a recommendation. After the Planning Commission meeting, these applications will be reviewed by the Board of County Commissioners at a later date. The final decision to approve or deny each County application is decided by a vote of the Board of County Commissioners.

Please contact me if you have questions.

Thank you,



Lisa M. Adair PE

Planning Department

San Juan County Colorado

Email: planner@sanjuancolorado.us

Mail: San Juan County Courthouse, 1557 Greene Street, PO Box 466, Silverton, CO 81433.

Phone: (970) 946-2217.

REESE ORLA
345 GULPH HILLS RD
RADNOR PA 19087-4619

LUCKY JIM LLC
PO BOX 856
SILVERTON CO 81433-0856

C & G ALPINE PARTNERS LLC
PO BOX 69
EAST SETAUKET NY 11733

NIELSEN DOUGLAS L & DANA A
8780 W 81ST DR
ARVADA CO 80005-2459

VAN DEMAN KATHLEEN & DAVID
315 PINE ST
GRAND JUNCTION CO 81503-2044

ESS-WICK PROPERTIES; c/o LIND
WICKERSHAM
10540 E 11TH ST
TULSA OK 74128-3202

GANG PETER RILEY
381 CLEVELAND AVE
PETALUMA CA 94952-1703

SALEM MINERALS INC
15100 FOOTHILL RD
GOLDEN CO 80401-2064

GRAHAM STEVEN LEE; CHANDLER JR
MICHAEL O
1410 COUNTY ROAD 500
PAGOSA SPRINGS CO 81147-7302

HOUGHTON LAND PRESERVATION
LLC; c/o San Juan Land Holding Company
LLC
PO BOX 98
BRECKENRIDGE CO 80424-0076

COOK DAVID
7176 FORESTGATE DR
COLORADO SPRINGS CO 80908-4776

NEWMAN FRANK & CATHERINE
1212 H ST UNIT 130
RAMONA CA 92065

DAREN R HILLERY TRUST UTA
PO BOX 96
MCINTOSH NM 87032-0096

HOUGHTON HOLDINGS LLC; c/o San
Juan Land Holding Company LLC
PO BOX 98
BRECKENRIDGE CO 80424-0076

SWARTZ LLOYD O & ESTHER M
35 CANONCITO DR NE
ALBUQUERQUE NM 87122-2113

SCORE MOUNTAIN ENTERPRISES LLC
PO BOX 856
SILVERTON CO 81433-0856

OUTDOOR ADVENTURES CLUB
262 CRYSTAL SPRINGS DR
FLORENCE AL 35634-3558

SEELEY JANET L
1131 W 15TH AVE
ESCONDIDO CA 92025-5547

SAN JUAN COUNTY, COLORADO
APPOINTMENTS TO BOARDS AND OFFICES
FOR THE CALENDAR YEAR 2023

	<u>2022</u>	<u>Draft 2023</u>
Chairman	Scott Fetchenhier	Austin Lashley
Chairman Pro Tem	Austin Lashley	Scott Fetchenhier
Road & Bridge Commissioner	Ernie Kuhlman	Pete Maisel
Buildings and Grounds Commissioner	Scott Fetchenhier	Scott Fetchenhier
Public Agency Liaison Commissioner	Austin Lashley	Austin Lashley
Elected Officials Liaison Commissioner	Austin Lashley	Austin Lashley
Colorado Counties, Inc. Commissioners	Ernie Kuhlman & Austin Lashley	Austin Lashley & Pete Maisel
Planning Commission	Austin Lashley	Austin Lashley
Planning Commission Alternate	Scott Fetchenhier	Scott Fetchenhier
Ambulance Association / EMS Council	Scott Fetchenhier	Scott Fetchenhier
Town Board of Adjustment	Scott Fetchenhier	Scott Fetchenhier
Board of Adjustment Alternate	Ernie Kuhlman	Pete Maisel
Housing Solutions for the Southwest	Scott Fetchenhier	Scott Fetchenhier
Area Agency on Aging	Ernie Kuhlman	Pete Maisel
Transportation Planning Committee	Ernie Kuhlman	Pete Maisel
Cemetery Board	Scott Fetchenhier	Scott Fetchenhier
Learning Center Council	Scott Fetchenhier	Scott Fetchenhier
County Attorney	Dennis Golbricht	Dennis Golbricht
County Surveyor	Kenneth Schaaf	Kenneth Schaaf
County Health Director	Becky Joyce	Becky Joyce
Veterans Service Officer	Tommy Wipf	Tommy Wipf
Land Use Administrator	Lisa Adair William Tookey	William Tookey
Budget Officer	William Tookey	William Tookey
County Auditor	Blair and Associates	Blair and Associate:
Region 9 Economic District	William Tookey	William Tookey
Region 9 Alt.		
Southwest Colorado COG	William Tookey	William Tookey
Southwest Colorado COG Alt.	Austin Lashley	Austin Lashley
Club 20	Austin Lashley	Austin Lashley
Water Conservation Board	Charles Smith	Charles Smith
San Juan Development Association	William Tookey	William Tookey
Official Newspaper	Silverton Standard	Silverton Standard

SAN JUAN COUNTY, COLORADO
APPOINTMENTS TO BOARDS AND OFFICES
FOR THE CALENDAR YEAR 2023

Avalanche Board Members	Open	2022	
	Louis Girodo	2023	
	Open	2022	
		Alternate	
Historic Impact Review Board	Scott Fetchenhier	2021	
	David Singer	2021	
	Steve Rich	2021	
	Beverly Rich	Alternate	
Board of Adjustment	Eileen Fjerstad	2022	2024
	Paul Joyce	2022	2024
	Casey Carroll	2022	2024
	Jared Boyd	2023	2023
	David Singer	2023	2023
	Joe Jepson	Alternate	Alternate
Tourism Fund Board	Paul Zimmerman	2022	2024
	Jim Lindaman	2022	2024
	Tiffany deKay	2023	2023
	Lisa Branner	2023	2023
	Brooke Stillwell	2023	2023
	Judy Graham Alt.	2022	2023
Noxious Weed Management Board	Lisa Adair	2022	2024
	Terry Kerwin	2022	2024
	Open	2022	2024
	Chris Tookey	2023	2023
	Open	2023	2023

Approved:

Board of County Commissioners



Willy Tookey <admin@sanjuancolorado.us>

tourism board

Paul ZIMMERMAN <thepicklebarrel@msn.com>

Wed, Jan 18, 2023 at 10:19 AM

To: Jim Lindaman <jim@yesdurango.com>, Willy Tookey <admin@sanjuancolorado.us>

To: The San Juan County Board of Commissioners,

I am writing to confirm my interest in continuing on the San Juan County Tourism Board. I feel I have done a good job responsibly doling out tourism dollars to the benefit of the county. Thank you for your time in this matter.

Sincerely,

Paul Zimmerman

970.903.4634

From: Jim Lindaman <jim@yesdurango.com>**Sent:** Friday, January 13, 2023 9:51 PM**To:** Willy Tookey <admin@sanjuancolorado.us>**Cc:** Paul Zimmerman <thepicklebarrel@msn.com>**Subject:** Re: tourism board

[Quoted text hidden]



Willy Tookey <admin@sanjuancolorado.us>

tourism board

Jim Lindaman <jim@yesdurango.com>

Fri, Jan 13, 2023 at 2:51 PM

To: Willy Tookey <admin@sanjuancolorado.us>

Cc: Paul Zimmerman <thepicklebarrel@msn.com>

To: The San Juan County Board of Commissioners.

I have served the people of SaN Juan County Colorado for a number of years on the San Juan County Tourism Board. I feel I have done an excellent job of maintaining fiscal responsibility to the county by monitoring the requests of groups for the Tourism Board's budget. With the new reduction in the Tourism Board's budget, I feel with the past experience and fiscal responsibility, I am an excellent choice to maintain my position on the San Juan County Tourism Board.

Thank you for your consideration and continued support.

Sincerely,

Jim Lindaman

924 Greene Street

Silverton CO 81433

970-387-5883

[Quoted text hidden]

Hardrock Hundred Endurance Run
PO 55
Silverton, CO 81433
www.hardrock100.com

The results are in!!

We have completed our survey of the runners from this year's Hardrock Hundred Endurance Run. This year 145 intrepid souls from across the United States and around the world challenged themselves in our 27th running. This run could not be done without your cooperation and we want to thank you for your support.

This year there were many highlights: Kilian Jornet (Montella, ESP) was our first male finisher and he set a course and run record in the process (21 hours, 36 minutes)! Leadville, Colorado resident Cortney Dauwalter became the fastest female to ever run Hardrock (26 hours, 44 minutes). Our youngest finisher, Parker Semin, (Frisco, CO) finished his first Hardrock at the age of 29 while John Hallsten (Helena MT) finished his 8th Hardrock at the young age of 65! All in all, we had a staggering 79% of our runners finish this year, which is way above our average of 65%. Here is the complete list, courtesy of Open Split Time https://www.opensplittime.org/events/hardrock-100-2022/spread?sort=overall_rank This can also be accessed on our website (hardrock100.com)

In addition to putting together a world class running event, the Hardrock community has now helped give over **\$247,000** in scholarship money through the Joel Zucker Scholarship. In 2022, we were able to be a part of the largest annual amount ever awarded! Over **\$37,000** went to students from the San Juans to continue their post-secondary education.

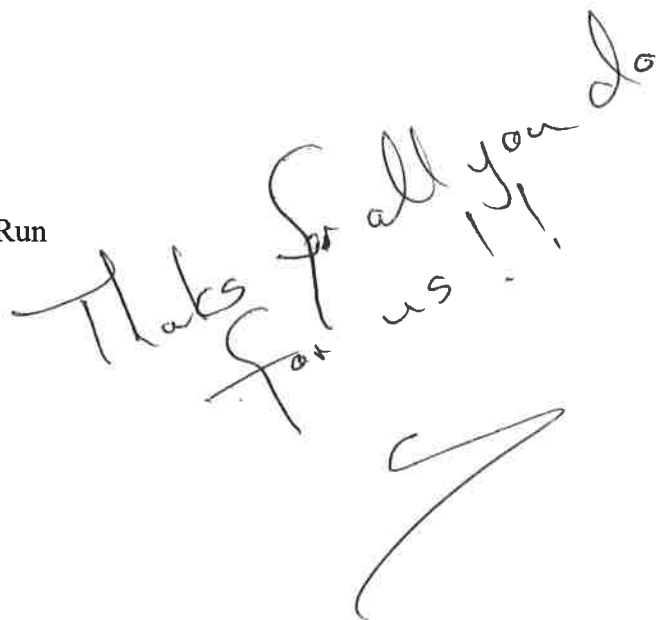
As of this writing, we are preparing for the 2023 Hardrock. It will be held on July 14-16, 2023.

Once again, we appreciate your cooperation. If you would like more information or need any questions answered be sure to contact me (970-259-3693), dale@hardrock100.com) or go to www.hardrock100.com. You can also follow us on social media: Facebook-hardrockhundred Instagram-hardrock100run.

We are looking forward to having you as a part of another great event in 2023!!

