SAN JUAN COUNTY, COLORADO

BOARD OF COMMISSIONERS MEETING AGENDA

February 9, 2022

DUE TO THE RECENT COVID 19 OUTBREAK SAN JUAN COUNTY WILL CONDUCT ALL OF ITS PUBLIC MEETING VIRTUALLY UNTIL FURTHER NOTICE. THE INFORMATION NECESSARY TO CONNECT TO THIS PUBLIC MEETING IS LISTED BELOW

CALL TO ORDER: 8:30 A.M.

OLD BUSINESS:

Consider Bills and Authorize Warrants
BOCC Regular Meeting Minutes for January 26, 2022

APPOINTMENTS:

8:40 A.M. - Jim Donovan, Emergency Management-COVID Update
9:30 A.M. - Marcel Gaztambide – Outstanding Waters
10:00 A.M. - Martha Johnson, Social Services

CORRESPONDENCE:

Volunteers of America

NEW BUSINESS:

Sidwell GIS Services
Anvil Mountain Apartments-Update
Sales Tax Update
Commissioner and Staff Reports

OTHER:

ADJOURN: Next Regular Meeting – 6:30 PM, Wednesday February 23, 2022

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

SAN JUAN BOARD OF COMMISSIONERS MET FEBRUARY 9, 2022
AND THE FOLLOWING BILLS WERE APPROVED FOR PAYMENT.

23400	CENTURY LINK	SHERIFFS BILL	425.48
23401	MAISEL EXCAVATION, LLC	HOSPITAL COAL	991.20
23402	REPLACED CHECK # 23398		
23403	STATE OF COLORADO DPA	22 RENEWAL	30.06
DD	ABIGAIL H. ARMISTEAD	SHERIFF DEPUTY WAGES	3548.18
DD	AMIE R. BICOCCHI	NURSE ASSIST-SHERIFF WAGES	3862.49
DD	ANTHONY D. EDWARDS	COMMUNICATIONS WAGES	2521.20
DD	ARTHUR J. DONOVAN	EPD WAGES	4459.57
DD	AUSTIN P. LASHLEY	COMMISSIONERS WAGES	273.91
DD	BRUCE T. CONRAD	SHERIFF WAGES	3910.38
DD	DEANNA M. JARAMILLO	TREASURERS WAGES	3307.17
DD	ELIZABETH KREMER	RETAC WAGES	1946.93
DD	ERNEST F. KUHLMAN	COMMISSIONERS WAGES	1991.91
DD	HEATHER A. MACDOUGALL	DEPUTY AD-AS-TREAS WAGES	2332.37
DD	JOHN A. JACOBS	SHERIFF DEPUTY WAGES	1518.88
DD	JON L. GULLION	SHERIFF DEPUTY WAGES	364.83
DD	KERI METZLER	CORONER WAGES	902.32
DD	KIMBERLY A. BUCK	ASSESSOR WAGES	3861.94
DD	KRISTINA L. RHOADES	SOCIAL SERVICE WAGES	2171.38
DD	LADONNA L. JARAMILLO	COUNTY CLERK WAGES	3323.72
DD	LOIS MACKENZIE	NURSE ASSISTANT WAGES	876.07
DD	REBECCA B. JOYCE	COUNTY NURSES WAGES	9789.31
DD	REBECCA J. RHOADES	CUSTODIAN WAGES	973.56
DD	STEPHEN W. LOWRANCE	UNDERSHERIFF WAGES	3903.73
23404	EVELYN V. ARCHULETA	DEPUTY CLERK WAGES	1783.70
23405	FRED W. CANFIELD	SENIOR CITIZENS SHOVELING	705.44
23406	SCOTT L. FETCHENHIER	COMMISSIONERS WAGES	2034.91
23407	TOMMY WIPF	VETS OFFICER WAGES	354.40
23408	WILLIAM A. TOOKEY	ADMINISTRATOR WAGES	4564.00
23409	CITIZENS STATE BANK	ANVIL PAYMENT	5558.98
23410	SPATIALEST	ASSESSORS BILL	10000.00
23411	CITIZENS STATE BANK	FEDERAL TAXES WITHHELD	22989.44
23412	CITIZENS STATE BANK	STATE TAXES WITHHELD	3607.00
23413	GREAT WEST LIFE & ANNUITY	GROUP RETIREMENT	8227.11
23414	CITIZENS STATE BANK	H S A SAVINGS	1450.00
23415	ANTHEM BLUE CROSS	MEDICAL INSURANCE	16993.00
23416	KANSAS CITY LIFE	DENTAL & LIFE INSURANCE	1059.60
23417	VOID		
23418	AFLAC	INDIVIDUAL INSURANCE	177.10
23419	AMWINS GROUP BENEFITS	VISION INSURANCE	198.63
23420	TOWN OF SILVERTON	W/S	1037.06
23421	DR. JOEL, INC	CHECK OUT PRINTER PROBLEM	47.50
23422	STATE OF COLORADO DPA	RENEWALS-TITLE-REG	20.56
23423	APPRASAL INSTITUTE	ASSESSORS BILL	375.00

23424	SAUL'S CREEK ENGINEERING	ASSESSORS BILL	50.00
23425	DEANNE GALLEGOS	PUBLIC INFO OFFICER PAY	1934.96
23426	OFFICE DEPOT	EPD SUPPLIES	249.28
23427	SILERTON FIRE AUTHORITY	1ST QTR PAYMENT	10475.00
23428	SILVERTON AMBULANCE	MONTHLY PAYMENT	7200.00
23429	SILVERTON AMBULANCE	SALES TAX MONTHLY PAYMENT	38333.33
23430	IMAGE NET CONSULTING	SHERIFFS CONSULTING	107.17
23431	IAAO	MEMBER DUES	150.00
23432	IMAGE NET CONSULTING	COPIER USAGE	311.99
23433	VISA	BILLS	2289.62
23434	CCTPTA	TREASURERS RE-CERTIFICATION	10.00
23435	SILVERTON HARDWARE	SUPPLIES	182.64
23436	WEX BANK	SHERIFFS FUEL	1095.35
23437	SILVERTON LP GAS	TANK FILL UPS	5757.75
23438	DENNIS R. GOLBRICHT	JAN 22 SERVICES	1092.00
23439	DEANNA M. JARAMILLO	REIMB OVER PAY INSURANCE	7.06
23440	KENNEN'S PLUMBING	REPLACE STEAM BOILER	20403.60
23441	FORETHOUTHT.NET	BILLS	1160.89
23442	SILVERTON STANDARD	TREASURERS SEMI-ANNUAL	77.76
23443	DEANNE GALLEGOS	JAN 22 PUBLIC INFO PAY	1732.80
23444	SILVERTON LP GAS	HOSPITAL TANK RENT	30.00
23445	SILVERTON CLINIC	REIMB MCKESSON	854.20
23446	ROB GARDINER	COVID TESTING & ADMIN PAY	776.75
23447	CAMERON CROWELL	COVID TESTING PAY	245.00
23448	FRANCIE LEE	COVID TESTING PAY	945.00
23449	DAYNA KRANKER	COVID TESTING PAY	437.50
23450	SILVERTON SCHOOL	REIMB-BENEFITS & FRINGE	3503.20
23451	COLIN TROWER	JAN 22 DEEP CLEANING	120.00
23452	SILVERTON GROCERY	NURSE & CUSTODIAN	1548.61
23453	MAISEL EXCAVATION, LLC	HOSPITAL COAL	941.64
23454	MASTER'S TOUCH, LLC	ASSESSOR ABSTRACT-POSTAGE	1302.61
23455	CENTURY LINK	SHERIFFS BILL	77.40
23456	CO DEPT OF AGRICULTURE	RADAR TUNING FORKS	48.00
23457	VERIZON	SHERIFFS BILL	185.27
23458	SANI SERV. LLC	TOILET ON RED MOUNTAIN	160.00
23459	SAN MIGUEL POWER	BILLS	4032.68
23460	IMAGE NET CONSULTING	SHERIFFS BILL	107.17
23461	SILVERTON SCHOOL	TROWERS MAINTENANCE	4799.54
23462	ANGELES CONSTRUCTION	SENIOR CITIZENS SHOVELING	400.00
TOTAL GENERAL			251605.79

ROAD

6760	CATERPILLAR FINANCIAL	LEASE PAYMENT	41411.89
DD	DAVID L. ANDREWS	ROAD FOREMAN WAGES	3612.47
DD	LOUIS K. GIRODO	ROAD OVERSEER WAGES	4431.32
DD	MICHAEL C. MAXFIELD	ROAD OPERATOR WAGES	3477.83
6761	CITIZENS STATE BANK	FEDERAL TAXES WITHHELD	4185.04
6762	CITIZENS STATE BANK	STATE TAXES WITHHELD	654.00
6763	CITIZENS STATE BANK	H S A SAVINGS	200.00
6764	GREAT-WEST LIFE	GROUP RETIREMENT	946.08
6765	KANSAS CITY LIFE	DENTAL & LIFE INSURNACE	244.30
6766	AMWINS GROUP BENEFITS	VISION INSURANCE	38.03
6767	AFLAC	INDIVIDUAL INSURANCE	62.01
6768	ANTHEM BLUE CROSS	MEDICAL INSURANCE	2362.38
6769	TOWN OF SILVERTON	W/S	566.01
6770	JOHN DEERE FINANCIAL	BILL	114.76
6771	BLOWN AWAY SNOW REMOVAL	NOV 15 THRU JAN 15 2022	2800.00
6772	WHISTLESTOP	FUEL	4434.27
6773	VISA	BILL	1099.53
6774	LAWSON PRODUCTS	SUPPLIES	1188.00
6775	SILVERTON HARDWARE	SUPPLIES	19.84
6776	SILVERTON LP GAS	TANK FILL UP	2129.54
6777	FOUR CORNERS WELDING	KOX-MAC	90.00
6778	SILVERTON GROCERY	BATTERIES	12.49
6779	VOID		
6780	HONNEN EQUIPMENT	SUPPLIES	5080.59
6781	ALSCO AMERICAN INDUSTRIAL	BILL	69.00
6782	SAN MIGUEL POWER	BILLS	314.68
6783	CENTURY LINK	BILL	149.24
TOTAL ROAD			79693.30

GENERAL	351605.79
ROAD	79693.30
TOTAL ALL FUNDS	431299.09

WERE ALLOWED SETTLEMENT IN FULL BY ORDER OF THE SAN JUAN COUNTY COMMISSIONERS.

SCOTT L. FETCHENHIER, CHAIRMAN

ERNEST F. KUHLMAN, COMMISSIONER

AUSTIN LASHLEY, COMMISSIONER

LADONNA L. JARAMILLO, CLERK

SAN JUAN COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING WEDNESDAY, JANUARY 26, 2022
AT 6:30 P.M.

Call to Order: The meeting was called to order by Chairman Scott Fetchenhier. Present were Commissioners Ernest Kuhlman, Austin Lashley, County Attorney Dennis Golbricht, Planning Director Lisa Adair and Administrator William Tookey.

Commissioner Kuhlman moved to approve the minutes of January 12, 2022, with a correction to the date for the terms of the Tourism Board appointments to state for 2022 and 2023. Also discussed was clarifying that there was public comment both in favor and opposed to the Sasquatch Expedition Campers Public Hearing. Commissioner Lashley seconded the motion. The motion passed unanimously.