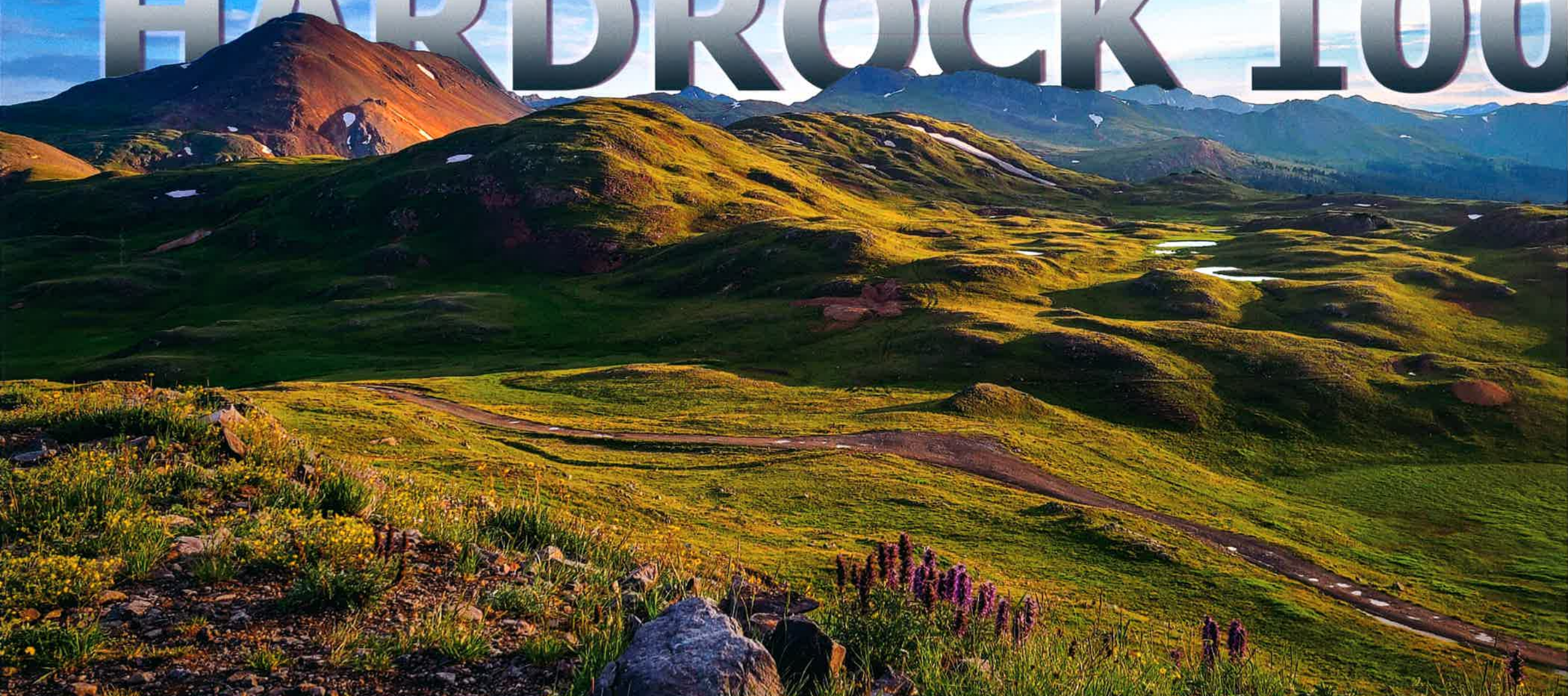


Dale Garland
Run Director, Hardrock Hundred Endurance Run



Silverton □ Telluride □ Ouray □ Lake City

HARDROCK 100



Hardrock Hundred Mile Endurance Run 2022 **Thank you:**

San Juan County

FS Agreement No. 23-RO-11021300-007

Cooperator Agreement No. _____

COOPERATIVE FOREST ROAD AGREEMENT
Between The
SAN JUAN, COUNTY OF
And The
USDA, FOREST SERVICE
SAN JUAN NATIONAL FOREST

PARTIES TO AGREEMENT: This agreement, made and entered into this the ____ day of _____, 20____, by and between the San Juan, County of, hereinafter referred to as "the County," and the USDA, Forest Service San Juan National Forest, hereinafter referred to as the "U.S. Forest Service."

PURPOSE OF AGREEMENT: The purpose of this agreement is to set forth the general terms and conditions, acceptable to the parties hereto, for the cooperative planning, survey, design, construction, reconstruction, improvement, and maintenance of certain Forest Roads in San Juan County, State of Colorado, pursuant to the provisions of 16 U.S.C. 532-538, 23 U.S.C. 205, and the regulations issued by the Secretary of Agriculture.

The Congress has, from time to time, authorized and appropriated funds for "Forest Roads," which are defined as "those Forest roads of primary importance for the protection, administration, and utilization of the National Forests, or where necessary, for the use and development of the resources upon which communities within or adjacent to the National Forests are dependent." Recognizing that substantial benefits will accrue to the Nation and to the State from the construction, reconstruction, improvement, maintenance, and use of certain Forest roads and roads on the State or local road system over which the County has/have jurisdiction, and further that such roads carry substantial volumes of public service traffic as well as National Forest traffic, and further that the County has/have road construction, reconstruction, improvement, maintenance, and right-of-way acquisition facilities available to assist in the accomplishment of the work, it is accordingly deemed fitting and desirable to the parties hereto to express by this agreement the general terms of their mutual cooperation in that regard to achieve the maximum benefits therefrom in the public interest.

1. **INTENT TO COOPERATE.** It is the intention of the parties under this agreement to cooperate as follows:
 - a. Agree that certain roads under the jurisdiction of the County or the U.S. Forest Service which serve the National Forest and also carry traffic which is properly the responsibility of the County should be maintained and, if necessary, improved to a



standard adequate to accommodate safely and economically all traffic which uses such roads.

- b. Agree on the identification of roads or road segments which meet the criteria in item a by a listing and appropriate maps.
 - c. Provide for formal meetings and informal consultation on a regular basis to discuss and agree on action with respect to the roads identified pursuant to item b.
 - d. Provide for regular and adequate maintenance of the roads identified in item b, including the assignment of maintenance responsibilities.
 - e. Provide for entering into project agreements when improvements of a road under the jurisdiction of one party is to be financed in whole or in part from funds or resources provided by the other party.
 - f. Provide for appropriate jurisdictional status of roads through transfer of easements and acquisition of easements by the appropriate party.
2. IDENTIFICATION OF ROADS. A list of roads and segments of roads which meet the criteria set forth in item 1a is agreed upon and is marked "Schedule A" and attached as part of this agreement. Schedule A may be modified from time to time by agreement between the County and U.S. Forest Service, by adding or removing roads or road segments, or by altering the description of a road or road segments, to give it proper identity. Each such modification shall be indicated by a revised Schedule A bearing the signatures of the parties or their authorized representatives and the effective date of the revision.
3. MAINTENANCE PLANS. At the annual meeting provided for in item 6, plans for maintaining the roads listed in Schedule A shall be agreed upon. Such plans shall include assignment of responsibility for maintenance or particular elements of maintenance to the County or U.S. Forest Service for each road or segment of road listed in Schedule A. To the extent practical, and subject to availability of funds, responsibility for maintenance shall be assigned in proportion to use for which each party is properly responsible.
- Maintenance shall include preserving and keeping the roads, including structures and related facilities as nearly as possible in their original condition as constructed or reconstructed to provide satisfactory and safe road service.
- Maintenance plans shall provide for prompt changes in maintenance assignments during the period of the plan upon agreement by the parties or their designated representatives.
4. PROJECT AGREEMENTS. When improvement of a road listed in Schedule A is to be financed in whole or in part from funds or resources provided by the party not having jurisdiction, the parties shall enter into a project agreement providing for performing the improvement work and its financing. A project agreement is not required for



improvement of a road or a road segment over which the party performing and financing such improvement has jurisdiction. Project agreements shall be supplements to this general agreement and subject to the agreements, provisions, and conditions herein contained.

- a. A project agreement shall be entered into prior to beginning of improvement or construction work for which a project agreement is required.
- b. The project agreement shall include the following elements:
 1. Identification of road or road segment to be improved or constructed.
 2. Plans and specifications for the project or provision for their development and subsequent agreement thereon.
 3. Schedule of construction or improvement work and designation of the party or parties to perform the work.
 4. Estimates of cost of improvement or construction.
 5. Agreement as to how cost of work is to be borne including arrangements to share in the work or to deposit funds with the performing party for a share of the costs.
- c. If funds are provided by the County on an advance basis for work to be performed by the U.S. Forest Service, they shall be deposited in the Treasury of the United States to the credit of cooperative work, U.S. Forest Service. Any unused balance of cooperative funds for the purposes outlined in the project agreement shall be returned to the County after completion of the work performed or upon agreement of the U.S. Forest Service. If the cooperative funds are made available on a reimbursement basis as the work progresses or upon its completion, the U.S. Forest Service shall submit to the County periodic billings, but not more often than monthly, or a final billing as the case may be.

The amount of cooperative funds as set forth in the project agreement shall be the maximum commitment of the County to the project unless changed by a modification of the project agreement.

If funds are provided by the U.S. Forest Service for work to be performed by the County the arrangements shall be set forth in the project agreement. Payments to the County shall be made as provided for in the project agreement.

If it appears that the project cost may exceed the estimate and additional funds may be needed, no obligation shall arise against the Federal government with respect to the increased cost except by modification of the project agreement prior to incurring any commitment.



5. RIGHTS-OF-WAY. Easements or other interests in land acquired by either party shall be adequate to serve the road needs of both parties. The party having jurisdiction of an existing road or intended to have jurisdiction of a road to be constructed shall obtain the needed rights-of-way in its name. There shall be no provisions in any easement document that will prevent the U.S. Forest Service from using or authorizing the use of roads for which Federal funds were expended. The County must be in a position to assure the U.S. Forest Service the continuance of such uses for the period needed. The party acquiring the easement or other interest in land shall obtain such title evidence and title approval as required in its acquisitions for roads of comparable standards.

The costs of such easements or other interests in land are to be at the expense of the acquiring party.

The U.S. Forest Service shall cooperate in the procurement of rights-of-way over land administered by other agencies of the United States required for any project included under this agreement and shall furnish the County copies of survey notes, maps, and other records.

To the extent possible under available authority, each party agrees to convey easements over lands or interests in lands it owns or administers to the other party in order to provide jurisdiction by the appropriate party as may be agreed to for any road or road segment listed on Schedule A.

6. ANNUAL MEETING AND CONTINUING CONSULTATION. The County and U.S. Forest Service shall meet at least once each year to review matters covered by this agreement and to agree on actions to implement this agreement including, but not limited to, (1) approval of changes in the listing of roads on Schedule A; (2) approval of the annual maintenance plan; (3) approval of project agreements for construction or reconstruction; and (4) approval of transfer of jurisdiction of particular roads by easement conveyance. It is also the intent of the parties to arrange for continuing consultation between their representatives with the objective of reaching prompt agreement by the parties on all matters of mutual concern which are covered by this agreement. The Forest Supervisor of the San Juan National Forest for the U.S. Forest Service, and the Roads Manager for the County shall be responsible for making the arrangements for formal meetings and continuing consultation.
7. TEXT MESSAGING WHILE DRIVING. In accordance with Executive Order (EO) 13513, "Federal Leadership on Reducing Text Messaging While Driving," any and all text messaging by Federal employees is banned: a) while driving a Government owned vehicle (GOV) or driving a privately owned vehicle (POV) while on official Government business; or b) using any electronic equipment supplied by the Government when driving any vehicle at any time. All Cooperatives, their Employees, Volunteers, and Contractors are encouraged to adopt and enforce policies that ban text messaging when driving company owned, leased or rented vehicles, POVs or GOVs when driving while on official Government business or when performing any work for or on behalf of the



Government.

8. MODIFICATION AND TERMINATION.

- a. This agreement may be modified by mutual consent.
- b. This agreement may be terminated by either party upon at least 30 days prior written notice, except that such termination shall in no way affect or change any commitment made authorizing the use of roads or rights-of-way for purposes for which Federal funds were expended, or any operation in progress at time of notice, and provided that such termination shall in no way affect the agreement of the parties hereto with respect to any obligations incurred under the agreement until a full settlement has been made.

9. MISCELLANEOUS.

- a. The United States shall not be liable to the recipient for any costs, damages, claims, liabilities, and judgments that arise in connection with the performance of work under this award, including damage to any property owned by the recipient or any third party.
- b. Nothing herein contained shall be construed to obligate the U.S. Forest Service or the County beyond the extent of available funds allocated or programmed for this work, or contrary to applicable laws, rules, and regulations.
- c. No Member of, or Delegate to, the Congress, or Resident Commissioner, shall be admitted to any share or part of this agreement or to any benefits that may arise therefrom, unless it is made with a corporation for its general benefit.
- d. Where applicable, any contract, agreement, or understanding entered into pursuant to this agreement providing for work to be performed shall include the requirements of Federal laws, Executive orders, and Regulations.

10. PRINCIPAL CONTACTS. Individuals listed below are authorized to act in their respective areas for matters related to this agreement.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
Name: Louis Girodo Address: PO Box 466 City, State, Zip: Silverton, CO 81433 Telephone: 970-387-5772 Email: admin@sanjuancolorado.us	Name: William Tookey Address: PO Box 466 City, State, Zip: Silverton, CO 81433 Telephone: 970-387-5766 Email: admin@sanjuancolorado.us



Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Name: Pete Merkel Address: 15 Burnett Court City, State, Zip: Durango, CO 81301 Telephone: 970-385-1323 FAX: 970-375-2331 Email: pete.merkel@usda.gov	Name: Lindsey Burkett Grants Management Specialist Address: 15 Burnett Court City, State, Zip: Durango, CO 81301 Telephone: 970-880-1607 Email: lindsey.burkett@usda.gov

11. **SYSTEM FOR AWARD MANAGEMENT REGISTRATION REQUIREMENT (SAM).** the County shall maintain current information in the System for Award Management (SAM) until receipt of final payment. This requires review and update to the information at least annually after the initial registration, and more frequently if required by changes in information or agreement term(s). For purposes of this agreement, System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a Cooperative. Additional information about registration procedures may be found at the SAM Internet site at www.sam.gov.
12. **COMMENCEMENT/EXPIRATION DATE.** This agreement is executed as of the date of last signature and is effective through five years January , 2028 at which time it will expire. The expiration date is the final date for completion of all work activities under this agreement.
13. **AUTHORIZED REPRESENTATIVES.** By signature below, the parties certify that the individuals listed in this document as representatives of each party are authorized to act in their respective areas for matters related to this agreement.

This agreement shall be effective as of the date herein written and shall supersede all prior existing agreements, if any, for the same roads.

GLOJEAN TODACHEENE
County Commissioner

Date



MICHAEL SULLIVAN
County Commissioner

Date

STEVE LANIER
County Commissioner

Date

JASON LOWHAN, Acting Forest Supervisor
U.S. Forest Service, San Juan National Forest

Date

The authority and format of this agreement have been reviewed and approved for signature.

AMANDA MARR Digitally signed by AMANDA MARR
Date: 2023.01.06 08:58:05 -07'00'

AMANDA MARR
U.S. Forest Service Grants Management Specialist

Date

Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

SCHEDULE A

USFS Agreement Number: **23-RO-11021300-007**

National Forest
County, State of Colorado

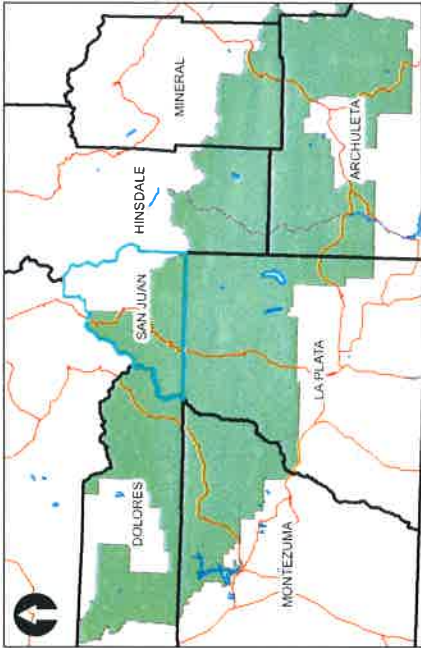
San Juan

San Juan

ROAD NAME	ROAD NUMBER		TERMINI	LENGTH	COUNTY ROW			USFS ROW		ROAD RESTRICTIONS	ROAD MAINTENANCE & SIGNING	
	NFSR	COUNTY			OWN	EASEMENT	CLAIMED (Jud. Dec. required)	OWN (USFS Land)	EASEMENT		ALL COUNTY	ALL USFS
USFS Agreement Number: 23-RO-11021300-007												
Relay Creek	580	38	County Line - Dead End	4.28					X			2
Little Moles	584	30	US 550 - Twin Sisters Trailhead	1.37					X	Yes		2
South Mineral	585	7	US 550 - South Mineral Campground	4.36					X			4
South Mineral	585	7	South Mineral CG - Dead End	2.60					X			2
Lime Creek	591	1	US 550 - US 550	11.00					X			2
Ophir Pass	679	8	US 550 - Forest Boundary	4.20					X			2
South Mineral Campground	700	7	NFSR 585 - Campground	0.95					X			3
Clear Lake	815	12	NFSR 585 - Clear Lake	4.38					X			2
Silver Cloud	821	15	US 550 - Dead End	1.25					X			2
Bullion King	822	65	US 550 - Dead End	2.55					X			2
Black Bear	823	16	US 550 - Forest Boundary	3.19					X	Yes		2
U.S. Basin	825	14	US 550 - US 550	5.80					X			2

Total miles 45.93

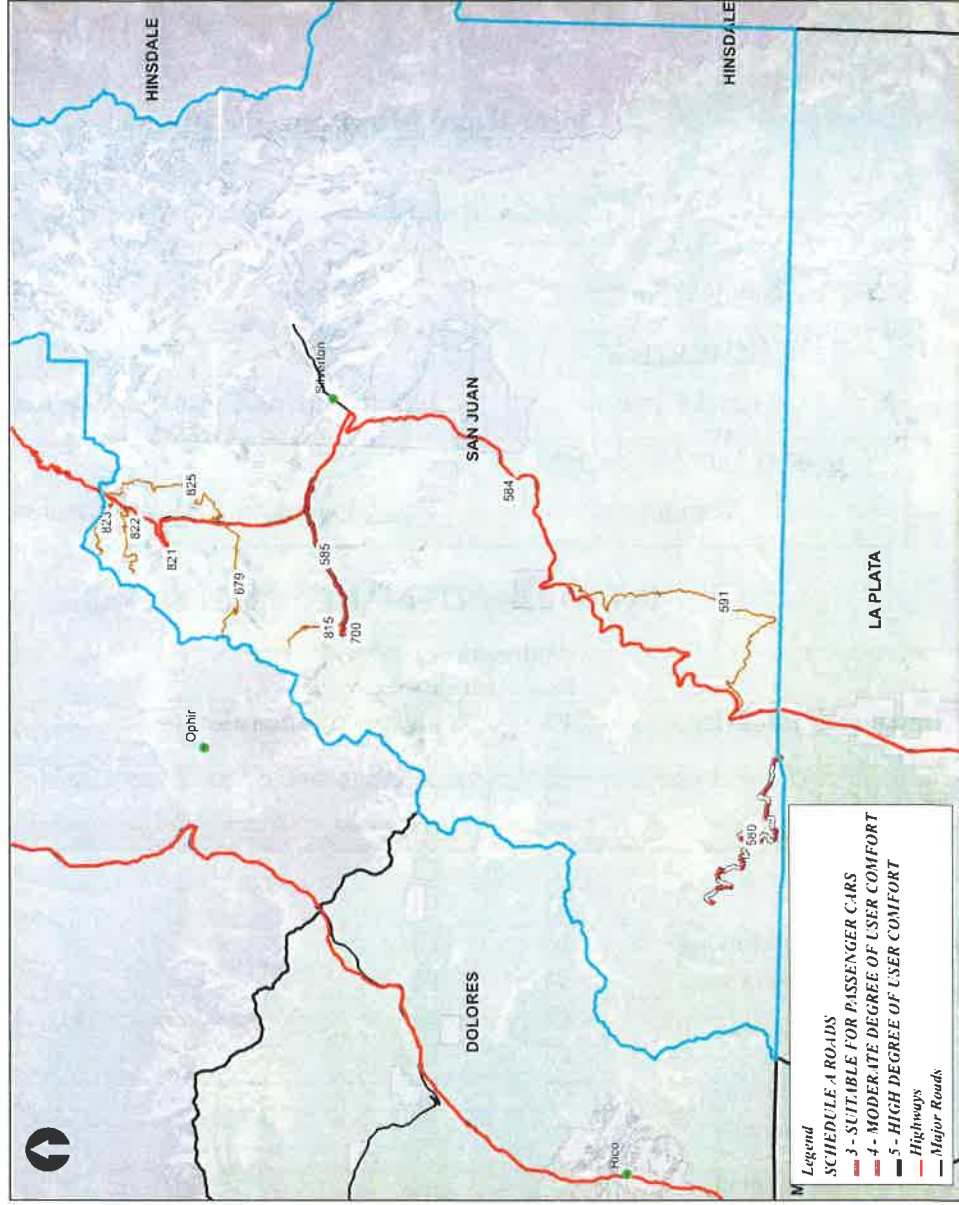
UNITED STATES DEPARTMENT OF AGRICULTURE
 FOREST SERVICE
 REGION 2
 SAN JUAN NATIONAL FOREST
 SAN JUAN COUNTY SCHEDULE - A AGREEMENT



VICINITY MAP

SUMMARY OF ROADS

1. NFSR 580 - Relay Creek
2. NFSR 584 - Little Molas
3. NFSR 585 - South Mineral
4. NFSR 591 - Lime Creek
5. NFSR 679 - Ophir Pass
6. NFSR 700 - South Mineral Campground
7. NFSR 797 - Little Molas Campground
8. NFSR 815 - Clear Lake
9. NFSR 821 - Silver Cloud
10. NFSR 822 - Bullion King
11. NFSR 823 - Black Bear
12. NFSR 825 - U.S. Basin



SITE MAP

Joint Road Maintenance Plan

<u>San Juan</u> National Forest	<u>San Juan</u> County	<u>Colorado</u> State
<u>Relay Creek</u> Road Name	<u>580</u> FS Road Number	<u>38</u> Cty. Road Number
<u>County Line – Dead End</u> Termini	<u>4.28</u> Length	<u>2</u> Maintenance Level

ROAD MAINTENANCE ACTIVITIES

Maintenance Activity	Maintenance Responsibility		Schedule	Remarks
	FS	County		
Surface Blading	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1	Blade once during summer months
Surfacing Repair	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Surface Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Dust Abatement	<input type="checkbox"/>	<input type="checkbox"/>		
Slide Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Roadside Brushing/Mowing	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Clean and Reshape Ditches	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Cleaning	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Culvert Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Major Drainage Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Miscellaneous Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Warning Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Guide Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Bridge: Inspection	<input type="checkbox"/>	<input type="checkbox"/>		
Posting	<input type="checkbox"/>	<input type="checkbox"/>		
Maintenance	<input type="checkbox"/>	<input type="checkbox"/>		
Snow Plowing	<input type="checkbox"/>	<input type="checkbox"/>		Seasonal closure 11/14 – 5/1

Joint Road Maintenance Plan

<u>San Juan</u> National Forest	<u>San Juan</u> County	<u>Colorado</u> State
<u>Little Molas</u> Road Name	<u>584</u> FS Road Number	<u>30</u> Cty. Road Number
<u>US 550 – Twin Sisters Trailhead</u> Termini	<u>1.37 miles</u> Length	<u>2</u> Maintenance Level

ROAD MAINTENANCE ACTIVITIES

Maintenance Activity	Maintenance Responsibility		Schedule	Remarks
	FS	County		
Surface Blading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	Blade once during summer months
Surfacing Repair	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Surface Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Dust Abatement	<input type="checkbox"/>	<input type="checkbox"/>		
Slide Removal	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Roadside Brushing/Mowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Hand brushing
Clean and Reshape Ditches	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Cleaning	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Major Drainage Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Miscellaneous Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Warning Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Guide Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Bridge: Inspection	<input type="checkbox"/>	<input type="checkbox"/>		
Posting	<input type="checkbox"/>	<input type="checkbox"/>		
Maintenance	<input type="checkbox"/>	<input type="checkbox"/>		
Snow Plowing	<input type="checkbox"/>	<input type="checkbox"/>		Seasonal closure 12/1 – 5/31

Joint Road Maintenance Plan

<u>San Juan</u> National Forest	<u>San Juan</u> County	<u>Colorado</u> State
<u>South Mineral</u> Road Name	<u>585</u> FS Road Number	<u>7</u> Cty. Road Number
<u>US 550 – South Mineral</u> <u>Campground</u> Termini	<u>4.36 miles</u> Length	<u>4</u> Maintenance Level