A Public Hearing was reconvened to receive comment concerning a Land Use Permit Application from Erick Loyer to operate his outfitting and ohv rental operations on the C.B. Cobb Lode in Howardsville. The Public Hearing was tabled at the January 12, 2022 meeting, to provide the Commissioners with additional information. Commissioner Lashley recused himself from the discussion due to a potential conflict of interest. Additional written comment was received that was both in opposition to and in support of the permit application. Several of the neighboring property owners were in attendance and spoke in opposition to the proposed use. Land Use Administrator presented to the Commissioners the additional information that they had requested which included comment from the Sheriff concerning traffic safety and information concerning regulations for operating a pressure washer to clean the OHVs. Sheriff Conrad stated via email that he felt confident that Rock Pirates could operate safely at the proposed location. Mike Harris an Environmental Protection Specialist with The Colorado Department of Public Health and Environment stated the use of a power washer to clean the OHVs on a daily basis would be considered a Low Risk Discharge and does not require a permit. The applicant would be required to comply with the Low Risk Discharge Guidelines as provide by CDPHE.
Upon the closure of the Public Hearing the Commissioners discussed the Permit Application. Staff suggested that they might consider approving the operations on Tract A and B as identified in the application but deny the staging area proposed for Tract C. Preserving Tract C would help reduce the potential historic impact, the impact on wildlife and reduce the number of vehicles on site to help reduce the noise and traffic congestion. Commissioner Kuhlman moved to approve the Land Use Permit application for Tract A and Tract B and deny the staging area on Tract C with the conditions as present by staff and the Planning Commission along the additional following conditions:

1. That the applicant agrees to provide sufficient additional fencing or screening on the portion of the C.B. Cobb Lode identified as Tract A in the Land Use Application, if deemed warranted by the County to minimize the visual and noise impacts upon surrounding properties.
2. That the applicant agrees to modify and/or make the proposed shuttle service mandatory if the service is not utilized sufficiently, as determined by the County, to substantially and adequately reduce the use of private vehicles to access the business.

Gmail Willy Tookey <admin@sanjuancolorado.us>

Local Hospitals still seeing long waits and staffing issues

2 messages

SJC CO Office of Emergency Managment <pio@sanjuancolorado.us> Tue, Feb 8, 2022 at 10:08 AM
Reply-To: pio@sanjuancolorado.us
To: administrator@sanjuancolorado.us

February 8, 2022

COVID-19 POSITIVE CASES TRENDING DOWN IN OUR COMMUNITY, HOWEVER RECENT EMS TRANSPORTS TO LOCAL HOSPITALS HAVE HAD LONG WAITS BECAUSE OF CONTINUED LACK OF AVAILABLE BEDS AND STAFF

Silverton, CO: The Incident Management Team received an update from EMS Director Tyler George about the recent experiences of EMS staff and our local hospitals. Director George stated that area hospitals are seeing long wait times to be seen in the Emergency Rooms, lack of available beds and hospital hallways full of waiting patients. Although we are trending down in local Covid-19 cases, hospitals are still being severely impacted by the pandemic. Doing your part by being vaccinated and getting the booster will help decrease the burden on medical facilities and reduce your risk of having to be transported to the hospital. It is also time to be more conscientious about recreating or increasing your risk of injury because the hospital may not be able to treat you at the level you expect.

"Our community has been doing a great job in keeping ourselves safe from covid and we need to continue our positive trend by each doing our part. It is incumbent on locals to know their level of risk. Higher risk people are to take higher precautions." Tyler George EMS Director

FREE KN95 MASKS FOR LOCALS AVAILABLE AT:

- Silverton Visitor Center
  - open every day 10am - 3pm
- Town of Silverton
  - M-F during operating hours
- San Juan County Public Health Office
  - M-F during operating hours
- Silverton Senior Center
  - contact Keri Metzler
- Silverton Public Library
  - Tues, Wed & Thurs 11am-5p or Fri & Sat 10am - 5pm

COVID-19 TESTING SCHEDULE AT PUBLIC HEALTH 1315 Snowden St.:

- MONDAY, WEDNESDAY, or FRIDAY call 970 387-0242

VACCINE CLINIC AT PUBLIC HEALTH 1315 Snowden St.:

- NO VACCINE CLINIC THIS WEEK FEB 7-11th .

County Commissioners:
Jim Candelaria
Kent Lindsay
Gerald Koppenhafer
County Administrator:
Shak Powers

Board of County Commissioners

109 West Main, Room 302
Cortez, CO 81321
(970) 565-8317
(970) 565-3420 Fax

February 8, 2022

Mrs. Joey Perry
USFS Program Manager

Dear Mrs. Perry;

The Montezuma County Board of County Commissioners is writing you today to request an extension to the comment period for the U.S. Department of Agricultures (USDA) Forest Service's Proposed Rule Establishing Annual Programmatic Administrative Fees for Communications Use Authorizations published December 22, 2021.

The current comment period, which closes February 22, 2022, is too short for affected stakeholders to evaluate the impacts on emergency services authorizations fully. Montezuma County has two towers that may be affected.

A further concern we have with the notification of the Programmatic Administrative Fees is that The USFS gave no prior notification notice to the Montezuma County Board of County Commissioners before the announcement in the Federal Registry. We believe this is a violation of the Federal Lands Management Act (FLPMA), which clearly states how the USFS will interact with Local and State governments before federal actions are proposed. FLPMA states; Congress directs that the Agency implement this requirement by doing the following;

1. Keep appraised of State, local, and tribal land use plans;

2. Assure that consideration is given to local plans when developing a federal plan, policy or management action;

3. Provide early notification (prior to public notice) to the local government of the development of any plan, policy, or action;

4. Provide an opportunity for meaningful input by local government into development of the plan, policy, or Action; and

5. Make all practical efforts to resolve conflicts between federal and local policy, and reach consistency.

"Coordination" is not optional, is separate from Public Input, and has a precise meaning in the Congressional mandates to Federal Agencies. It requires a government-to-government interaction, each of equal standing, between the Local Government and the Federal Agency.
Specifically, 16 United States Code, Section 1604, among other things, requires the Forest Service to,,, "develop, maintain and, as appropriate revise land use plans ---and to coordinate with the land and resource management planning processes of state and local governments and other Federal Agencies." Montezuma County asserts that adequate coordination has not taken place as per congressional directive; specifically, the USFS lacks early notification and makes all practicable efforts to reach consistency.

As we understand the proposed rule, Montezuma County could potentially be charged approximately $2,800 for authorizations on towers located on USFS Lands. While this fee seems minor and straightforward, it gets more complicated quickly. Montezuma County owns the Dolores Tower, and it is dedicated solely to emergency services. The Dolores Tower is critical for law enforcement, fire departments, emergency medical teams, wildfire crews, search and rescue teams, Colorado Parks and Wildlife, and Colorado State Patrol dispatch. Also included on this list are BLM and Forest Service. We allow the use of our towers to any public safety entity in need, and we have never charged a fee to any of them.

Montezuma County is the sole maintainer of this tower and building, the included:

- VHF, DTRS, radio hardware/software
- The emergency generator
- The interior telephone communication lines
- The electricity and propane costs
- The immediate surrounding area

This site is only used for public safety communication equipment and not for personal use or monetary gain.

We ask that the comment period be extended by 30 days for further evaluation with the above in mind. To reach consistency between governments, we request that the proposed fee increase be reconsidered, or there be a waiver considered for the fee in light of the service we have freely provided to the above agencies, including the Forest Service. It may be understandable for us to pay a fee if we were a for-profit organization, but move money from one government pocket to another. At the same time, we all provide public service is inefficient and unconscionable.

While the fees may be nominal, taking anything out of the public safety coffers, mainly when the Agency receives mutual benefit, may have unacceptable consequences. Montezuma County respectfully requests a 30-day extension for a more robust evaluation of the program and its effect on both agencies.

Respectfully,

The Montezuma County Board of County Commissioners.

Jim Candelaria | Kent Lindsay | Gerald Koppenhafer

Volunteers of America
COLORADO

A Ministry of Service

Rachel Bauske Frasure, Senior Director
David K. Schunk, President

Southwest Safehouse,
Durango Community Shelter
and Veteran Services
P.O. Box 2107
Durango, CO 81302
Phone: 970.259.1021
www.voacolorado.org

January 12, 2022

San Juan County
PO Box 466
Silverton, CO 81433-0466

Dear Friends,

All residents and staff of the Volunteers of America Southwest Safehouse and Durango Community Shelter wish to express our heartfelt gratitude for your generous contribution of $300.00. Your support helps displaced children, women, and men in our community as they work to rebuild their lives. Our programs continue to be successful because of compassionate and caring community members like you.

Every day the Southwest Safehouse and Durango Community Shelter provide safe shelter, clothing, food, and life-skills counseling to children, women, and men in desperate need. In 2020, the Southwest Safehouse provided 2,375 nights of shelter to 107 survivors of domestic violence, including 30 children. The Durango Community Shelter provided 7,610 nights of shelter to 212 individuals, 46% of whom were women and children. The Southwest Safehouse and Durango Community Shelter continue to be the only options in this community for families and individuals fleeing domestic violence or experiencing homelessness.

It is heartening to know that we live in a community where so many give to and support the work we do. Literally hundreds of lives are changed each year through compassionate and supportive services provided at the Durango Community Shelter and Southwest Safehouse. Thank you again for making this work possible.

Sincerely,

Rachel Bauske Frasure

Thank you so much for your support!

Rachel Bauske Frasure
Senior Director
Volunteers of America
970-259-1021
rbauske@voacolorado.org

P.S. For IRS reporting purposes, we wish to state that you received no goods or services for this contribution.

COLORADO'S OUTSTANDING WATERS DESIGNATIONS HELP SAFEGUARD WATER QUALITY

Outstanding Waters

Outstanding Waters (OW) is a designation awarded to reaches of streams, rivers or other bodies of water with high water quality and exceptional recreational or ecological significance that are deemed worthy of increased protections by the State of Colorado. The intent of the designation is to preserve the high quality of the designated reaches for future generations. For a stream or part of a stream to qualify, it must meet specific water-quality criteria gathered across a wide range of measures.

Protection of Colorado's highest quality streams is vital to our state and our way of life. Clean water is not only critical for drinking water for our communities, but also for habitat for fish and other wildlife, farming and ranching, recreation and the long-term economic development of Colorado's towns.

A river or water body that is designated as an OW receives special water quality protections within and upstream of the reach, protecting it from long-term degradation, that is, from deterioration of existing water quality conditions.