ROAD MAINTENANCE ACTIVITIES

Maintenance Activity	Maintenance Responsibility		Schedule	Remarks
	FS	County		
Surface Blading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	Blade once during summer months
Surfacing Repair	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Surface Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Dust Abatement	<input type="checkbox"/>	<input type="checkbox"/>		
Slide Removal	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Roadside Brushing/Mowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Hand brushing
Clean and Reshape Ditches	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Cleaning	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Major Drainage Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Miscellaneous Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Warning Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Guide Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Bridge: Inspection	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Posting	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Maintenance	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Snow Plowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Authorized to San Juan County

Joint Road Maintenance Plan

<u>San Juan</u> National Forest	<u>San Juan</u> County	<u>Colorado</u> State
<u>South Mineral</u> Road Name	<u>585</u> FS Road Number	<u>7</u> Cty. Road Number
<u>South Mineral Campground – Dead End</u> Termini	<u>2.6 miles</u> Length	<u>2</u> Maintenance Level

ROAD MAINTENANCE ACTIVITIES

Maintenance Activity	Maintenance Responsibility		Schedule	Remarks
	FS	County		
Surface Blading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	Blade once during summer months
Surfacing Repair	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Surface Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Dust Abatement	<input type="checkbox"/>	<input type="checkbox"/>		
Slide Removal	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Roadside Brushing/Mowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Hand brushing
Clean and Reshape Ditches	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Cleaning	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Major Drainage Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Miscellaneous Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Warning Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Guide Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Bridge: Inspection	<input type="checkbox"/>	<input type="checkbox"/>		
Posting	<input type="checkbox"/>	<input type="checkbox"/>		
Maintenance	<input type="checkbox"/>	<input type="checkbox"/>		
Snow Plowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Authorized to San Juan County

Joint Road Maintenance Plan

<u>San Juan</u> National Forest	<u>San Juan</u> County	<u>Colorado</u> State
<u>Lime Creek</u> Road Name	<u>591</u> FS Road Number	<u>1</u> Cty. Road Number
<u>US 550 – US 550</u> Termini	<u>11 miles</u> Length	<u>2</u> Maintenance Level

ROAD MAINTENANCE ACTIVITIES

Maintenance Activity	Maintenance Responsibility		Schedule	Remarks
	FS	County		
Surface Blading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	Blade once during summer months
Surfacing Repair	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Surface Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Dust Abatement	<input type="checkbox"/>	<input type="checkbox"/>		
Slide Removal	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Roadside Brushing/Mowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Hand brushing
Clean and Reshape Ditches	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Cleaning	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Culvert Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Major Drainage Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Miscellaneous Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Warning Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Guide Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Bridge: Inspection	<input type="checkbox"/>	<input type="checkbox"/>		
Posting	<input type="checkbox"/>	<input type="checkbox"/>		
Maintenance	<input type="checkbox"/>	<input type="checkbox"/>		
Snow Plowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Authorized to San Juan County

Joint Road Maintenance Plan

<u>San Juan</u> National Forest	<u>San Juan</u> County	<u>Colorado</u> State
<u>Ophir Pass</u> Road Name	<u>679</u> FS Road Number	<u>8</u> Cty. Road Number
<u>US 550 – Forest Boundary</u> Termini	<u>4.2 miles</u> Length	<u>2</u> Maintenance Level

ROAD MAINTENANCE ACTIVITIES

Maintenance Activity	Maintenance Responsibility		Schedule	Remarks
	FS	County		
Surface Blading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	Blade once during summer months
Surfacing Repair	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Surface Replacement	<input type="checkbox"/>	<input type="checkbox"/>		
Dust Abatement	<input type="checkbox"/>	<input type="checkbox"/>		
Slide Removal	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Roadside Brushing/Mowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Hand brushing
Clean and Reshape Ditches	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Cleaning	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Major Drainage Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Miscellaneous Structures	<input type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Warning Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Guide Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Bridge: Inspection	<input type="checkbox"/>	<input type="checkbox"/>		
Posting	<input type="checkbox"/>	<input type="checkbox"/>		
Maintenance	<input type="checkbox"/>	<input type="checkbox"/>		
Snow Plowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Authorized to San Juan County

Joint Road Maintenance Plan

<u>San Juan</u> National Forest	<u>San Juan</u> County	<u>Colorado</u> State
<u>South Mineral Campground</u> Road Name	<u>700</u> FS Road Number	<u>7</u> Cty. Road Number
<u>NFSR 585 - Campground</u> Termini	<u>0.95 miles</u> Length	<u>3</u> Maintenance Level

ROAD MAINTENANCE ACTIVITIES

Maintenance Activity	Maintenance Responsibility		Schedule	Remarks
	FS	County		
Surface Blading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	Blade once during summer months
Surfacing Repair	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Surface Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Dust Abatement	<input type="checkbox"/>	<input type="checkbox"/>		
Slide Removal	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Roadside Brushing/Mowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Hand brushing
Clean and Reshape Ditches	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Cleaning	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Major Drainage Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Miscellaneous Structures	<input type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Warning Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Guide Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Bridge: Inspection	<input type="checkbox"/>	<input type="checkbox"/>		
Posting	<input type="checkbox"/>	<input type="checkbox"/>		
Maintenance	<input type="checkbox"/>	<input type="checkbox"/>		
Snow Plowing	<input type="checkbox"/>	<input type="checkbox"/>		

Joint Road Maintenance Plan

<u>San Juan</u> National Forest	<u>San Juan</u> County	<u>Colorado</u> State
<u>Clear Lake</u> Road Name	<u>815</u> FS Road Number	<u>12</u> Cty. Road Number
<u>NFSR 585 – Clear Lake</u> Termini	<u>4.38 miles</u> Length	<u>2</u> Maintenance Level

ROAD MAINTENANCE ACTIVITIES

Maintenance Activity	Maintenance Responsibility		Schedule	Remarks
	FS	County		
Surface Blading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	Blade once during summer months
Surfacing Repair	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Surface Replacement	<input type="checkbox"/>	<input type="checkbox"/>		
Dust Abatement	<input type="checkbox"/>	<input type="checkbox"/>		
Slide Removal	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Roadside Brushing/Mowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Hand brushing
Clean and Reshape Ditches	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Cleaning	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Major Drainage Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Miscellaneous Structures	<input type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Warning Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Guide Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Bridge: Inspection	<input type="checkbox"/>	<input type="checkbox"/>		
Posting	<input type="checkbox"/>	<input type="checkbox"/>		
Maintenance	<input type="checkbox"/>	<input type="checkbox"/>		
Snow Plowing	<input type="checkbox"/>	<input type="checkbox"/>		

Joint Road Maintenance Plan

<u>San Juan</u> National Forest	<u>San Juan</u> County	<u>Colorado</u> State
<u>Silver Cloud</u> Road Name	<u>821</u> FS Road Number	<u>15</u> Cty. Road Number
<u>US 550 – Dead End</u> Termini	<u>1.25 miles</u> Length	<u>2</u> Maintenance Level

ROAD MAINTENANCE ACTIVITIES

Maintenance Activity	Maintenance Responsibility		Schedule	Remarks
	FS	County		
Surface Blading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	Blade once during summer months
Surfacing Repair	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Surface Replacement	<input type="checkbox"/>	<input type="checkbox"/>		
Dust Abatement	<input type="checkbox"/>	<input type="checkbox"/>		
Slide Removal	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Roadside Brushing/Mowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Hand brushing
Clean and Reshape Ditches	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Cleaning	<input type="checkbox"/>	<input type="checkbox"/>		
Culvert Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Major Drainage Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Miscellaneous Structures	<input type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Warning Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Guide Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Bridge: Inspection	<input type="checkbox"/>	<input type="checkbox"/>		
Posting	<input type="checkbox"/>	<input type="checkbox"/>		
Maintenance	<input type="checkbox"/>	<input type="checkbox"/>		
Snow Plowing	<input type="checkbox"/>	<input type="checkbox"/>		

Joint Road Maintenance Plan

<u>San Juan</u> National Forest	<u>San Juan</u> County	<u>Colorado</u> State
<u>Bullion King</u> Road Name	<u>822</u> FS Road Number	<u>65</u> Cty. Road Number
<u>US 550 – Dead End</u> Termini	<u>2.55 miles</u> Length	<u>2</u> Maintenance Level

ROAD MAINTENANCE ACTIVITIES

Maintenance Activity	Maintenance Responsibility		Schedule	Remarks
	FS	County		
Surface Blading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	Blade once during summer months
Surfacing Repair	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Surface Replacement	<input type="checkbox"/>	<input type="checkbox"/>		
Dust Abatement	<input type="checkbox"/>	<input type="checkbox"/>		
Slide Removal	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Roadside Brushing/Mowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Hand brushing
Clean and Reshape Ditches	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Cleaning	<input type="checkbox"/>	<input type="checkbox"/>		
Culvert Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Major Drainage Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Miscellaneous Structures	<input type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Warning Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Guide Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Bridge: Inspection	<input type="checkbox"/>	<input type="checkbox"/>		
Posting	<input type="checkbox"/>	<input type="checkbox"/>		
Maintenance	<input type="checkbox"/>	<input type="checkbox"/>		
Snow Plowing	<input type="checkbox"/>	<input type="checkbox"/>		

Joint Road Maintenance Plan

<u>San Juan</u> National Forest	<u>San Juan</u> County	<u>Colorado</u> State
<u>Black Bear</u> Road Name	<u>823</u> FS Road Number	<u>16</u> Cty. Road Number
<u>US 550 – Forest Boundary</u> Termini	<u>3.19 miles</u> Length	<u>2</u> Maintenance Level

ROAD MAINTENANCE ACTIVITIES

Maintenance Activity	Maintenance Responsibility		Schedule	Remarks
	FS	County		
Surface Blading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	Blade once during summer months
Surfacing Repair	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Surface Replacement	<input type="checkbox"/>	<input type="checkbox"/>		
Dust Abatement	<input type="checkbox"/>	<input type="checkbox"/>		
Slide Removal	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Roadside Brushing/Mowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Hand brushing
Clean and Reshape Ditches	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Cleaning	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Major Drainage Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Miscellaneous Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Warning Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Guide Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Bridge: Inspection	<input type="checkbox"/>	<input type="checkbox"/>		
Posting	<input type="checkbox"/>	<input type="checkbox"/>		
Maintenance	<input type="checkbox"/>	<input type="checkbox"/>		
Snow Plowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Authorized to San Juan County

Joint Road Maintenance Plan

<u>San Juan</u> National Forest	<u>San Juan</u> County	<u>Colorado</u> State
<u>U.S. Basin</u> Road Name	<u>825</u> FS Road Number	<u>14</u> Cty. Road Number
<u>US 550 – US 550</u> Termini	<u>5.8 miles</u> Length	<u>2</u> Maintenance Level

ROAD MAINTENANCE ACTIVITIES

Maintenance Activity	Maintenance Responsibility		Schedule	Remarks
	FS	County		
Surface Blading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1	Blade once during summer months
Surfacing Repair	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Surface Replacement	<input type="checkbox"/>	<input type="checkbox"/>		
Dust Abatement	<input type="checkbox"/>	<input type="checkbox"/>		
Slide Removal	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Roadside Brushing/Mowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Hand brushing
Clean and Reshape Ditches	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Cleaning	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
Culvert Replacement	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Major Drainage Structures	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Miscellaneous Structures	<input type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Warning Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Repair and Installation of Guide Signs	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Bridge: Inspection	<input type="checkbox"/>	<input type="checkbox"/>		
Posting	<input type="checkbox"/>	<input type="checkbox"/>		
Maintenance	<input type="checkbox"/>	<input type="checkbox"/>		
Snow Plowing	<input type="checkbox"/>	<input checked="" type="checkbox"/>		Authorized to San Juan County

SNOW REMOVAL REQUIREMENTS:

To facilitate operations, the County may remove snow from designated Forest Service roads. Such removal must be done in a manner to preserve and protect roads during operations to the extent necessary to ensure safe and efficient transportation and to prevent excessive erosion damage to roads, streams and other resources. Snow removal is not authorized without prior approval from the Forest Service. Snow removal work shall include the following:

1. Removal of snow from all of the traveled way, including turnouts for safe and efficient use.
2. Culvert inlets shall be maintained in a natural condition without snow plowed into them so the drainage system will function properly.
3. All debris removed from the road surface shall be deposited away from stream channels at Forest Service approved locations.
4. Banks shall not be undercut, nor shall gravel or other surfacing material be bladed off the road. Gravel lost or bladed off the road during snow plowing operations shall be replaced.
5. Ditches and culverts shall be kept functioning during operations and upon completion of operations.
6. "Snow Berm" is herein defined as a dike of snow, resulting from the operator's snow removal operations, which extends above the surface of the traveled way. The permit holder shall space, construct, and maintain drainage holes in the snow berm to obtain surface drainage without discharge on erodible fills. The operator shall remove snow berms or construct drainage holes at the end of winter operations or before spring breakup, whichever is sooner.
7. Dozers may only be used to plow snow with special written approval of the Forest Service.
8. Equipment used to plow snow shall be equipped with shoes or runners to keep the blade a minimum two inches above the surface of the road, unless otherwise agreed to in writing by the Forest Service.

2023 SALES TAX

Town

County

Emergency Services

	Local	Remote	Total	Local	Remote	Total	Local	Remote	Total
January	35,851.36	7,803.27	43,654.63	10,696.88	7,730.04	18,426.92	29,090.76	9,707.69	38,798.45
February			-			-			-
March			-			-			-
April			-			-			-
May			-			-			-
June			-			-			-
July			-			-			-
August			-			-			-
September			-			-			-
October			-			-			-
November			-			-			-
December			-			-			-
Total	35,851.36	7,803.27	43,654.63	10,696.88	7,730.04	18,426.92	29,090.76	9,707.69	38,798.45

County Sales Tax

	2018	2019	2020	2021	2022	2023	% Change	5yr. Average
January	4,970.71	7,799.87	6,854.79	16,723.50	18,815.24	18,426.92	-2.11%	11,032.82
February	13,859.09	12,885.86	22,860.78	19,987.28	25,634.49		22.03%	19,045.50
March	11,861.72	11,246.33	14,595.18	16,402.87	20,922.98		21.60%	15,005.82
April	10,399.61	8,857.05	15,280.29	15,820.09	26,540.36		40.39%	15,379.48
May	16,321.32	19,708.91	12,778.47	24,773.54	43,984.48		43.68%	23,513.34
June	4,601.13	5,827.74	9,946.40	17,549.36	10,146.13		-72.97%	9,614.15
July	5,985.49	6,206.92	17,737.22	13,668.65	21,647.93		36.86%	13,049.24
August	6,568.03	13,486.95	10,921.79	32,028.49	26,943.45		-18.87%	17,989.74
September	9,579.78	22,429.05	21,745.79	30,048.75	29,774.28		-0.92%	22,715.53
October	11,057.45	13,774.16	18,726.14	29,953.36	34,135.62		12.25%	21,529.35
November	11,187.78	15,070.58	17,785.19	29,182.27	30,541.07		4.45%	20,753.38
December	5,273.24	7,547.72	17,476.46	19,698.95	17,991.84		-9.49%	13,597.64
Total	111,665.35	144,841.14	186,708.50	265,837.11	307,077.87	18,426.92	13.43%	203,225.99
Year to Date	4,970.71	7,799.87	6,854.79	16,723.50	18,815.24	18,426.92	-2.11%	

Emergency Services Sales Tax

	2018	2019	2020	2021	2022	2023	% Change	5-Year Ave.
January	5,693.58	22,652.17	22,081.29	35,673.96	42,007.94	38,798.45	(0.08)	32,242.76
February	9,500.78	20,193.73	38,888.47	40,698.37	51,602.55		0.21	32,176.78
March	8,924.66	28,148.22	30,899.33	39,142.28	64,129.75		0.39	34,248.85
April	22,040.87	52,719.27	32,992.58	39,017.29	54,305.90		0.28	40,215.18
May	23,915.42	32,415.46	28,328.62	53,200.16	64,390.89		0.17	40,450.11
June	13,364.73	17,201.80	20,323.77	38,209.24	36,187.24		(0.06)	25,057.36
July	36,977.68	35,279.36	29,408.23	54,965.11	58,069.60		0.05	42,940.00
August	54,297.30	74,723.11	62,795.11	139,369.81	119,039.47		(0.17)	90,044.96
September	100,795.88	126,269.99	120,650.92	164,773.79	154,524.58		(0.07)	133,403.03
October	82,850.46	103,635.85	108,852.60	139,222.51	142,140.85		0.02	115,340.45
November	88,859.04	101,380.60	107,416.93	136,598.38	133,850.03		(0.02)	113,621.00
December	34,697.06	45,399.97	63,130.77	93,550.49	84,746.99		(0.10)	64,305.06
Total	481,917.46	660,019.53	665,768.62	974,421.39	1,004,995.79	38,798.45	0.03	757,424.56
Year to Date	5,693.58	22,652.17	22,081.29	35,673.96	42,007.94	38,798.45	(0.08)	

	Town Sales Tax						
	2018	2019	2020	2021	2022	2023	% Change
January	17,803.62	17,777.51	28,417.92	40,358.55	48,401.82	43,654.63	(0.11)
February	24,144.03	26,379.98	39,259.76	45,122.36	56,934.96		0.21
March	23,836.90	33,717.73	34,763.49	46,228.85	81,691.27		0.43
April	24,868.07	75,356.86	37,422.14	46,611.62	60,354.74		0.23
May	21,945.84	32,071.64	24,839.85	60,352.89	59,047.63		(0.02)
June	17,527.63	21,650.46	22,518.84	43,589.40	41,669.35		(0.05)
July	53,182.66	50,243.72	29,239.56	74,281.24	71,269.47		(0.04)
August	80,166.62	105,875.94	90,106.11	190,977.70	163,532.09		(0.17)
September	151,431.83	179,274.96	170,982.30	233,606.46	217,481.13		(0.07)
October	121,288.07	151,774.01	155,155.28	192,817.13	193,304.52		0.00
November	130,755.88	146,395.83	153,802.89	189,389.35	183,632.90		(0.03)
December	50,151.94	64,974.75	83,368.79	129,991.56	117,612.17		(0.11)
TOTAL	717,103.10	905,493.39	869,876.93	1,293,327.11	1,294,932.05	43,654.63	0.00
Year to Date	17,803.62	17,777.51	28,417.92	40,358.55	48,401.82	43,654.63	(0.11)

	Lodging Tax Revenue							
	2018	2019	2020	2021	2022	2023 % Change	5 yr. Average	
January	126.80	885.93	3,729.44	543.94	1,034.65	8,688.65	88.09%	2,976.52
February	8,318.23	10,816.00	14,088.47	20,282.97	17,982.00		-12.80%	14,297.53
March	3,097.25	145.07	454.00	660.00	11,775.69		94.40%	3,226.40
April	2,002.98	33.00	-	1,489.56	1,091.00		-36.53%	923.31
May	11,375.54	17,612.98	14,069.00	30,651.70	31,766.09		3.51%	21,095.06
June	1,356.34	952.07	300.40	1,007.32	1,525.85		33.98%	1,028.40
July	2,702.84	170.21	573.00	11,854.90	2,241.00		-429.00%	3,508.39
August	11,477.00	14,372.43	13,978.56	57,659.81	31,076.00		-85.54%	25,712.76
September	7,956.78	2,738.12	139.00	248.50	718.26		65.40%	2,360.13
October	666.79	2,848.73	780.48	1,346.59	1,473.79		8.63%	1,423.28
November	43,574.04	47,263.00	58,396.70	76,493.41	71,800.28		-6.54%	59,505.49
December	2,029.95	1,790.37	1,918.52	3,364.85	2,534.04		-32.79%	2,327.55
Total	\$ 94,684.54	\$ 99,627.91	\$ 108,427.57	\$ 205,603.55	\$ 175,018.65	\$ 8,688.65	-17.48%	136,672.44
Year to Date	126.80	885.93	3,729.44	543.94	1,034.65	8,688.65	88.09%	

Remote Town Sales Tax - Month Collected				
	2019	2020	2021	2022
January	226.94	2,665.41	7,137.41	18,727.85
February	49,386.28	5,252.72	6,744.78	7,164.49
March	894.21	4,049.16	10,221.18	9,734.40
April	852.39	5,391.71	6,870.33	7,026.64
May	2,696.78	4,983.35	9,701.78	7,962.66
June	3,444.00	7,827.11	13,826.19	17,869.99
July	2,981.52	11,801.24	16,736.42	14,542.52
August	2,652.50	12,441.45	14,756.06	12,933.86
September	2,286.57	10,544.18	12,717.24	10,280.87
October	2,018.43	8,487.00	27,347.76	17,708.75
November	2,827.77	5,994.61	9,195.92	7,803.27
December	4,688.76	7,310.95	12,788.01	
TOTAL	74,956.15	86,748.89	148,043.08	131,755.30
YTD	67,439.62	73,443.33	126,059.15	123,952.03

Remote County Sales Tax - Month Collected				
	2019	2020	2021	2022
January	41.21	3,806.85	3,628.40	5,753.99
February	84.44	4,410.17	2,876.38	5,470.91
March	398.52	3,236.13	4,696.12	20,226.35
April	151.91	3,304.40	5,449.37	3,221.41
May	325.95	2,775.50	6,212.46	5,873.38
June	661.74	2,510.43	7,899.27	7,016.18
July	861.00	4,350.51	8,226.05	5,981.69
August	1,050.42	4,023.33	6,509.70	6,176.77
September	1,028.90	4,221.36	6,365.70	7,226.03
October	825.95	3,659.87	5,435.83	6,589.09
November	924.35	2,933.00	7,277.72	7,730.04
December	9,228.08	4,317.03	6,835.25	
TOTAL	15,582.47	43,548.58	71,412.25	81,265.84
YTD	6,354.39	39,231.55	64,577.00	81,265.84

Remote Emergency Services Sales Tax - Month Collected				
	2019	2020	2021	2022
January	167.86	4,051.74	6,735.19	15,300.16
February	30,969.48	6,049.12	6,019.09	7,896.61
March	809.27	4,560.71	9,322.30	18,724.25
April	628.71	5,443.90	7,699.31	7,612.23
May	1,892.28	4,857.16	9,945.76	8,646.96
June	2,570.26	6,471.47	13,577.53	15,552.84
July	2,405.48	10,111.26	15,600.53	12,826.79
August	3,702.92	10,307.22	13,290.24	11,943.37
September	2,075.54	9,243.47	11,926.06	10,941.10
October	1,780.63	7,604.14	20,488.41	15,185.16
November	2,348.89	5,585.20	10,295.36	9,707.69
December	8,712.17	7,274.58	12,263.74	
TOTAL	58,063.49	81,559.97	137,163.52	134,337.16
YTD	47,002.43	68,700.19	114,604.42	124,629.47

Total Remote Sales Tax - Month Collected				
	2019	2020	2021	2022
January	436.01	10,524.00	17,501.00	39,782.00
February	80,440.20	15,712.01	15,640.25	20,532.01
March	2,102.00	11,846.00	24,239.60	48,685.00
April	1,633.01	14,140.01	20,019.01	17,860.28
May	4,915.01	12,616.01	25,860.00	22,483.00
June	6,676.00	16,809.01	35,302.99	40,439.01
July	6,248.00	26,263.01	40,563.00	33,351.00
August	7,405.84	26,772.00	34,556.00	31,054.00
September	5,391.01	24,009.01	31,009.00	28,448.00
October	4,625.01	19,751.01	53,272.00	39,483.00
November	6,101.01	14,512.81	26,769.00	25,241.00
December	22,629.01	18,902.56	31,887.00	-
TOTAL	148,602.11	211,857.44	356,618.85	347,358.30
YTD	119,872.09	178,442.07	297,962.85	322,117.30

County Sales Tax (month collected)