An OW designation is awarded through the Water Quality Control Commission (WQCC) of the Colorado Department of Public Health and Environment (CDPHE). Designation occurs through a three-year rulemaking hearing process that includes three public hearings.[1]

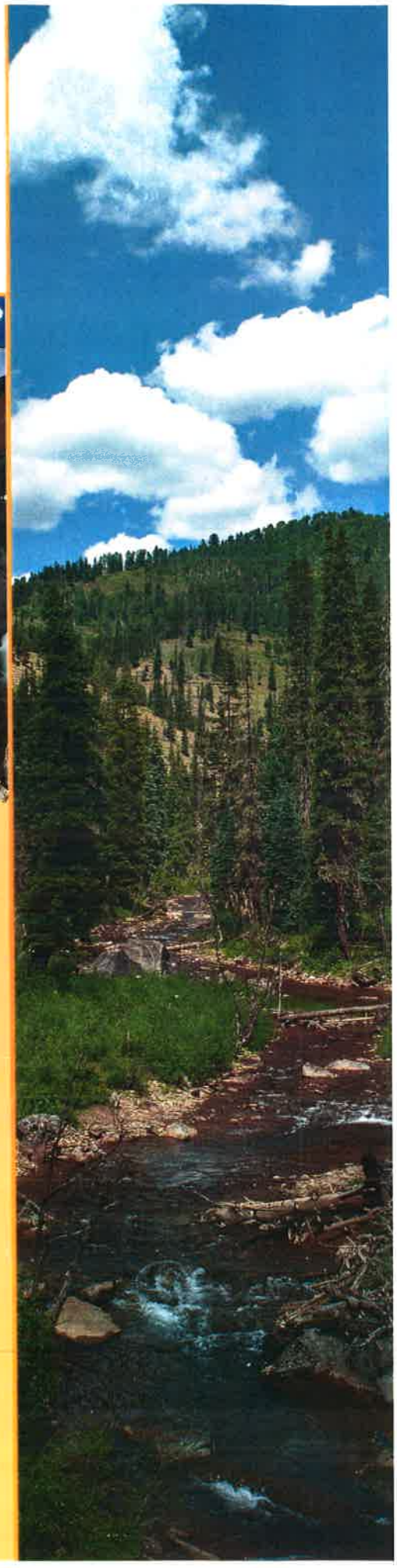
[1] https://cdphe.colorado.gov/wqcc-public-participation

How are Outstanding Waters designated?

Any person may nominate any state water for designation as an OW.

OW nominations are evaluated by basin on a rotating triennial (every-three-years) review schedule by the CDPHE's WQCC. The process to propose an OW nomination takes multiple years and includes substantial water sampling across all seasons, rigorous data analysis and evaluation, extensive public outreach, and three public hearings where public comment is encouraged.

Pictured Right: Hermosa Creek – designated OW in 2009



The FAQs

What does an Outstanding Waters designation do?

An OW designation protects a defined reach of a stream, river or lake that has a very high level of existing water quality from future degradation of that water quality. Waters designated as OW have to be maintained and protected at their existing quality. Only short-term degradation of existing quality is allowed and only for activities that result in long-term ecological or water quality benefit or clear public interest.

Does Outstanding Waters Designation Affect Water Rights?

No. OW is about water quality; it does not affect water rights, which are about flow. OWs offer a unique, state-level designation (within the legal framework of the federal Clean Water Act) to protect existing water quality, while allowing for the exercise of valid water rights.

Are Preexisting Activities Such As Grazing Affected?

OW protections only prevent new or increased sources of pollution in designated streams. Preexisting uses, such as grazing and recreation, as well as Water Quality Control Division (WQCD) permitted activities can continue at the levels and intensities in place at the time of designation. In other words, as long as a preexisting use does not increase pollution in a stream, OW would not limit that use. If a use (such as grazing or recreation) does not currently require a permit from WQCD, that would not change under an OW designation – no new permit would be required.

Are New, Long-Term Activities Allowed Near Or Along Outstanding Waters Reaches?

New activities may also take place so long as they do not result in any degradation of the high levels of water quality of the given reach (relative to the quality at the time of OW designation).

Are Short-Term, Temporary Activities Allowed?

Short-term water quality degradation of a waterbody designated as an OW may be allowed to occur for activities that result in long-term ecological or water quality benefit or clear public interest– for example, for restoration of a campground- so long as that degradation is minimized and water quality returns to its prior high-quality condition after the activity is completed.

Can an Outstanding Waters designation go through private land?

Yes. OW designations can go through private land as long as the designation criteria for OW are met. An OW designation prohibits any new activity or any expanded activity that could degrade water quality below designated levels for a given reach, ensuring clean water for rivers flowing through private property.

How are downstream water users affected by an Outstanding Waters designation?

Downstream water users are not impacted by an OW designation other than benefiting from the protection and delivery of high-quality water downstream.

OUTSTANDING WATERS – HOW ARE THEY DESIGNATED?

Outstanding Waters (OW) is a designation awarded to reaches of streams, rivers or other bodies of water with high water quality and exceptional recreational or ecological significance that are deemed worthy of increased protections by the State of Colorado. The intent of the designation is to prevent degradation, thus preserving existing high water quality for future generations.

An OW designation is made through the Water Quality Control Commission (Commission) in the Colorado Department of Public Health and Environment (CDPHE). Designations are made as part of the Commission's triennial rulemakings held on a rotating basis for basins around the state; each basin rulemaking process is spread over three calendar years from scoping, through issues formulation, to final action.

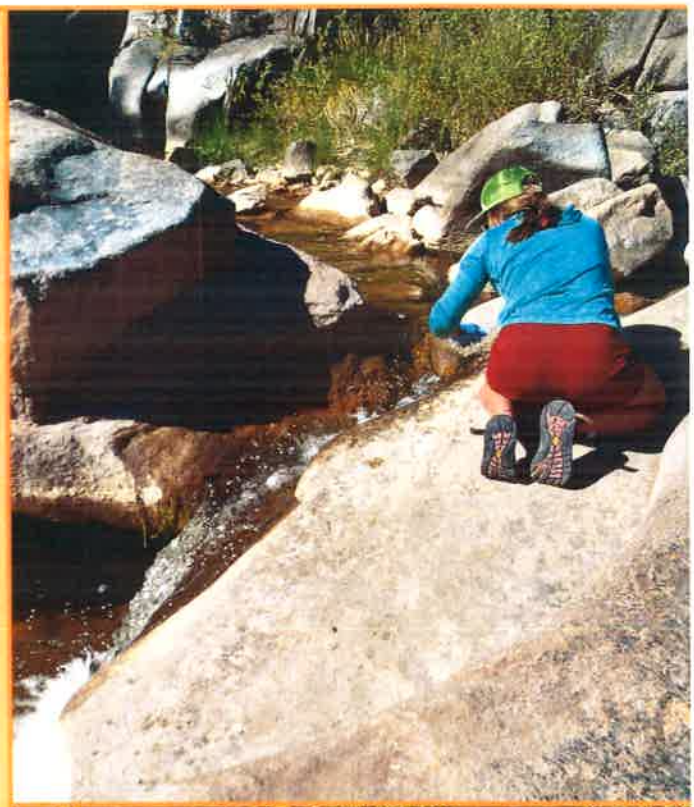
To qualify as an OW, a waterbody must meet three key criteria:

1

Waters must constitute an outstanding natural resource, with "exceptional recreational or ecological significance" and not modified by human activities in ways that substantially detract from their natural resource values. Examples include Gold Medal trout fisheries, native cutthroat trout recovery waters, waters with outstanding opportunities for recreation such as boating, swimming, and fishing, as well as waters within national parks, monuments, wildlife refuges, and wilderness areas.

2

Waters must require protection in addition to that provided by water quality classifications, standards, and protections from the CDPHE. For example, the Commission has recognized the need for native trout to have water quality maintained at existing high levels in light of those species' sensitivity to water pollution. Similarly, wilderness areas require protection at their existing high-quality levels to maintain that "untrammeled by man" wilderness quality.



3

Waters must be equal to or better than the water quality standards for 12 key parameters to support aquatic life, recreation, and/or domestic water supply uses. **These parameters are:**

pH affects many chemical and biological processes in surface water. For example, at low pH metals are typically more soluble and more toxic to aquatic life.

E. coli is a group of bacteria that have the potential to cause sickness and disease; excessive E. coli in surface water could harm humans that inadvertently swallow water while recreating.

Dissolved oxygen (DO) is a measure of oxygen available to aquatic organisms; some aquatic organisms require abundant DO while others are adapted to survive with less.

Nutrients are essential for living organisms and exist in different forms that naturally cycle through the atmosphere, terrestrial and aquatic ecosystems. Excess nutrients, however, can adversely affect aquatic habitat and become toxic to sensitive aquatic species. Nutrients used in evaluating potential OWs are:

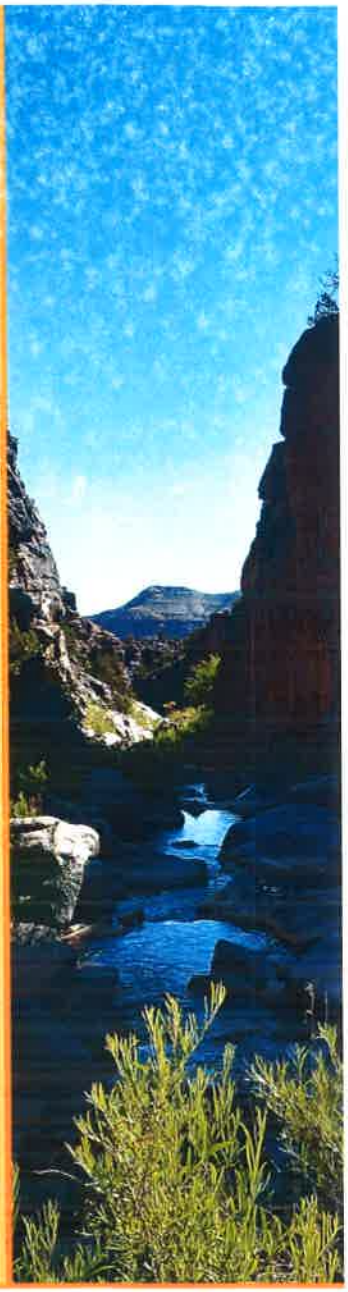
- chronic ammonia
- nitrate

Source: 5 CCR 1002-31.8 (2)(a)

Metals and other trace elements are found in surface water from natural sources such as the weathering of rock, but can also be elevated due to disturbances such as wildfire or historic mining, causing harmful impacts on aquatic life. Metals measured in evaluating potential OWs are:

- chronic cadmium
- chronic copper
- chronic lead
- chronic manganese
- chronic selenium
- chronic silver
- chronic zinc

Representative data across multiple seasons should be sampled to demonstrate that water quality is indeed equal to or better than these water quality requirements.



Water quality parameters required for Outstanding Waters consideration

Target Analyte	Fraction Evaluated	Use classified by Water Quality Control Division	Water quality standard	Assessment statistic
pH	N/A	Aquatic Life	6.5 - 9.0	15th - 85th percentile
Dissolved Oxygen	N/A	Aquatic Life	6.0 / 7.0 mg/l	15th percentile
E. coli	N/A	Recreation	126 /100ml	Geometric mean
Ammonia	Total	Aquatic Life - Chronic	pH and temperature dependent standard	85th percentile
Nitrate or Nitrate-Nitrite	Total	Domestic Water Supply Use	10 mg/l	85th percentile
Cadmium	Dissolved	Aquatic Life - Chronic	Hardness-based standard	85th percentile or exceedances in less than 15% of samples
Copper	Dissolved	Aquatic Life - Chronic	Hardness-based standard	
Lead	Dissolved	Aquatic Life - Chronic	Hardness-based standard	
Manganese	Dissolved	Aquatic Life - Chronic	Hardness-based standard	
Selenium	Dissolved	Aquatic Life - Chronic	4.6 ug/l	85th percentile
Silver	Dissolved	Aquatic Life - Chronic	Hardness-based standard	85th percentile or exceedances in less than 15% of samples
Zinc	Dissolved	Aquatic Life - Chronic	Hardness-based standard	
Additional parameters				
Water temperature	N/A	N/A	N/A	N/A
Calcium	Dissolved	N/A	N/A	N/A
Magnesium	Dissolved	N/A	N/A	N/A
Arsenic	Total	Domestic Water Supply Use	0.02 ug/l	50th percentile

Reference: Colorado Department of Public Health and Environment (CDPHE). (2018). Regulation No. 31 - The Basic Standards and Methodologies for Surface Water (5 CCR 1002-31), effective 1/31/18.

Statement of Basis and Purpose for Regulation 34
June 13-14, 2022 Rulemaking

Submitted by American Rivers, American Whitewater, Colorado Trout Unlimited, Conservation Colorado, Dolores River Anglers (Chapter 145 Trout Unlimited), High Country Conservation Advocates, The Pew Charitable Trusts, San Juan Citizens Alliance, Trout Unlimited and Western Resources Advocates

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Water Quality Control Commission

REGULATION NO. 34 - CLASSIFICATIONS AND NUMERIC STANDARDS FOR SAN JUAN RIVER AND DOLORES RIVER BASINS

5 CCR 1002-34

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

34.54 STATEMENT OF BASIS, SPECIFIC STATUTORY AUTHORITY AND PURPOSE; JUNE 13-14, 2022 RULEMAKING; FINAL ACTION AUGUST 8, 2022; EFFECTIVE DATE DECEMBER 31, 2022

The provisions of C.R S. 25-8-202(1)(a), (b) and (2), 25-8-203; 25-8-204; and 25-8-402; provide the specific statutory authority for adoption of these regulatory amendments. The Commission also adopted in compliance with 24-4-103(4) C.R.S. the following statement of basis and purpose.

Statement of Basis and Purpose

A. **Waterbody Segmentation**

Some renumbering and/or creation of new segments in the basin was made due to information which showed that new water quality data indicated that streams should be resegmented based on changes in their water quality; and/or certain segments could be grouped together in one segment because they had similar quality and uses. The following changes were made:

Animas and Florida River Basins

Bear Creek, Boulder Creek, Cascade Creek. Bear Creek and Boulder Creek were removed from segment 6 and placed in segment 12c. The upper portion of Cascade Creek was removed from segment 12a and placed in segment 12c. This segmentation combines reaches with similar use classification, standards, and Outstanding Waters (OW) designation. Segment 12c is now defined as:

12c. Hermosa Creek, including all tributaries, from the source to immediately below the confluence with Long Hollow, except for the East Fork of Hermosa Creek. Mainstem of Bear Creek, including tributaries and wetlands, from its source to the confluence with Mineral Creek. Mainstem of Boulder Creek, including tributaries and wetlands, from its source to the downstream public land boundary. Mainstem Cascade Creek including tributaries and wetlands from source to Tacoma diversion.

To maintain consistency with segmentation changes, segment 12c was excluded from segment 6.

Grasshopper Creek and Lime Creek. Grasshopper Creek and Lime Creek were removed from segment 12a and placed in segment 1. This segmentation combines reaches with similar use classification, standards, and OW designation. Segment 1 is now defined as:

1. All tributaries to the Animas River and Florida River, including all wetlands, which are within the Weminuche Wilderness Area. Mainstem Grasshopper Creek including tributaries and wetlands from source to confluence with Animas River. Mainstem Lime Creek including tributaries and wetlands from source to confluence with Cascade Creek.

To maintain consistency with segmentation changes, segment 1 was excluded from segment 12a.

Dolores River Basin

Bear Creek, Priest Creek, Wildcat Creek, Stoner Creek, Mainstem Dolores River and wetlands and tributaries from source to below confluence with Snow Spur Creek. Those portions of Bear Creek, Priest Creek, Stoner Creek, and Wildcat Creek that lie within the boundaries of the San Juan National Forest were moved from segment 5a to 5b. The Dolores River from its source to below the confluence with Snow Spur Creek, was moved from segment 2 to Segment 5b. All wetlands and tributaries to the mainstem of the Dolores from its source to below the confluence with Snow Spur Creek were moved from segment 5a to 5b. Segment 5b is now defined as:

5b. the mainstem of Rio Lado from the source to the confluence with the Dolores River. Mainstem of Little Taylor Creek from the source to the confluence with Taylor Creek. Mainstems of Bear Creek, Priest Creek, Wildcat Creek and Stoner Creek, including tributaries and wetlands, from their sources within the San Juan National Forest to the National Forest Boundary. Mainstem of the Dolores River, including tributaries and wetlands, from the source to a point immediately below the confluence with Snow Spur Creek, except for the listings in Segment 1.

This segmentation combines reaches with similar use classification, standards, and OW designation.

To maintain consistency with segmentation changes, segment 2 is now defined as:

2. Mainstem of the Dolores River from a point immediately below the confluence with Snow Spur Creek to a point immediately above the confluence with Horse Creek.

Coal Creek, Slate Creek, and West Fork Dolores River. Coal Creek was removed from segment 7 and placed in segment 1. Slate Creek was removed from segment 6 and placed in segment 1. The upper portion of the mainstem of the West Fork Dolores River was removed from segment 10a and placed in segment 1. This segmentation combines reaches with similar use classification, standards, and OW designation. Segment 1 is now defined as:

1. All tributaries and wetlands to the Dolores River and West Dolores River which are within the Lizard Head Wilderness area. Mainstem of the West Fork of the Dolores River, including wetlands, from Lizard Head Wilderness boundary to the bridge at County Road 38. Mainstems of Coal Creek and Slate Creek, including tributaries and wetlands, from the boundary of the Lizard Head Wilderness Area to their confluences with the Dolores River.

To maintain consistency with segmentation changes, segment 1 was excluded from segment 10a; segment 7 was deleted; and segment 6 is now defined as:

6. Mainstem of Coke Oven Creek, from the Lizard Head Wilderness Area boundary to its confluence with the Dolores River.

San Juan River Basin

Fall Creek, Wolf Creek, and Quartz Creek. Fall Creek, Wolf Creek, and Quartz Creek were removed from segment 5 and placed in segment 4. This segmentation combines reaches with similar use classification, standards, and OW designation. Segment 4 is now defined as:

4. All tributaries to the San Juan River, Rio Blanco, and Navajo River including all wetlands which are within the Weminuche Wilderness area and South San Juan Wilderness Area. Mainstem of Fall Creek, including tributaries and wetlands, from its source to the irrigation diversion just upstream from the confluence with Wolf Creek. Mainstem of Wolf Creek, including tributaries and wetlands, from the boundary of the Weminuche Wilderness area to the confluence with Fall Creek. Mainstem of Quartz Creek, including tributaries and wetlands, from the boundary of the South San Juan Wilderness area to the boundary of the San Juan National Forest.

To maintain consistency with segmentation changes, segment 4 was excluded from segment 5.

B. **Changes to Antidegradation Designation**

The Commission reviewed changes to segments AF12C, AF01, DO05b, DO01 and SJ04 to determine if the Outstanding Waters (OW) designation is warranted. Based on evidence that shows the water quality meets the requirements of section 31.8(2)(a), and on the presence of unique conservation values possessed by these stream segments, the OW designation was added to

[*List to be completed following preliminary final action by the commission.*]

Outstanding Waters Designation

The Southwest Colorado Outstanding Waters Coalition (or the Coalition) proposed the classification of OW for numerous segments in the Gunnison and San Juan Basins in order to protect water quality to the highest level possible under state regulations, to support fish, wildlife and vegetation habitat mitigation, and to preserve outstanding stream segments that provide climate refugia.

The Commission added the OW designation to the following segments based on the following evidence:

Animas River Basin

Boulder Creek. Based on ample evidence that water quality meets the requirements of 31.8(2)(a) and the presence of outstandingly remarkable ecological values for aquatic habitat and drinking water supply, OW designation was warranted and Boulder Creek was added to segment 12c.

Bear Creek. Based on ample evidence that water quality meets the requirements of 31.8(2)(a) and the presence of outstandingly remarkable ecological values for aquatic habitat and drinking water supply, OW designation was warranted and Bear Creek was added to segment 12c.

Upper Cascade Creek. Based on ample evidence that water quality meets the requirements of 31.8(2)(a), on the presence of outstandingly remarkable values for aquatic habitat, recreational paddling, and swimming, and on the availability of pristine backcountry recreational fishing, hunting, camping, and hiking opportunities, OW designation was warranted and Upper Cascade Creek was added to segment 12c.

Lime Creek. Based on ample evidence that water quality meets the requirements of 31.8(2)(a), on the presence of outstandingly remarkable values for aquatic habitat, recreational paddling and swimming, and on the availability of pristine backcountry recreational fishing, hunting, camping, and hiking opportunities OW designation was warranted and Lime Creek was added to segment 1.

Grasshopper Creek. Based on ample evidence that water quality meets the requirements of 31.8(2)(a), on the presence of outstandingly remarkable ecological values for aquatic habitat, including for sensitive trout species, and on the existence of an essentially undisturbed montane watershed environment with wilderness values, OW designation was warranted and Grasshopper Creek was added to segment 1.

San Juan River Basin

Fall Creek. Based on ample evidence that water quality meets the requirements of 31.8(2)(a) and the presence of outstandingly remarkable ecological values for aquatic habitat, including habitat for San Juan cutthroat trout, and wilderness values, OW designation was warranted and Fall Creek was added to segment 4.

Wolf Creek. Based on ample evidence that water quality meets the requirements of 31.8(2)(a) and the presence of outstandingly remarkable ecological values for aquatic habitat, including habitat for San Juan

cutthroat trout, and wilderness values. OW designation was warranted and Wolf Creek was added to segment 4.

Quartz Creek. Based on ample evidence that water quality meets the requirements of 31.8(2)(a) and the presence of outstandingly remarkable ecological values for aquatic habitat, including habitat for sensitive cutthroat trout species, and wilderness values, OW designation was warranted and Quartz Creek was added to segment 4.

Upper Dolores River Basin

Bear Creek. Based on ample evidence that water quality meets the requirements of section 31.8(2)(a), on the presence of increasingly-critically-challenged, conservation-quality, native Colorado River Cutthroat populations and habitat throughout the stream segment; on the existence of an essentially undisturbed montane watershed environment; and on the availability of pristine backcountry recreational fishing, hunting, camping, and hiking opportunities, that portion of Bear Creek that lies within the boundaries of the San Juan National Forest was added to segment 5b and designated as OW.

Coal Creek. Based on ample evidence that water quality meets the requirements of section 31.8(2)(a), on the presence of increasingly-critically-challenged, conservation-quality, native Colorado River Cutthroat populations and habitat throughout the stream segment; on the existence of an essentially undisturbed montane watershed environment; and on the availability of pristine backcountry recreational fishing, hunting, camping, and hiking opportunities, that portion of Coal Creek from the boundary with Lizard Head wilderness Area to its confluence with the Dolores River was added to segment 1 and designated as OW.

Dolores River above Snow Spur Creek. Based on ample evidence that water quality meets the requirements of section 31.8(2)(a), on the presence of critically-challenged, conservation-quality, native Colorado River Cutthroat populations and habitat throughout the stream segment; on the existence of an essentially undisturbed montane watershed environment; and on the availability of pristine backcountry recreational fishing, hunting, camping, and hiking opportunities, that portion of the mainstem Dolores immediately below the confluence with Snow Spur Creek up to its source was added to segment 5b and designated as OW.