	2017	2018	2019			2020			2021		
			Local	Remote	Total	Local	Remote	Total	Local	Remote	Total
January	10,000.08	11,861.72	11,205.30	41.21	11,246.51	10,788.33	3,806.85	14,595.18	12,774.47	3,628.40	16,402.87
February	11,323.27	10,399.61	8,772.61	84.44	8,857.05	10,870.13	4,410.17	15,280.30	12,943.71	2,876.38	15,820.09
March	13,990.92	16,321.32	19,310.39	398.52	19,708.91	9,542.34	3,236.13	12,778.47	20,077.43	4,696.12	24,773.55
April	7,552.19	4,601.13	5,675.84	151.91	5,827.75	6,642.00	3,304.40	9,946.40	12,099.99	5,449.37	17,549.36
May	7,682.30	5,985.49	5,876.94	325.95	6,202.89	14,961.72	2,775.50	17,737.22	7,456.19	6,212.46	13,668.65
June	13,949.50	6,568.03	12,825.21	661.74	13,486.95	8,411.36	2,510.43	10,921.79	24,129.22	7,899.27	32,028.49
July	21,634.93	9,579.78	21,568.05	861.00	22,429.05	17,395.28	4,350.51	21,745.79	21,822.70	8,226.05	30,048.75
August	16,769.39	11,057.45	12,723.74	1,050.42	13,774.16	14,702.81	4,023.33	18,726.14	23,443.66	6,509.70	29,953.36
September	(4,182.80)	11,187.78	14,041.68	1,028.90	15,070.58	13,563.83	4,221.36	17,785.19	22,816.57	6,365.70	29,182.27
October	4,750.60	5,273.24	6,721.34	825.95	7,547.29	13,816.59	3,659.87	17,476.46	14,263.13	5,435.83	19,698.96
November	4,970.71	7,799.87	5,930.45	924.35	6,854.80	13,790.50	2,933.00	16,723.50	11,537.52	7,277.72	18,815.24
December	13,859.09	12,885.86	13,632.71	9,228.08	22,860.79	15,682.24	4,317.03	19,999.27	18,779.24	6,835.25	25,614.49
Total	122,300.18	113,521.28	138,284.26	15,582.47	153,866.73	150,167.13	43,548.58	193,715.71	202,143.83	71,412.25	273,556.08

Emergency Services Sales Tax (month collected)

	2017	2018	2019			2020			2021		
			Local	Remote	Total	Local	Remote	Total	Local	Remote	Total
January	7,037.70	8,924.66	27,980.65	167.86	28,148.51	26,847.59	4,051.74	30,899.33	32,447.80	6,735.19	39,182.99
February	8,265.99	22,040.87	21,749.81	30,969.48	52,719.29	26,943.46	6,049.12	32,992.58	33,038.78	6,019.09	39,057.87
March	11,429.96	23,915.42	31,606.19	809.27	32,415.46	18,988.97	4,560.71	23,549.68	43,877.86	9,322.30	53,200.16
April	6,362.70	58,262.95	16,573.10	628.71	17,201.81	14,879.87	5,443.90	20,323.77	30,509.93	7,699.31	38,209.24
May	12,960.82	36,977.68	33,423.78	1,892.28	35,316.06	24,551.07	4,857.16	29,408.23	45,019.35	9,945.76	54,965.11
June	29,968.07	54,297.30	72,152.85	2,570.26	74,723.11	56,773.64	6,471.47	63,245.11	125,792.28	13,577.53	139,369.81
July	45,477.85	100,795.88	123,864.51	2,405.48	126,269.99	110,539.66	10,111.26	120,650.92	149,173.26	15,600.53	164,773.79
August	33,384.56	82,850.46	101,317.76	3,702.92	105,020.68	98,545.37	10,307.22	108,852.59	125,932.27	13,290.24	139,222.51
September	39,818.53	88,859.04	99,005.06	2,075.54	101,080.60	98,173.46	9,243.47	107,416.93	124,672.32	11,926.06	136,598.38
October	14,380.35	34,697.06	43,619.35	1,780.63	45,399.98	55,526.63	7,604.14	63,130.77	73,062.08	20,488.41	93,550.49
November	5,693.58	22,652.17	19,732.41	2,348.89	22,081.30	30,125.87	5,585.20	35,711.07	31,712.58	10,295.36	42,007.94
December	9,500.78	30,306.85	30,176.30	8,712.17	38,888.47	33,466.13	7,274.58	40,740.71	39,338.81	12,263.74	51,602.55
Total	224,280.90	564,580.34	621,201.77	58,063.49	679,265.26	595,361.72	81,559.97	676,921.69	854,577.32	137,163.52	991,740.84

Town Sales Tax (month collected)

	2017		2018		2019			2020			2021	
			Local	Remote	Total	Local	Remote	Total	Local	Remote	Total	
January	18,150.71	23,836.90	33,491.06	226.94	33,718.00	32,098.08	2,665.41	34,763.49	39,091.44	7,137.41	46,228.85	
February	21,740.67	24,868.07	25,970.59	49,386.28	75,356.87	32,169.42	5,252.72	37,422.14	39,866.84	6,744.78	46,611.62	
March	31,728.94	21,945.84	31,177.43	894.21	32,071.64	20,790.69	4,049.16	24,839.85	50,131.71	10,221.18	60,352.89	
April	17,898.60	17,527.63	20,798.07	852.39	21,650.46	17,127.14	5,391.71	22,518.85	36,719.07	6,870.33	43,589.40	
May	44,161.00	53,182.66	47,514.29	2,696.78	50,211.07	24,256.22	4,983.35	29,239.57	64,579.46	9,701.78	74,281.24	
June	105,922.79	80,166.62	102,431.94	3,444.00	105,875.94	82,279.01	7,827.11	90,106.12	177,151.51	13,826.19	190,977.70	
July	160,276.49	151,431.83	176,293.44	2,981.52	179,274.96	159,181.07	11,801.24	170,982.31	216,870.04	16,736.42	233,606.46	
August	116,768.86	121,288.07	149,121.51	2,652.50	151,774.01	142,713.83	12,441.45	155,155.28	178,061.07	14,756.06	192,817.13	
September	163,456.93	130,755.88	144,109.26	2,286.57	146,395.83	143,258.72	10,544.18	153,802.90	176,672.11	12,717.24	189,389.35	
October	52,770.79	50,151.94	62,956.32	2,018.43	64,974.75	74,881.79	8,487.00	83,368.79	102,643.80	27,347.76	129,991.56	
November	17,803.62	17,777.51	25,590.15	2,827.77	28,417.92	34,363.94	5,994.61	40,358.55	39,205.90	9,195.92	48,401.82	
December	24,144.03	26,379.98	34,571.00	4,688.76	39,259.76	37,811.41	7,310.95	45,122.36	44,146.95	12,788.01	56,934.96	
TOTAL	774,823.44	719,312.94	854,025.06	74,956.15	928,981.21	800,931.32	86,748.89	887,680.21	1,165,139.90	148,043.08	1,313,182.98	

Regional News

Colorado may bolster liability protections for private landowners who let the public recreate on their lands

A state lawmaker is working with trail groups and property owners on legislation that would reform Colorado's recreational use statute

By Jason Blevins The Colorado Sun

Wednesday, Jan 11, 2023 10:42 AM Updated Wednesday, Jan. 11, 2023 12:21 PM



Kendall Cox, a trail crew member with the Colorado Mountain College, packs her bag after installing a No Trespassing sign along the DeCaliBron loop trail July 12, 2022, near Alma. In partnerships with landowners, municipalities and trail groups, the signs are placed to allow hikers access 14ers without conflict on private properties. (Hugh Carey/The Colorado Sun)



Since a federal appeals court in 2019 [sided with a mountain biker who sued the federal government after crashing on an Air Force Academy trail](#), recreational access on private property in Colorado has been under threat.

Landowners have [closed trails](#), and [even entire mountains](#), fearing an injured hiker could sue them for millions. The appeals court decision left landowners unsure that protections in the venerable Colorado Recreational Use Statute are enough to allow people to recreate on their land.

There's an exception in that decades-old statute that didn't mean a lot before the Air Force Academy decision: Landowners could be liable if an injured recreational user can prove a landowner's "willful or malicious failure to guard or warn against a known dangerous condition."

Can a trail be a dangerous condition? How about an old mine? Or a bunch of wet rocks next to rapids? How many signs are needed to warn visitors? How often do landowners need to check those signs?

A Colorado lawmaker is stepping up with a plan to amend the Colorado Recreational Use Statute with added protections for landowners whose attorneys are telling them to lock the gates or get ready to be sued.

And this time, maybe, recreational access won't be such a political football, with partisan squabbling delaying a possible fix for a problem haunting landowners as growing numbers of visitors flock to Colorado outdoors.

"I have a high degree of confidence that this will enjoy widespread support from both chambers and both sides of the aisle," said state Sen. Mark Baisley, a Republican from Woodland Park who is crafting a bill to update recreational access laws with increased protections for landowners who allow recreational visitors to traverse their property. "I really think everyone is pulling in the same direction here."

Baisley has been meeting with landowners who host recreational visitors and are worried about liability. Like John Reiber, who in 2021 closed access to mining claims he owns on popular 14ers Mount Lincoln, Mount Democrat and Mount Bross.

Reiber has since restored access, thanks to support from trail advocacy groups like the Colorado Mountain Club and the Colorado Fourteeners Initiative and the Town of Alma. But he still worries. What if someone removes a sign warning visitors about the dangers of the old mines on his property? His lawyers and insurers are worried, too.

"A lot of carriers won't even touch me," Reiber said. "They want nothing to do with property that can be accessed by the public. I mean I really want people to enjoy the 14ers ... just how can we make it work for the recreating public and still provide landowners with a little better protection so we don't have to go out and buy all this additional, incredibly expensive insurance? I'm hoping we can find common ground here."

David Hersh was the lawyer who represented the cyclist, Jim Nelson, who sued the Air Force Academy after he was injured on a washed-out section of trail in 2008. The 10th U.S. Circuit Court of Appeals in 2019 ruled the Air Force Academy knew about the damaged trail and failed to give proper warning, affirming a \$7.3 million judgment for the cyclist.

Hersh said the decision supported the Colorado Recreational Use Statute protection for landowners unless they act willfully or maliciously in failing to guard or warn of known hazards that are likely to cause harm. He calls the willful and malicious exception for landowners "really very narrow."

"And we have a whole bunch of case law that talks about what constitutes willful or malicious ... so Colorado landowners have real good guidance on what is within that exception," said Hersh, an attorney with the Burg Simpson law firm. "The Nelson case fell pretty far out on that willful spectrum but there are many cases where the court said it was not willful. If we go rewrite the act we will have a blank slate and we will have to wait 20 years for the law to develop to figure out what the new provisions really mean."

Colorado lawmakers in the late 1970s crafted protections for Colorado ski areas that made it very difficult for skiers to sue a resort operator. The Colorado Ski Safety Act, which outlines the responsibilities of both resort operators and skiers, grew from concerns over skyrocketing insurance costs paid by ski areas that could face business-destroying lawsuits.

The Ski Safety Act has been amended several times as resorts identify new issues and skier behavior changes. Recreational access laws should be updated, too, said Lloyd Athearn, the director of the Colorado Fourteeners Initiative.

His outfit is more than a group advocating for sustainable trails on the state's busiest peaks. It owns a bunch of mining claims flanking Mount Shavano and its own lawyers worked hard to script warning signs that help hikers recognize the dangers on the trail.

"It's all about finding a good balance," said Athearn, who is working with Baisley and landowners to help craft the new legislation. "How do we adequately inform the recreating public of the hazards involved? Landowners can't be up there at 14,000 feet every single day of the year so let's fine tune our obligation to inform. Landowners should feel protected when people go through their land to access some of the state's recreational attractions. We all benefit when the landowner is protected."

Kendall Chastain, the conservation manager for the Colorado Mountain Club who works with landowners to allow recreational access, hopes the legislation will spur more property owners to open their acres to the public. She said there may be owners out there who have never considered welcoming visitors.

“There’s a woman we have been working with who has a little pond on her property and she told us if this goes through she will have much less concern with people visiting her pond and crossing through her property to reach public lands,” she said. “I bet there are more people out there like her.”