Priest Gulch Creek. Based on ample evidence that water quality meets the requirements of section 31.8(2)(a), on the presence of increasingly-critically-challenged, conservation-quality, native Colorado River Cutthroat populations and habitat throughout the stream segment; on the existence of an essentially undisturbed montane watershed environment; and on the availability of pristine backcountry recreational fishing, hunting, camping, and hiking opportunities, that portion of Priest Gulch Creek that lies within the boundaries of the San Juan National Forest was added to segment 5b and designated as OW.

Slate Creek. Based on ample evidence that water quality meets the requirements of section 31.8(2)(a), on the presence of increasingly-critically-challenged, conservation-quality, native Colorado River Cutthroat populations and habitat throughout the stream segment; on the existence of an essentially undisturbed montane watershed environment; and on the availability of pristine backcountry recreational fishing, hunting, camping, and hiking opportunities, that portion of Slate Creek between the boundary with Lizard Head Wilderness Area and its confluence with the Dolores River was added to segment 1 and designated as OW.

Snow Spur Creek. Based on ample evidence that water quality meets the requirements of section 31.8(2)(a), on the presence of increasingly-critically-challenged, conservation-quality, native Colorado River Cutthroat populations and habitat throughout the stream segment; on the existence of an essentially undisturbed montane watershed environment; and on the availability of pristine backcountry recreational fishing, hunting, camping, and hiking opportunities, Snow Spur Creek was added to segment 5b and designated as OW.

Stoner Creek. Based on ample evidence that water quality meets the requirements of section 31.8(2)(a), on the presence of increasingly-critically-challenged, conservation-quality, native Colorado River Cutthroat populations and habitat throughout the stream segment; on the existence of an essentially undisturbed montane watershed environment; and on the availability of pristine backcountry recreational fishing, hunting, camping, and hiking opportunities, that portion of Stoner Creek that lies within the boundaries of the San Juan National Forest was added to segment 5b and designated as OW.

West Fork Dolores River. Based on ample evidence that water quality meets the requirements of section 31.8(2)(a), on the presence of increasingly-critically-challenged, conservation-quality, native Colorado River Cutthroat populations and habitat throughout the stream segment; on the existence of an essentially undisturbed montane watershed environment; and on the availability of pristine backcountry recreational fishing, hunting, camping, and hiking opportunities, that portion of the West Fork from the Lizard Head Wilderness Area boundary downstream to the bridge at County road 38 was added to segment 1 and designated as OW.

Wildcat Creek. Based on ample evidence that water quality meets the requirements of section 31.8(2)(a), on the presence of increasingly-critically-challenged, conservation-quality, native Colorado River Cutthroat populations and habitat throughout the stream segment; on the existence of an essentially undisturbed montane watershed environment; and on the availability of pristine backcountry recreational fishing, hunting, camping, and hiking opportunities, that portion of Wildcat Creek that lies within the boundaries of the San Juan National Forest was added to segment 5b and designated as OW.

Data demonstrating that the above segments meet or exceed the water quality standards set by the Commission for OWs are contained in Appendix 1 of the Southwest Colorado Outstanding Waters Coalition Prehearing Statement (March 2022).

The Commission has determined that the evidence demonstrates that the three criteria for an OW designation set forth in section 31.8(2)(a) are met for this proposal. The Commission also notes that the outreach undertaken by the Southwest Outstanding Waters Coalition as the proponent of these designations helps to demonstrate broad support for the conclusion that these waters constitute an outstanding natural resource and that the additional protection provided by this designation is appropriate.

The Commission understands that there are existing land uses, including grazing permits, in place in many of these watersheds. The evidence demonstrates that these existing land uses are compatible with the OW designation, since the current high level of water quality has been attained with these uses in place. It is the Commission's intent that these OW designations should not be the basis upon which federal, state or local agencies place more onerous or costly conditions upon permits or approvals existing at the time of the designation, or upon any renewals thereof.

Further, acknowledging that the adoption of the OW designation for identified segments is a discretionary undertaking by the Commission, with such designations not being subject to federal approval or disapproval, the Commission may, in the future, remove the OW designation from any such segment in accordance with the state substantive and procedural rules then in effect.

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

WATER QUALITY CONTROL COMMISSION

5 CCR 1002-34

REGULATION NO. 34
CLASSIFICATIONS AND NUMERIC STANDARDS
FOR
SAN JUAN RIVER AND DOLORES RIVER BASINS

APPENDIX 34-1
Stream Classifications and Water Quality Standards Tables

Effective 12/31/2022

Abbreviations and Acronyms

Aq	=	Aquatic
°C	=	degrees Celsius
CL	=	cold lake temperature tier
CLL	=	cold large lake temperature tier
CS-I	=	cold stream temperature tier one
CS-II	=	cold stream temperature tier two
D.O	=	dissolved oxygen
DM	=	daily maximum temperature
DUWS	=	direct use water supply
E. coli	=	*Escherichia coli*
EQ	=	existing quality
mg/L	=	milligrams per liter
mg/m^2	=	milligrams per square meter
mL	=	milliliter
MWAT	=	maximum weekly average temperature
OW	=	outstanding waters
sc	=	sculpin
SSE	=	site-specific equation
T	=	total recoverable
t	=	total
tr	=	trout
TVS	=	table value standard
µg/L	=	micrograms per liter
UP	=	use-protected
WS	=	water supply
WS-I	=	warm stream temperature tier one
WS-II	=	warm stream temperature tier two
WS-III	=	warm stream temperature tier three
WL	=	warm lake temperature tier

REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS
San Juan River Basin

4. All tributaries to the San Juan River, Rio Blanco, and Navajo River, including all wetlands which are within the Weminuche Wilderness Area and South San Juan Wilderness Area. Mainstem of Fall Creek, including tributaries and wetlands, from its source to the irrigation diversion just upstream from the confluence with Wolf Creek. Mainstem of Wolf Creek, including tributaries and wetlands, from the boundary of the Weminuche Wilderness area to the confluence with Fall Creek. Mainstem of Quartz Creek, including tributaries and wetlands, from the boundary of the South San Juan Wilderness area to the boundary of the San Juan National Forest.

COSJSJ04	Classifications
Designation	Agriculture
OW	Aq Life Cold 1
	Recreation E
	Water Supply

Qualifiers:

Other:

Temporary Modification(s):

Arsenic(chronic) = hybrid

Expiration Date of 12/31/2024

*Uranium(acute) = See 34.5(3) for details.

*Uranium(chronic) = See 34.5(3) for details.

Physical and Biological	DM	MWAT
Temperature °C	CS-I	CS-I
	acute	**chronic**
D.O. (mg/L)	---	6.0
D.O. (spawning)	---	7.0
pH	6.5 - 9.0	---
chlorophyll a (mg/m2)	---	150
E. Coli (per 100 mL)	---	126

Inorganic (mg/L)	acute	chronic
Ammonia	TVS	TVS
Boron	---	0.75
Chloride	---	250
Chlorine	0.019	0.011
Cyanide	0.005	---
Nitrate	10	---
Nitrite	---	0.05
Phosphorus	---	0.11
Sulfate	---	WS
Sulfide	---	0.002

Metals (ug/L)	acute	chronic
Arsenic	340	---
Arsenic(T)	---	0.02
Cadmium	TVS	TVS
Cadmium(T)	5.0	---
Chromium III	---	TVS
Chromium III(T)	50	---
Chromium VI	TVS	TVS
Copper	TVS	TVS
Iron	---	WS
Iron(T)	---	1000
Lead	TVS	TVS
Lead(T)	50	---
Manganese	TVS	TVS/WS
Mercury(T)	---	0.01
Molybdenum(T)	---	150
Nickel	TVS	TVS
Nickel(T)	---	100
Selenium	TVS	TVS
Silver	TVS	TVS(tr)
Uranium	varies*	varies*
Zinc	TVS	TVS

5. The East and West Forks of the San Juan River, including all tributaries, from the boundary of the Weminuche Wilderness Area (West Fork) and the source (East Fork) to the confluence of the mainstem of the San Juan Rive, except for the listings in Segment 4. All tributaries to the San Juan River from a point below the confluence with the West Fork to a point below the confluence with Fourmile Creek.

COSJSJ05	Classifications
Designation	Agriculture
Reviewable	Aq Life Cold 1
	Recreation E
	Water Supply

Qualifiers:

Other:

Temporary Modification(s):

Arsenic(chronic) = hybrid

Expiration Date of 12/31/2024

*chlorophyll a (mg/m2)(chronic) = applies only above the facilities listed at 34.5(5).

*Phosphorus(chronic) = applies only above the facilities listed at 34.5(5).

*Uranium(acute) = See 34.5(3) for details.

*Uranium(chronic) = See 34.5(3) for details.

Physical and Biological	DM	MWAT
Temperature °C	CS-I	CS-I
	acute	**chronic**
D.O. (mg/L)	---	6.0
D.O. (spawning)	---	7.0
pH	6.5 - 9.0	---
chlorophyll a (mg/m2)	---	150*
E. Coli (per 100 mL)	---	126

Inorganic (mg/L)	acute	chronic
Ammonia	TVS	TVS
Boron	---	0.75
Chloride	---	250
Chlorine	0.019	0.011
Cyanide	0.005	---
Nitrate	10	---
Nitrite	---	0.05
Phosphorus	---	0.11*
Sulfate	---	WS
Sulfide	---	0.002

Metals (ug/L)	acute	chronic
Arsenic	340	---
Arsenic(T)	---	0.02
Cadmium	TVS	TVS
Cadmium(T)	5.0	---
Chromium III	---	TVS
Chromium III(T)	50	---
Chromium VI	TVS	TVS
Copper	TVS	TVS
Iron	---	WS
Iron(T)	---	1000
Lead	TVS	TVS
Lead(T)	50	---
Manganese	TVS	TVS/WS
Mercury(T)	---	0.01
Molybdenum(T)	---	150
Nickel	TVS	TVS
Nickel(T)	---	100
Selenium	TVS	TVS
Silver	TVS	TVS(tr)
Uranium	varies*	varies*
Zinc	TVS	TVS(sc)

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr=trout
sc=sculpin

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 34.6 for further details on applied standards.

REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS
San Juan River Basin

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr=trout
sc=sculpin

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 34.6 for further details on applied standards.

REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS
Animas and Florida River Basins

1. All tributaries to the Animas River and Florida River, including all wetlands, which are within the Weminuche Wilderness Area. Mainstem Grasshopper Creek including tributaries and wetlands from source to confluence with Animas River. Mainstem Lime Creek including tributaries and wetlands from source to confluence with Cascade Creek.

COSJAF01	Classifications
Designation	Agriculture
OW	Aq Life Cold 1
	Recreation E
	Water Supply

Qualifiers:

Other:

*Uranium(acute) = See 34.5(3) for details.
*Uranium(chronic) = See 34.5(3) for details.