One sticking point in the current recreational use statute is that it lumps almost all forms of recreation into the same group. That means landowners have limited ability to restrict certain types of recreation that may not work on their property, like, say, motorized users or people panning for gold. Proposed changes in the law would give property owners greater leeway in choosing which type of recreation best fits on their land, Chastain said.

“It does not make sense for some of these properties that everything goes,” she said.

There are many little discrepancies that are being addressed in the proposed legislative adjustment to the recreational use statute.

“There are a lot more voices being heard and concerns are being expressed more clearly and more urgently than in years past,” Chastain said. “We have a lot of strong support for this across many communities.”

In 2019, legislation proposed by then-Rep. Perry Will, a Republican from New Castle, and then-Rep. Donald Valdez, a La Jara Democrat, would have removed the willful and malicious exception from the state’s recreational use statute. It [died in the House Judiciary Committee mere days after it was introduced](#).

Most advocates for reform of the recreational use statute expect trial lawyers to lobby against any changes. Colorado state Sen. Dylan Roberts, an Avon Democrat, said amending the statute “would definitely still be a very controversial topic at the legislature.”

Baisley said he’s held meetings with local communities, trail groups and landowners and sees growing consensus. He expects many lawmakers will step forward to co-sponsor his bill.

“We look at each other and wonder who will oppose this,” he said. “And all we see are the trial lawyers. I understand this may be a source of business for them and we will consider their objections. But I’m feeling hopeful. This is the bill I’m most proud of right now.”

The Colorado Sun is a reader-supported, nonpartisan news organization dedicated to covering Colorado issues. To learn more, go to coloradosun.com.

You might also like



More “forever chemicals” found in Colorado and U.S. freshwater fish, study warns

Jan 17, 2023



2nd Colorado library closes due to meth contamination

Jan 16, 2023



Top 10 federal campaign donors from Colorado in 2022

Jan 16, 2023

MEMORANDUM

January 25, 2023

TO: San Juan County Commissioners

FR: William A. Tookey

RE: Aaron Brill dba CORE Mountain Enterprises LLC

Mr. Aaron Brill representing CORE Mountain Enterprises LLC, has submitted a request to amend CORE Mountain Planned Unit Development (PUD). The current PUD allows for two additional surface lifts. The requested amendment would be to change the language from surface lifts to chair lifts.

The PUD (June 2000) and Proposed Resource Management Plan Amendment and Final Environmental Impact Statement (USDI-BLM August 2004) allowed for two rope tows to facilitate skier access along the ridge from the top of the chairlift.

CORE Mountain was approved as a Planned Unit Development. A PUD like a Subdivision provides the plan for how that property would be developed. What improvements are allowed and where those improvements will be located. It also defines the necessary infrastructure to support those improvements.

4-110 Design and Development Standards For All Improvement and Use Permits section .18C exempts *Ski lifts, tramways, zip-lines and related activities, that as a practical matter, are developed on ridgelines*, from the Skyline Development Standards

Like any improvement in a Subdivision an Improvement in a PUD will require a Land Use Permit or Improvement Permit to allow for staff to review the proposed improvement and to ensure that it meets the approval and conditions of the PUD.

Prior to the issuance of an Improvement permit for the installation of a new lift (surface or chair) the applicant would be required to provide additional information as follows:

1. Proof of ownership of the property that the lift will be located on.
2. A survey of the property on which the lift will be located.
3. A set of signed and stamped engineered plans for the installation of the lift.
4. Documentation that the lift and loading zone are not located within an area of avalanche danger or how the avalanche danger will be mitigated.
5. What will be the access to the lift for construction.
6. How will the lift be accessed for operations.
7. What will be the source of electricity for the lift and where will it be located.
8. That the lift is in compliance with the Colorado Passenger Tramway Safety Board.
9. That the installation of the lift is in compliance with all local, state and federal regulations.
10. Any other information that the Land Use Administrator deems to be necessary.



Willy Tookey <admin@sanjuancolorado.us>

Support Letter for Silverton Mtn chairlift expansion

1 message

Pedal The Peaks Inc <info@pedalthepeaks.biz>

Tue, Jan 24, 2023 at 9:39 AM

To: admin@sanjuancolorado.us

Hello my name is Cliff Pinto and I live at 906 Greene St in Silverton Co. I am writing in support of the purposed changes to the Silverton Mtn operating plan. It is my understanding that the existing plan was approved for two surface lifts in the zone marked for expansion. As times have change within the ski industry I feel that changing these to traditional chairlifts is an acceptable and smart move. This change does not grow the scope of the all ready approved existing plan. Expansion of terrain serviced by the new lifts would broaden the mtns offerings for more visitors and locals. My self and my family are excited to see potential expansion at our favorite ski resort. It will be a great asset to the community for locals and our visitors.

-Cliff Pinto

Sent from my iPhone



January 24, 2023

To San Juan County Commissioners,

The Silverton Area Chamber of Commerce Board is writing to express support for CORE Mountain Enterprise LLC request to amend the approved Planned Unit Development (PUD).

As stated in the San Juan County public hearing announcement: "The request is to amend the PUD for use of Chairlift technology instead of the surface lifts for the two future lifts that were approved with the PUD."

The current PUD approves two "surface lifts" but the amendment request of a "chair lift" would offer a better quality experience for Silverton Mountain guests and therefore would directly benefit Silverton business owners during the winter months. Our winter economy is currently supported by winter tourism dollars and increasing usage and expanding Silverton Mountain with a chairlift would continue to grow our winter economy.

The majority of Silverton businesses in the winter months have a very difficult time generating enough business to sustain full time or part time year around employees. Our small business owners are responsible for creating many full-time and part-time jobs throughout all seasons. An expansion of Silverton Mountain would directly benefit those businesses that are open in the Winter Season, therefore the SACC Board made the decision together to support the amendment language change request.

Thank you for taking the time to consider supporting the proposed amendment.

Sincerely,

Silverton Area Chamber of Commerce Board

Cliff Pinto - President
Holly Huebner - Vice President
Molly Barela -Secretary
Jim Harper
Judy Graham
Dayna Kranker
Melanie Barger
Jen Brill
Bill Walco

Core Mountain Enterprises LLC

P.O. Box 856 Silverton, CO 81433 970-387-5706

William Tookey
San Juan County Administrator
PO Box 466
Silverton, CO 81433

1/6/23

Willy,

Thank you for the opportunity to submit this request for an amendment to our existing Ski Area PUD. On June 13, 2000 the San Juan County Commissioners approved our Ski Area PUD including a double chairlift, two future surface rope tow ski lifts, a 2,200 sq footprint base lodge, and 10 cabins/chalets. We would like to amend the PUD at this time to utilize chairlift technology instead of surface lift technology for the two future lifts that were originally approved with the PUD. Surface lifts are defined as lifts that slide the skier over the snow (rope tows etc). Twenty-one years ago, surface rope tow ski lifts were still in use at many ski areas but currently there are very few surface lift options and are nearly impossible to find. Changes in the ANSI building code that governs ski lifts has made surface rope tow ski lifts obsolete.

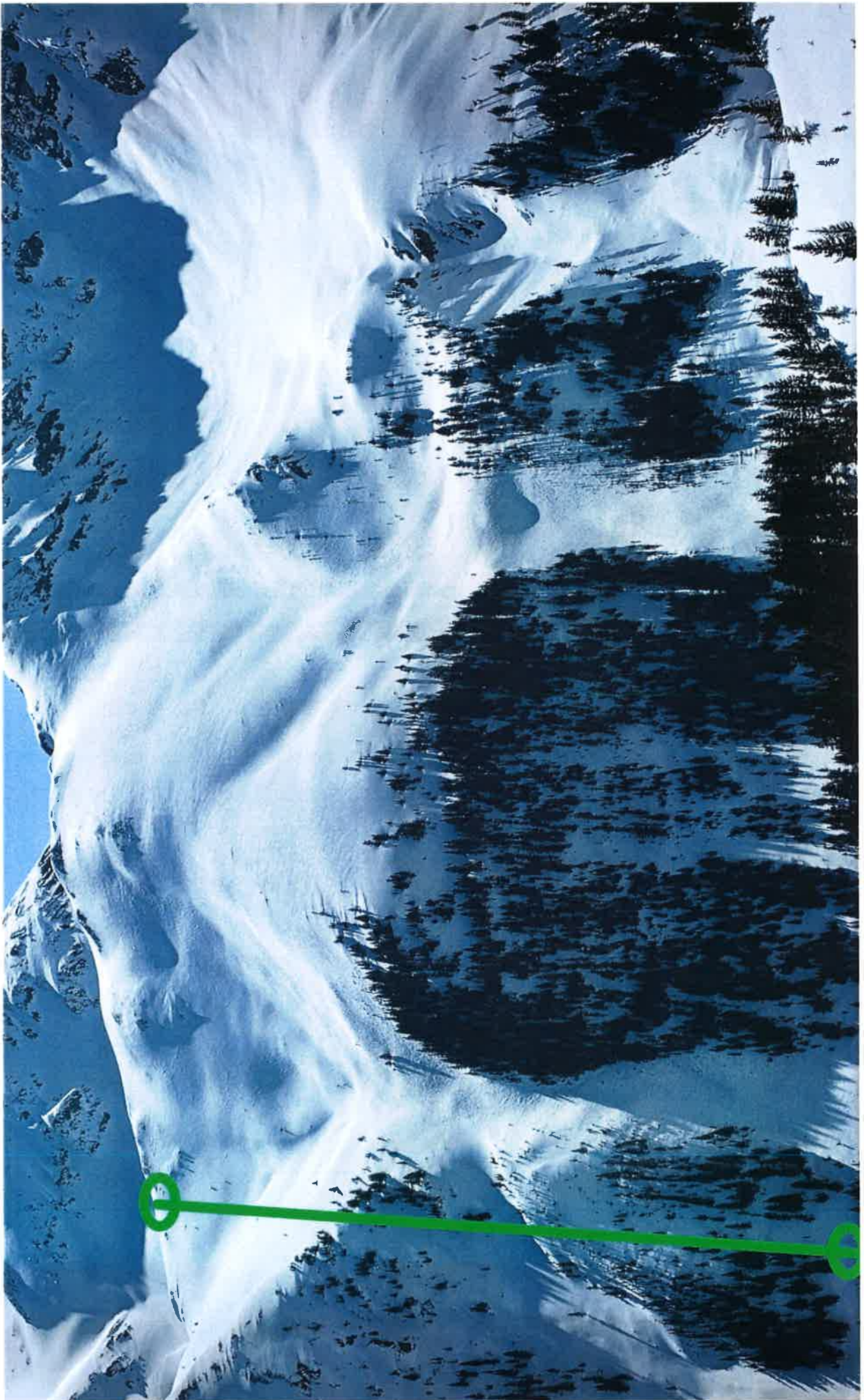
We are requesting to amend our PUD for use of chairlift technology instead of surface lifts for the two future lifts that were approved with the PUD approval from June 13, 2000. Additionally, please see the attached Amended PUD Maps depicting the location of Lift 2 which would be located on private property owned by Core Mountain Enterprises llc.