Physical and Biological

	DM	MWAT
Temperature °C	CS-I	CS-I
	acute	chronic
D.O. (mg/L)	---	6.0
D.O. (spawning)	---	7.0
pH	6.5 - 9.0	---
chlorophyll a (mg/m2)	---	150
E. Coli (per 100 mL)	---	126

Inorganic (mg/L)

	acute	chronic
Ammonia	TVS	TVS
Boron	---	0.75
Chloride	---	250
Chlorine	0.019	0.011
Cyanide	0.005	---
Nitrate	10	---
Nitrite	---	0.05
Phosphorus	---	0.11
Sulfate	---	WS
Sulfide	---	0.002

Metals (ug/L)

	acute	chronic
Arsenic	340	---
Arsenic(T)	---	0.02
Cadmium	TVS	TVS
Cadmium(T)	5.0	---
Chromium III	---	TVS
Chromium III(T)	50	---
Chromium VI	TVS	TVS
Copper	TVS	TVS
Iron	---	WS
Iron(T)	---	1000
Lead	TVS	TVS
Lead(T)	50	---
Manganese	TVS	TVS/WS
Mercury(T)	---	0.01
Molybdenum(T)	---	150
Nickel	TVS	TVS
Nickel(T)	---	100
Selenium	TVS	TVS
Silver	TVS	TVS(tr)
Uranium	varies*	varies*
Zinc	TVS	TVS

6. Mainstem of the Animas River from the source to the outlet of Denver Lake. Mainstem, including all tributaries and wetlands of Cinnamon Creek, Grouse Gulch, Picayne Gulch, and Minnie Gulch. All tributaries and wetlands to the Animas River from immediately above Maggie Gulch to a point immediately above Elk Creek except for those listed under segments 3c, 7, 8 and 9, and 12c. South Mineral Creek and all other tributaries and wetlands to Mineral Creek, except for those specifically listed in segments 8, and 9, and 12c.

COSJAF06	Classifications
Designation	Agriculture
Reviewable	Aq Life Cold 1
	Recreation E
	Water Supply

Qualifiers:

Other:

Temporary Modification(s):
Arsenic(chronic) = hybrid
Expiration Date of 12/31/2024

*Uranium(acute) = See 34.5(3) for details.
*Uranium(chronic) = See 34.5(3) for details.

Physical and Biological

	DM	MWAT
Temperature °C	CS-I	CS-I
	acute	chronic
D.O. (mg/L)	---	6.0
D.O. (spawning)	---	7.0
pH	6.5 - 9.0	---
chlorophyll a (mg/m2)	---	150
E. Coli (per 100 mL)	---	126

Inorganic (mg/L)

	acute	chronic
Ammonia	TVS	TVS
Boron	---	0.75
Chloride	---	250
Chlorine	0.019	0.011
Cyanide	0.005	---
Nitrate	10	---
Nitrite	---	0.05
Phosphorus	---	0.11
Sulfate	---	WS
Sulfide	---	0.002

Metals (ug/L)

	acute	chronic
Arsenic	340	---
Arsenic(T)	---	0.02
Cadmium	TVS	TVS
Cadmium(T)	5.0	---
Chromium III	---	TVS
Chromium III(T)	50	---
Chromium VI	TVS	TVS
Copper	TVS	TVS
Iron	---	WS
Iron(T)	---	1000
Lead	TVS	TVS
Lead(T)	50	---
Manganese	TVS	TVS/WS
Mercury(T)	---	0.01
Molybdenum(T)	---	150
Nickel	TVS	TVS
Nickel(T)	---	100
Selenium	TVS	TVS
Silver	TVS	TVS(tr)
Uranium	varies*	varies*
Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr=trout
sc=sculpin

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 34.6 for further details on applied standards.

REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS
Animas and Florida River Basins

12a. All tributaries to the Animas River from a point immediately above the confluence with Elk Creek to a point immediately below the confluence with Hermosa Creek except for specific listings in Segments 1, 12b, 12c, and 15. All tributaries to the Florida River from the source to below the confluence with Mud Spring Creek except the specific listing in Segment 1.

COSJAF12A	Classifications
Designation	Agriculture
Reviewable	Aq Life Cold 1
	Recreation E
	Water Supply

Qualifiers:

Other:

Temporary Modification(s):

Arsenic(chronic) = hybrid

Expiration Date of 12/31/2024

*chlorophyll a (mg/m2)(chronic) = applies only above the facilities listed at 34.5(5).

*Phosphorus(chronic) = applies only above the facilities listed at 34.5(5).

*Uranium(acute) = See 34.5(3) for details.

*Uranium(chronic) = See 34.5(3) for details.

Physical and Biological	DM	MWAT
Temperature °C	CS-I	CS-I
	acute	chronic
D.O. (mg/L)	---	6.0
D.O. (spawning)	---	7.0
pH	6.5 - 9.0	---
chlorophyll a (mg/m2)	---	150*
E. Coli (per 100 mL)	---	126

Inorganic (mg/L)	acute	chronic
Ammonia	TVS	TVS
Boron	---	0.75
Chloride	---	250
Chlorine	0.019	0.011
Cyanide	0.005	---
Nitrate	10	---
Nitrite	---	0.05
Phosphorus	---	0.11*
Sulfate	---	WS
Sulfide	---	0.002

Metals (ug/L)	acute	chronic
Arsenic	340	---
Arsenic(T)	---	0.02
Cadmium	TVS	TVS
Cadmium(T)	5.0	---
Chromium III	---	TVS
Chromium III(T)	50	---
Chromium VI	TVS	TVS
Copper	TVS	TVS
Iron	---	WS
Iron(T)	---	1000
Lead	TVS	TVS
Lead(T)	50	---
Manganese	TVS	TVS/WS
Mercury(T)	---	0.01
Molybdenum(T)	---	150
Nickel	TVS	TVS
Nickel(T)	---	100
Selenium	TVS	TVS
Silver	TVS	TVS(tr)
Uranium	varies*	varies*
Zinc	TVS	TVS

12c. Hermosa Creek, including all tributaries, from the source to immediately below the confluence with Long Hollow, except for the East Fork of Hermosa Creek. Mainstem of Bear Creek, including tributaries and wetlands, from its source to the confluence with Mineral Creek. Mainstem of Boulder Creek, including tributaries and wetlands, from its source to the downstream public land boundary. Mainstem Cascade Creek including tributaries and wetlands from source to Tacoma diversion.

COSJAF12C	Classifications
Designation	Agriculture
OW	Aq Life Cold 1
	Recreation E
	Water Supply

Qualifiers:

Other:

*Uranium(acute) = See 34.5(3) for details.

*Uranium(chronic) = See 34.5(3) for details.

Physical and Biological	DM	MWAT
Temperature °C	CS-I	CS-I
	acute	chronic
D.O. (mg/L)	---	6.0
D.O. (spawning)	---	7.0
pH	6.5 - 9.0	---
chlorophyll a (mg/m2)	---	150
E. Coli (per 100 mL)	---	126

Inorganic (mg/L)	acute	chronic
Ammonia	TVS	TVS
Boron	---	0.75
Chloride	---	250
Chlorine	0.019	0.011
Cyanide	0.005	---
Nitrate	10	---
Nitrite	---	0.05
Phosphorus	---	0.11
Sulfate	---	WS
Sulfide		0.002

Metals (ug/L)	acute	chronic
Arsenic	340	---
Arsenic(T)	---	0.02
Cadmium	TVS	TVS
Cadmium(T)	5.0	---
Chromium III	---	TVS
Chromium III(T)	50	---
Chromium VI	TVS	TVS
Copper	TVS	TVS
Iron	---	WS
Iron(T)	---	1000
Lead	TVS	TVS
Lead(T)	50	---
Manganese	TVS	TVS/WS
Mercury(T)	---	0.01
Molybdenum(T)	---	150
Nickel	TVS	TVS
Nickel(T)	---	100
Selenium	TVS	TVS
Silver	TVS	TVS(tr)
Uranium	varies*	varies*
Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr=trout
sc=sculpin

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 34.6 for further details on applied standards.

REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS
Animas and Florida River Basins

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr=trout
sc=sculpin

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 34.6 for further details on applied standards.

REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS
Dolores River Basin

5b. Mainstem of Rio Lado from the source to the confluence with the Dolores River. Mainstem of Spring Creek from the source to the confluence with Stoner Creek. Mainstem of Little Taylor Creek from the source to the confluence with Taylor Creek. Those portions of Bear Creek, Priest Creek, Wildcat Creek, and Stoner Creek, including tributaries and wetlands, from their sources to their downstream San Juan National Forest boundary. Mainstem of the Dolores River, including tributaries and wetlands, from the source to a point immediately below the confluence with Snow Spur Creek, except for the listings in Segment 1.

COSJDO05B	Classifications
Designation	Agriculture
OW	Aq Life Cold 1
	Recreation E
	Water Supply

Qualifiers:

Other:

Temporary Modification(s):
Arsenic(chronic) = hybrid
Expiration Date of 12/31/2024

*Uranium(acute) = See 34.5(3) for details.
*Uranium(chronic) = See 34.5(3) for details.

Physical and Biological	DM	MWAT
Temperature °C	CS-I	CS-I
	acute	chronic
D.O. (mg/L)	---	6.0
D.O. (spawning)	---	7.0
pH	6.5 - 9.0	---
chlorophyll a (mg/m2)	---	150
E. Coli (per 100 mL)	---	126

Inorganic (mg/L)	acute	chronic
Ammonia	TVS	TVS
Boron	---	0.75
Chloride	---	250
Chlorine	0.019	0.011
Cyanide	0.005	---
Nitrate	10	---
Nitrite	---	0.05
Phosphorus	---	0.11
Sulfate	---	WS
Sulfide	---	0.002

Metals (ug/L)	acute	chronic
Arsenic	340	---
Arsenic(T)	---	0.02
Cadmium	TVS	TVS
Cadmium(T)	5.0	---
Chromium III	---	TVS
Chromium III(T)	50	---
Chromium VI	TVS	TVS
Copper	TVS	TVS
Iron	---	WS
Iron(T)	---	1000
Lead	TVS	TVS
Lead(T)	50	---
Manganese	TVS	TVS/WS
Mercury(T)	---	0.01
Molybdenum(T)	---	150
Nickel	TVS	TVS
Nickel(T)	---	100
Selenium	TVS	TVS
Silver	TVS	TVS(tr)
Uranium	varies*	varies*
Zinc	TVS	TVS(sc)

2. Mainstem of the Dolores River from the source to from a point immediately below the confluence with Snow Spur Creek to a point immediately above the confluence with Horse Creek.

COSJDO02	Classifications
Designation	Agriculture
Reviewable	Aq Life Cold 1
	Recreation E
	Water Supply

Qualifiers:

Other:

Temporary Modification(s):
Arsenic(chronic) = hybrid
Expiration Date of 12/31/2024

*Uranium(acute) = See 34.5(3) for details.
*Uranium(chronic) = See 34.5(3) for details.