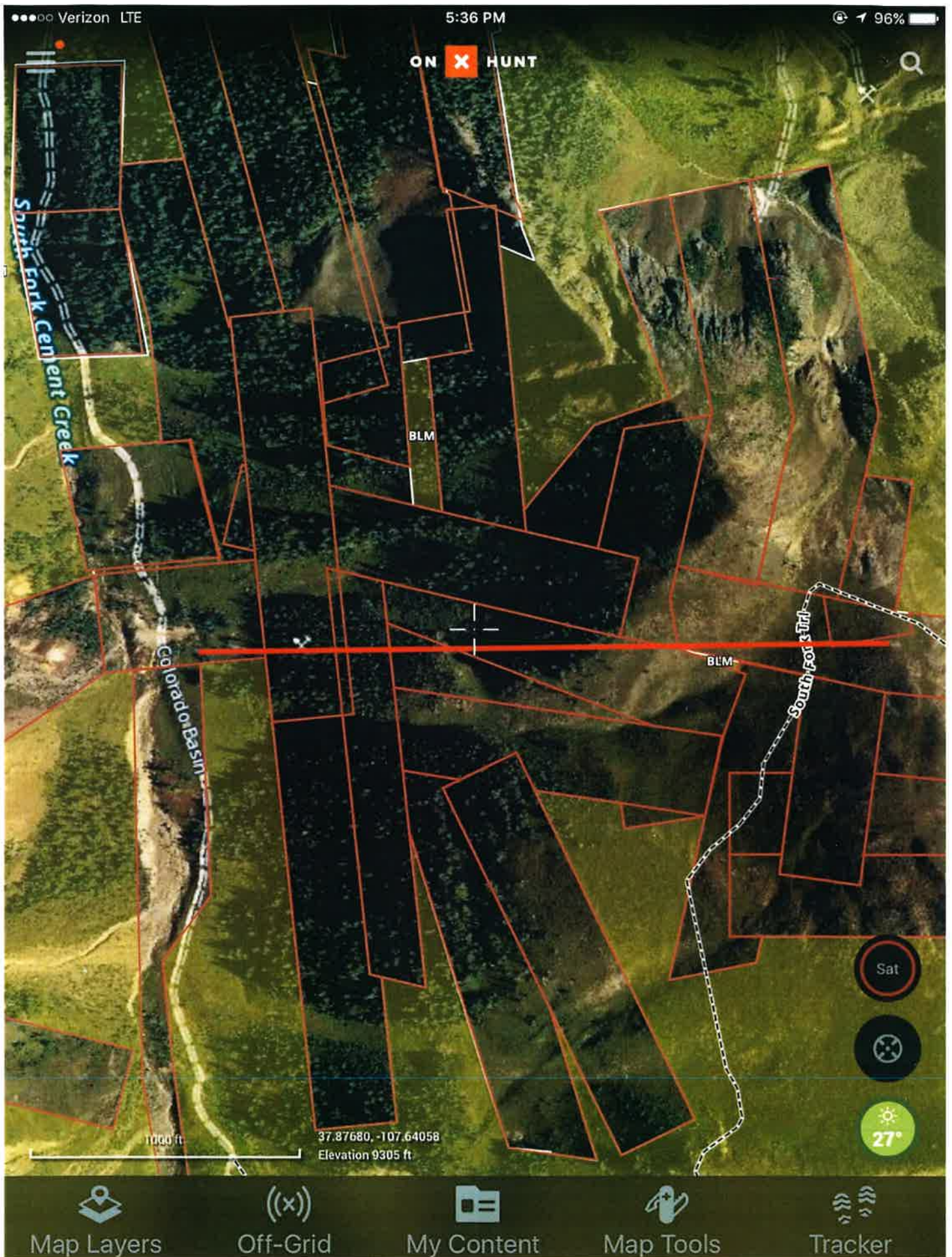
All chairlifts and surface lift installations in Colorado are subject to State of Colorado Passenger Tramway Safety Board permitting, licensing, inspections, rules and regulations and applicable building permits. The Colorado Passenger Tramway Safety Board requires any ski lift to undergo licensing inspections, engineering and load testing. Additionally, all lifts in Colorado undergo continued annual licensing inspections in addition to annual unannounced inspections by Colorado Passenger Tramway Safety Board engineering inspectors.

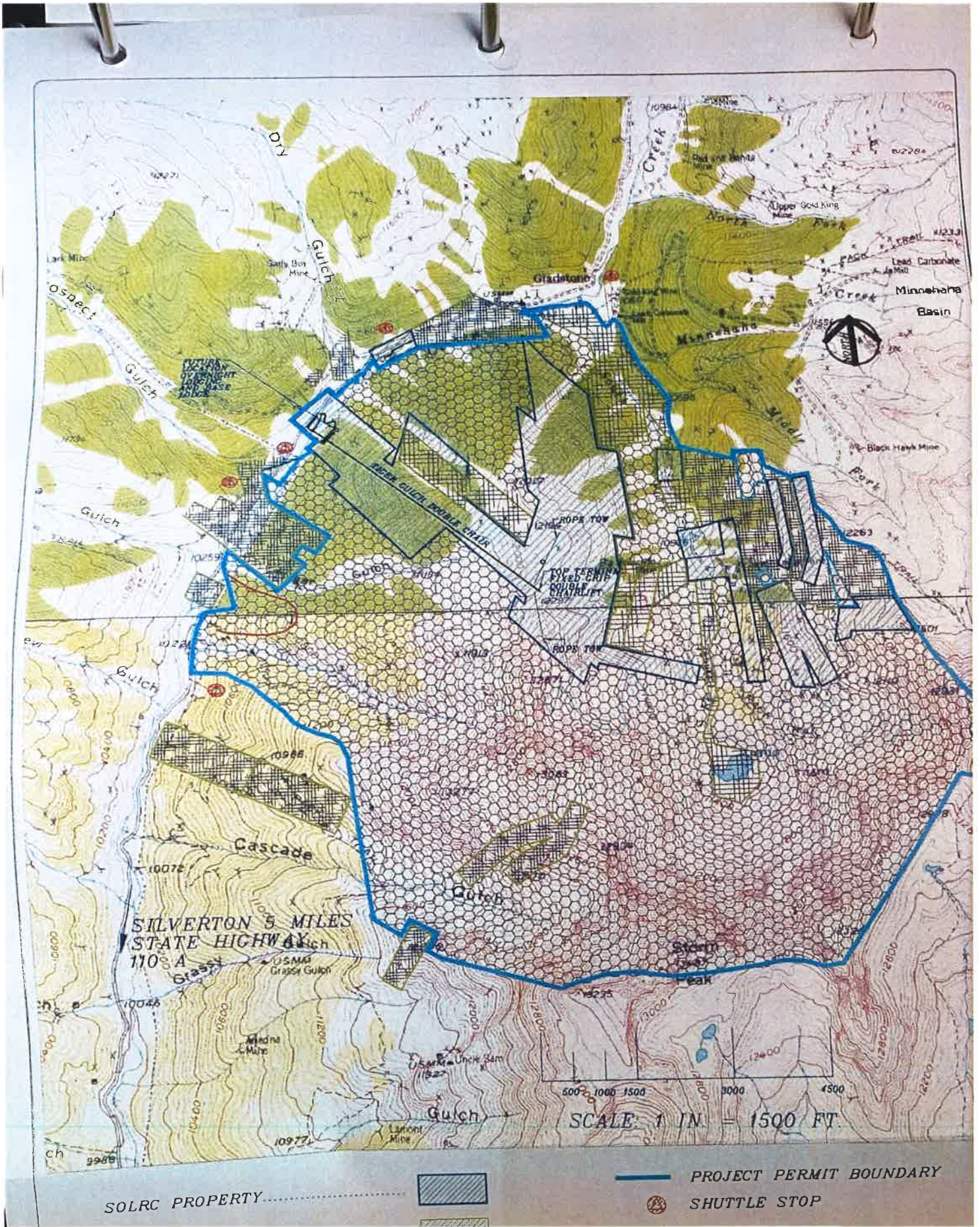
Thank you for the consideration of the San Juan County Commissioners of this PUD amendment request.



Aaron Brill
Manager



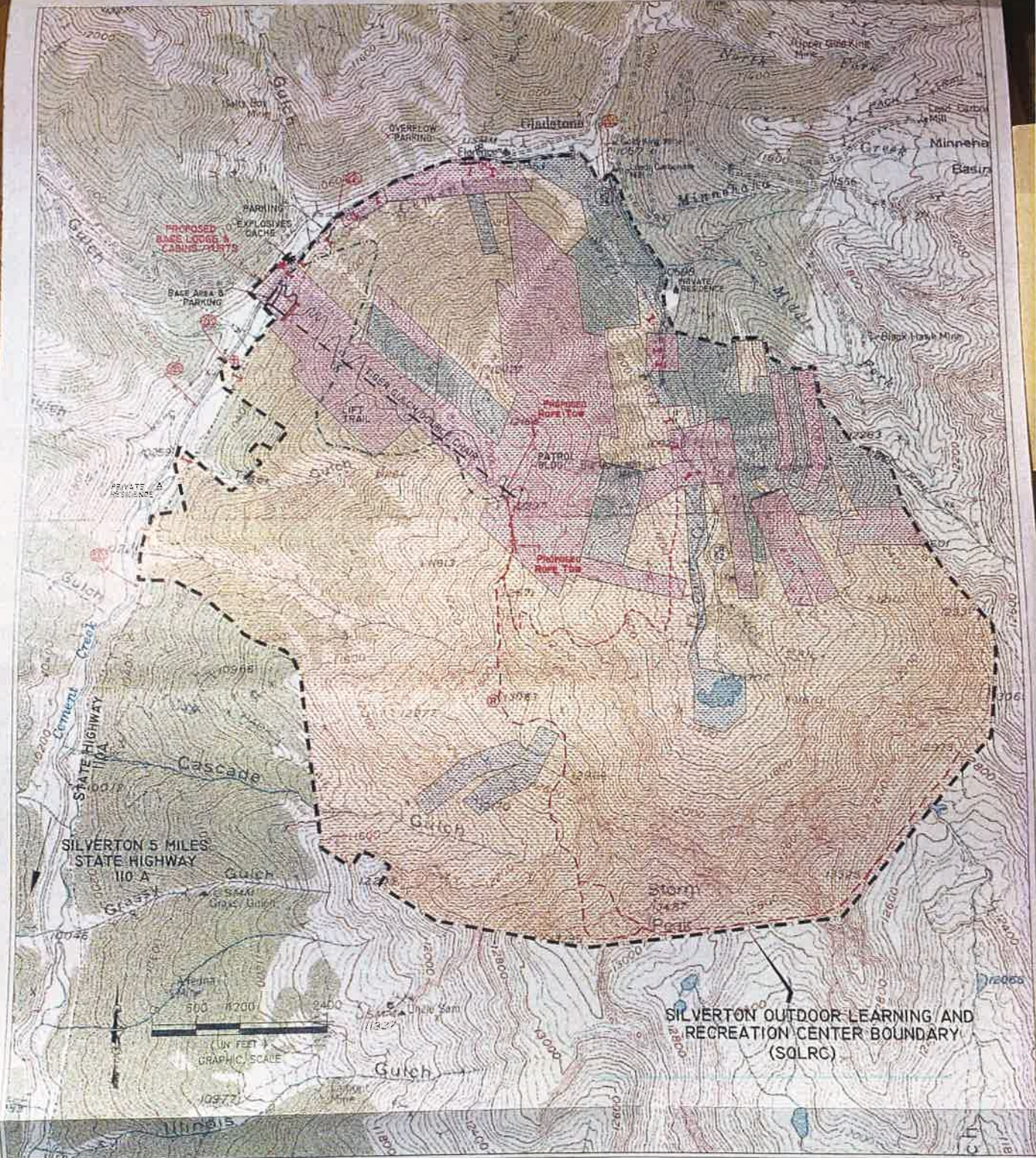




SOLRC PROPERTY

PROJECT PERMIT BOUNDARY
SHUTTLE STOP















LAND OWNERSHIP:

-  SOLRC LAND
(PRIVATE PROPERTY SOLRC OWNS OR HAS RIGHTS TO USE)
-  BLM LAND
-  OTHER PRIVATE LAND
(PRIVATE INHOLDINGS NOT AVAILABLE FOR USE)

PROPOSED ELEMENTS:

-  COLORADO BASIN HIKING TRAIL
-  ALTERNATIVE LIFT TRAIL (ALT. C ONLY)
OR ACCESS ROAD (SAFETY MITIGATION MEASURE)
-  MOUNTAINEERING ROUTE
-  EXPLOSIVES CACHE
-  MAINTENANCE/STORAGE BUILDING
-  HELICOPTER LANDING AREA
-  ROPE TOWS
-  SHUTTLE STOP
-  FOOT BRIDGES
-  RADIO REPEATER

NOTE: EXISTING PROJECT INFRASTRUCTURE SHOWN IN BLACK.

FIGURE 2-I. SOLRC PROJECT ELEMENTS