Physical and Biological	DM	MWAT
Temperature °C	CS-I	CS-I
	acute	chronic
D.O. (mg/L)	---	6.0
D.O. (spawning)	---	7.0
pH	6.5 - 9.0	---
chlorophyll a (mg/m2)	---	150
E. Coli (per 100 mL)	---	126

Inorganic (mg/L)	acute	chronic
Ammonia	TVS	TVS
Boron	---	0.75
Chloride	---	250
Chlorine	0.019	0.011
Cyanide	0.005	---
Nitrate	10	---
Nitrite	---	0.05
Phosphorus	---	0.11
Sulfate	---	WS
Sulfide	---	0.002

Metals (ug/L)	acute	chronic
Arsenic	340	---
Arsenic(T)	---	0.02
Cadmium	TVS	TVS
Cadmium(T)	5.0	---
Chromium III	---	TVS
Chromium III(T)	50	---
Chromium VI	TVS	TVS
Copper	TVS	TVS
Iron	---	WS
Iron(T)	---	1000
Lead	TVS	TVS
Lead(T)	50	---
Manganese	TVS	TVS/WS
Mercury(T)	---	0.01
Molybdenum(T)	---	150
Nickel	TVS	TVS
Nickel(T)	---	100
Selenium	TVS	TVS
Silver	TVS	TVS(tr)
Uranium	varies*	varies*
Zinc	TVS	TVS(sc)

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr=trout
sc=sculpin

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 34.6 for further details on applied standards.

REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS
Dolores River Basin

10a. Mainstem of the West Dolores River from the Lizard Head Wilderness Area boundary to above the confluence with Fish Creek, except for the listings in Segment 1.

COSJDO10A	Classifications
Designation	Agriculture
Reviewable	Aq Life Cold 1
	Recreation E
	Water Supply
Qualifiers:	
Other:	
*Manganese(chronic) = WS, TVS and 50 ug/L	
*Uranium(acute) = See 34.5(3) for details.	
*Uranium(chronic) = See 34.5(3) for details.	

Physical and Biological	DM	MWAT
Temperature °C	CS-I	CS-I
	acute	**chronic**
D.O. (mg/L)	---	6.0
D.O. (spawning)	---	7.0
pH	6.5 - 9.0	---
chlorophyll a (mg/m2)	---	150
E. Coli (per 100 mL)	---	126

Inorganic (mg/L)	acute	chronic
Ammonia	TVS	TVS
Boron	---	0.75
Chloride	---	250
Chlorine	0.019	0.011
Cyanide	0.005	---
Nitrate	10	---
Nitrite	---	0.05
Phosphorus	---	0.11
Sulfate	---	WS
Sulfide	---	0.002

Metals (ug/L)	acute	chronic
Arsenic	340	---
Arsenic(T)	---	0.02
Cadmium	TVS	TVS
Cadmium(T)	5.0	---
Chromium III	---	TVS
Chromium III(T)	50	---
Chromium VI	TVS	TVS
Copper	TVS	TVS
Iron	---	WS
Iron(T)	---	1000
Lead	TVS	TVS
Lead(T)	50	---
Manganese	TVS	varies*
Mercury(T)	---	0.01
Molybdenum(T)	---	150
Nickel	TVS	TVS
Nickel(T)	---	100
Selenium	TVS	TVS
Silver	TVS	TVS(tr)
Uranium	varies*	varies*
Zinc	TVS	TVS

1. All tributaries and wetlands to the Dolores River and West Dolores River ~~including all wetlands, tributaries~~, which are within the Lizard Head Wilderness area. Mainstem of the West Fork of the Dolores River, including wetlands, from Lizard Head Wilderness boundary to the bridge at County Road 38. Mainstems of Coal Creek and Slate Creek, including tributaries and wetlands, from the boundary of the Lizard Head Wilderness Area to their confluences with the Dolores River.

COSJDO01	Classifications
Designation	Agriculture
OW	Aq Life Cold 1
	Recreation E
	Water Supply
Qualifiers:	
Other:	
Temporary Modification(s):	
Arsenic(chronic) = hybrid	
Expiration Date of 12/31/2024	
*Uranium(acute) = See 34.5(3) for details.	
*Uranium(chronic) = See 34.5(3) for details.	

Physical and Biological	DM	MWAT
Temperature °C	CS-I	CS-I
	acute	**chronic**
D.O. (mg/L)	---	6.0
D.O. (spawning)	---	7.0
pH	6.5 - 9.0	---
chlorophyll a (mg/m2)	---	150
E. Coli (per 100 mL)	---	126

Inorganic (mg/L)	acute	chronic
Ammonia	TVS	TVS
Boron	---	0.75
Chloride	---	250
Chlorine	0.019	0.011
Cyanide	0.005	---
Nitrate	10	---
Nitrite	---	0.05
Phosphorus	---	0.11
Sulfate	---	WS
Sulfide	---	0.002

Metals (ug/L)	acute	chronic
Arsenic	340	---
Arsenic(T)	---	0.02
Cadmium	TVS	TVS
Cadmium(T)	5.0	---
Chromium III	---	TVS
Chromium III(T)	50	---
Chromium VI	TVS	TVS
Copper	TVS	TVS
Iron	---	WS
Iron(T)	---	1000
Lead	TVS	TVS
Lead(T)	50	---
Manganese	TVS	TVS/WS
Mercury(T)	---	0.01
Molybdenum(T)	---	150
Nickel	TVS	TVS
Nickel(T)	---	100
Selenium	TVS	TVS
Silver	TVS	TVS(tr)
Uranium	varies*	varies*
Zinc	TVS	TVS(sc)

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr=trout
sc=sculpin

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 34.6 for further details on applied standards.

REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS
Dolores River Basin

7. Mainstem of Coal Creek from the boundary of the Lizard Head Wilderness Area to the confluence with the Dolores River Deleted.

COSJDO07	Classifications
Designation	Agriculture
Reviewable	Aq Life Cold 1
	Recreation E
	Water Supply
Qualifiers:	
Other:	
*Uranium(acute) = See 34.5(3) for details.	
*Uranium(chronic) = See 34.5(3) for details.	

Physical and Biological	DM	MWAT
Temperature °C	CS-I	CS-I
	acute	chronic
D.O. (mg/L)	—	6.0
D.O. (spawning)	—	7.0
pH	6.5 - 9.0	—
chlorophyll a (mg/m2)	—	150
E. Coli (per 100 mL)	—	126

Inorganic (mg/L)	acute	chronic
Ammonia	TVS	TVS
Boron	—	0.75
Chloride	—	250
Chlorine	0.019	0.011
Cyanide	0.005	—
Nitrate	10	—
Nitrite	—	0.05
Phosphorus	—	0.11
Sulfate	—	WS
Sulfide	—	0.002

Metals (ug/L)	acute	chronic
Arsenic	340	—
Arsenic(T)	—	0.02
Cadmium	TVS	TVS
Cadmium(T)	5.0	—
Chromium III	—	TVS
Chromium III(T)	50	—
Chromium VI	TVS	TVS
Copper	TVS	TVS
Iron	—	WS
Iron(T)	—	1000
Lead	TVS	TVS
Lead(T)	50	—
Manganese	TVS	TVS/WS
Mercury(T)	—	0.01
Molybdenum(T)	—	150
Nickel	TVS	TVS
Nickel(T)	—	100
Selenium	TVS	TVS
Silver	TVS	TVS(tr)
Uranium	varies*	varies*
Zinc	TVS	TVS(sc)

6. Mainstem of the Slate Creek and Coke Oven Creek, from the Lizard Head Wilderness Area boundary to their its confluences with the Dolores River.

COSJDO06	Classifications
Designation	Agriculture
Reviewable	Aq Life Cold 1
	Recreation E
	Water Supply
Qualifiers:	
Other:	
*Uranium(acute) = See 34.5(3) for details.	
*Uranium(chronic) = See 34.5(3) for details.	

Physical and Biological	DM	MWAT
Temperature °C	CS-I	CS-I
	acute	chronic
D.O. (mg/L)	---	6.0
D.O. (spawning)	---	7.0
pH	6.5 - 9.0	---
chlorophyll a (mg/m2)	---	150
E. Coli (per 100 mL)	---	126

Inorganic (mg/L)	acute	chronic
Ammonia	TVS	TVS
Boron	---	0.75
Chloride	---	250
Chlorine	0.019	0.011
Cyanide	0.005	---
Nitrate	10	---
Nitrite	---	0.05
Phosphorus	---	0.11
Sulfate	---	WS
Sulfide	---	0.002

Metals (ug/L)	acute	chronic
Arsenic	340	---
Arsenic(T)	---	0.02
Cadmium	TVS	TVS
Cadmium(T)	5.0	---
Chromium III	---	TVS
Chromium III(T)	50	---
Chromium VI	TVS	TVS
Copper	TVS	TVS
Iron	---	WS
Iron(T)	---	1000
Lead	TVS	TVS
Lead(T)	50	---
Manganese	TVS	TVS/WS
Mercury(T)	---	0.01
Molybdenum(T)	---	150
Nickel	TVS	TVS
Nickel(T)	---	100
Selenium	TVS	TVS
Silver	TVS	TVS(tr)
Uranium	varies*	varies*
Zinc	TVS	TVS

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr=trout
sc=sculpin

D.O. = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 34.6 for further details on applied standards.

REGULATION #34 STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS
Dolores River Basin

All metals are dissolved unless otherwise noted.
T = total recoverable
t = total
tr=trout
sc=sculpin

$D.O._i$ = dissolved oxygen
DM = daily maximum
MWAT = maximum weekly average temperature
See 34.6 for further details on applied standards.

STREAM CLASSIFICATIONS and WATER QUALITY STANDARDS – FOOTNOTES

(A) Whenever a range of standards is listed and referenced to this footnote, the first number in the range is a strictly health-based value, based on the Commission's established methodology for human health-based standards. The second number in the range is a maximum contaminant level, established under the federal Safe Drinking Water Act that has been determined to be an acceptable level of this chemical in public water supplies, taking treatability and laboratory detection limits into account. Control requirements, such as discharge permit effluent limitations, shall be established using the first number in the range as the ambient water quality target, provided that no effluent limitation shall require an "end-of-pipe" discharge level more restrictive than the second number in the range. Water bodies will be considered in attainment of this standard, and not included on the Section 303(d) List, so long as the existing ambient quality does not exceed the second number in the range.

(B) Assessment of adequate refuge shall rely on the Cold Large Lake table value temperature criterion and applicable dissolved oxygen standard rather than the site-specific temperature standard.

(C) For certain site-specific temperature standards, the temperature excursions listed in Table I - Footnote 5(c) of 31.16 do not apply. Assessment of ambient-based temperature standards should be conducted in a way that represents similar conditions to those under which the criteria were developed (i.e., air, low flow, and warming event excursions should not apply). Similarly, where site-specific adjustments to the winter shoulder season have been adopted, the winter shoulder season excursion does not apply.

TABLE 1

ANIMAS RIVER BASIN
AQUATIC LIFE INDICATOR GOAL: BROOK TROUT

Segment 3a
Acute Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Zn	720	780	1060	1200	760	410	280	340	380	440	510	590

Chronic Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Mn	TVS	TVS	2571	2179	TVS	TVS	TVS	TVS	TVS	TVS	TVS	TVS
Zn	720	780	1060	1200	760	410	280	340	380	440	510	590

Segment 4a

Acute Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Al(Trec)	3100	3550	2800	2020	1010	740	700	1360	1490	1610	2280	2570
Zn	460	520	620	570	430	250	170	240	290	340	380	420

Chronic Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
pH	5.9-9.0	5.7-9.0	6.2-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	5.9-9.0
Al(Trec)	3100	3550	2800	2020	1010	740	700	1360	1490	1610	2280	2570
Fe	3473	2961	3776	3404	2015	1220	1286	1830	1623	2258	2631	3511
Zn	460	520	620	570	430	250	170	240	290	340	380	420

Segment 9

Acute Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Al(Trec)	4680	4950	4560	3800	1390	1350	1290	2040	2570	2680	3450	4050

Chronic Standards

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
pH	4.9-9.0	4.8-9.0	4.9-9.0	5.9-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.5-9.0	6.2-9.0	5.4-9.0
Al(Trec)	4680	4950	4560	3800	1390	1350	1290	2040	2570	2680	3450	4050
Cu	TVS	TVS	TVS	18	20	TVS	TVS	TVS	TVS	TVS	TVS	TVS
Fe	3420	3800	4370	3370	3150	2210	2275	2280	3020	3580	3620	3490
Zn	TVS	TVS	TVS	TVS	230	TVS	TVS	TVS	TVS	TVS	TVS	TVS

Anvil Mountain Housing 2021

Expenditures	January	February	March	April	May	June	July	August	September	October	November	December	Total YTD
Loan Payment	5558.98	5558.98	5558.98	5558.98	5558.98	5558.98	5,558.98	5,558.98	5,558.98	5,558.98	5558.98	5,558.98	66,707.76
Utilities	2559.03	5829.69	2156.73	2188.84	1836.32	1548.91	1,200.56	1,265.95	1,291.43	1,358.24	1759.12	1,809.92	24,804.74
Insurance												9,981.85	9,981.85
Misc.	98.95	356.25	13.05		152.63	300	47.77					497.18	1,465.83
Total	8,216.96	11,744.92	7,728.76	7,747.82	7,547.93	7,407.89	6,807.31	6,824.93	6,850.41	6,917.22	7,318.10	17,847.93	**$ 102,960.18**
Revenue													
Rent	$7,375.00	$8,248.45	$8,814.00	$8,815.00	$9,375.00	$9,642.00	$10,635.00	$10,635.00	$10,635.00	$10,635.00	$10,439.50	$9,569.00	**$ 114,817.95**

Apartment #	# of Bedrooms	Unit Type	Rent $
A1 - 1st floor	2	Unrestricted	$ 1,238.00
A2 - 1st floor	3	Unrestricted	$ 1,552.00
A3 - 2nd floor	2	HDG 30%	$ 480.00
A4 - 2nd floor	3	Affordable 60%	$ 1,062.00
B1 - 1st floor	1	Affordable 60%	$ 800.00
B2 - 1st floor	1	Affordable 60%	$ 827.00
B3 - 1st floor	1	Unrestricted	$ 960.00
B4 - 1st floor	1	HDG 50%	$ 608.00
B5 - 2nd floor	2	Affordable 60%	$ 958.00
B6 - 2nd floor	2	Affordable 60%	$ 958.00
B7 - 3rd floor	2	Affordable 40%	$ 563.00
B8 - 3rd floor	3	Unrestricted	$ 1,552.00

1 Bedroom	500 sq. ft.
2 Bedroom	900 sq. ft.
3 Bedroom	1000 sq. ft.

County Sales Tax

	2017	2018	2019	2020	2021	2022	% Change	5yr. Average
January	6,799.02	4,970.71	7,799.87	6,854.79	16,723.50	18,815.24	12.51%	11,032.82
February	15,080.08	13,859.09	12,885.86	22,860.78	19,987.28	25,614.49	28.15%	19,041.50
March	10,000.08	11,861.72	11,246.33	14,595.18	16,402.87		12.39%	12,821.24
April	11,323.27	10,399.61	8,857.05	15,280.29	15,820.09		3.53%	12,336.06
May	13,990.92	16,321.32	19,708.91	12,778.47	24,773.54		93.87%	17,514.63
June	7,552.19	4,601.13	5,827.74	9,946.40	17,549.36		76.44%	9,095.36
July	7,682.30	5,985.49	6,206.92	17,737.22	13,668.65		-22.94%	10,256.12
August	13,949.50	6,568.03	13,486.95	10,921.79	32,028.49		193.25%	15,390.95
September	21,634.93	9,579.78	22,429.05	21,745.79	30,048.75		38.18%	21,087.66
October	16,769.39	11,057.45	13,774.16	18,726.14	29,953.36		59.95%	18,056.10
November	-4,182.80	11,187.78	15,070.58	17,785.19	29,182.27		64.08%	13,808.60
December	4,750.60	5,273.24	7,547.72	17,476.46	19,698.95		12.72%	10,949.39
Total	125,349.48	111,665.35	144,841.14	186,708.50	265,837.11	44,429.73	42.38%	166,880.32
Year to Date	21,879.10	18,829.80	20,685.73	29,715.57	36,710.78	44,429.73	21.03%	

Emergency Services Sales Tax

	2017	2018	2019	2020	2021	2022	% Change	5-Year Ave.
January	5,622.78	5,693.58	22,652.17	22,081.29	35,673.96	42,007.94	17.76%	25,621.79
February	10,692.95	9,500.78	20,193.73	38,888.47	40,698.37	51,602.55	26.79%	32,176.78
March	7,037.70	8,924.66	28,148.22	30,899.33	39,142.28		26.68%	22,830.44
April	8,265.99	22,040.87	52,719.27	32,992.58	39,017.29		18.26%	31,007.20
May	11,429.96	23,915.42	32,415.46	28,328.62	53,200.16		87.80%	29,857.92
June	6,362.70	13,364.73	17,201.80	20,323.77	38,209.24		88.00%	19,092.45
July	12,960.82	36,977.68	35,279.36	29,408.23	54,965.11		86.90%	33,918.24
August	29,968.07	54,297.30	74,723.11	62,795.11	139,369.81		121.94%	72,230.68
September	45,477.85	100,795.88	126,269.99	120,650.92	164,773.79		36.57%	111,593.69
October	33,384.56	82,850.46	103,635.85	108,852.60	139,222.51		27.90%	93,589.20
November	39,818.53	88,859.04	101,380.60	107,416.93	136,598.38		27.17%	94,814.70
December	14,380.35	34,697.06	45,399.97	63,130.77	93,550.49		48.19%	50,231.73
Total	**225,402.27**	**481,917.46**	**660,019.53**	**665,768.62**	**974,421.39**	**93,610.49**	46.36%	601,505.85
Year to Date	16,315.73	15,194.36	42,845.90	60,969.76	76,372.33	93,610.49	22.57%	

Lodging Tax

	2017	2018	2019	2020	2021	2022	% Change	5 yr. Average
January	35.05	126.80	885.93	3,729.44	543.94	1,034.65	47.43%	1,064.23
February	10,406.98	8,318.23	10,816.00	14,088.47	20,282.97	17,982.00	-12.80%	12,782.53
March	786.00	3,097.25	145.07	454.00	660.00		45.37%	1,028.46
April	1,543.39	2,002.98	33.00	-	1,489.56		0.00%	1,013.79
May	13,776.57	11,375.54	17,612.98	14,069.00	30,651.70		117.87%	17,497.16
June	1,094.30	1,356.34	952.07	300.40	1,007.32		235.33%	942.09
July	309.00	2,702.84	170.21	573.00	11,854.90		1968.92%	3,121.99
August	10,799.07	11,477.00	14,372.43	13,978.56	57,659.81		312.49%	21,657.37
September	5,661.40	7,956.78	2,738.12	139.00	248.50		78.78%	3,348.76
October	2,632.10	666.79	2,848.73	780.48	1,346.59		72.53%	1,654.94
November	38,017.00	43,574.04	47,263.00	58,396.70	76,493.41		30.99%	52,748.83
December	2,839.96	2,029.95	1,790.37	1,918.52	3,364.85		75.39%	2,388.73
Total	**87,900.82**	**94,684.54**	**99,627.91**	**108,427.57**	**205,603.55**	**19,016.65**	89.62%	119,248.88
Year to Date	10,442.03	8,445.03	11,701.93	17,817.91	20,826.91	19,016.65	-9.52%	

Town Sales Tax

	2017	2018	2019	2020	2021	2022 % Change		5-Year Ave.
January	15,692.10	17,803.62	17,777.51	28,417.92	40,358.55	48,401.82	19.93%	30,551.88
February	27,691.72	24,144.03	26,379.98	39,259.76	45,122.36	56,934.96	26.18%	38,368.22
March	18,150.71	23,836.90	33,717.73	34,763.49	46,228.85		32.98%	31,339.54
April	21,740.67	24,868.07	75,356.86	37,422.14	46,611.62		24.56%	41,199.87
May	31,728.94	21,945.84	32,071.64	24,839.85	60,352.89		142.97%	34,187.83
June	17,898.60	17,527.63	21,650.46	22,518.84	43,589.40		93.57%	24,636.99
July	44,161.00	53,182.66	50,243.72	29,239.56	74,281.24		154.04%	50,221.64
August	105,922.79	80,166.62	105,875.94	90,106.11	190,977.70		111.95%	114,609.83
September	160,276.49	151,431.83	179,274.96	170,982.30	233,606.46		36.63%	179,114.41
October	116,768.86	121,288.07	151,774.01	155,155.28	192,817.13		24.27%	147,560.67
November	163,456.93	130,755.88	146,395.83	153,802.89	189,389.35		23.14%	156,760.18
December	52,770.79	50,151.94	64,974.75	83,368.79	129,991.56		55.92%	76,251.57
TOTAL	776,259.60	717,103.10	905,493.39	869,876.93	1,293,327.11	105,336.78	48.68%	912,412.03
Year to Date	43,383.82	41,947.65	44,157.49	67,677.68	85,480.91	105,336.78	23.23%	

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

San Juan County, Colorado
GIS Professional Services

CONTRACT

Submitted by The Sidwell Company
100 Illinois Rd Suite 200,
St. Charles, Illinois 60174
Ph: (630) 549-1000 | Fax: (630) 549-1111
www.sidwellco.com

Kathy Andrade-Ulloa, Point of Contact (POC)
Account Executive, The Sidwell Company
(630) 659-1559
Kandrade-ulloa@harriscomputer.com

Sidwell
A Division of HARRIS

Contents

1. Preamble

THIS CONTRACT ("contract") is made by between THE SIDWELL COMPANY (a subsidiary of Harris Local Government), an Illinois corporation with its principal place of business located in St. Charles, Illinois, hereinafter called "Sidwell," as party of the first part, and SAN JUAN COUNTY, CO, a political subdivision of the State of Colorado, hereinafter called the "Agency," as party of the second part, WITNESSETH:

WHEREAS, Sidwell is in the business of providing Geographic Information Services and other Professional Services for various governmental agencies in the United States; and

WHEREAS, the Agency is desirous of having Sidwell provide Geographic Information Services and/or other Professional Services; and

NOW, THEREFORE, in consideration of the mutual agreements made herein, the recitals of fact hereinabove set forth, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows;

Sidwell will perform the services described in the scope of work that follows and the Agency will make the payments set forth in Sections "Project Fees" and "Additional Provisions", below.

2. Scope of Work

2.1 GIS Administrator Service Hours

Sidwell will perform GIS Administrator services for the Agency for a total of sixty-two (62) Hours. Services can include, but are not limited, to the following:

- Training
- Project planning and design
- Data creation, preparation for publication
- GIS system administration
    - System evaluation
    - Best practices recommendations
    - Data backups
    - Troubleshooting
    - System updates
    - System maintenance
- GIS database maintenance
- GIS script maintenance
- Other needed support

3. Project Fees

The Agency will pay for the work and services provided by Sidwell, as detailed above, for the following:

Sidwell Cost Proposal	Fees
Sixty-two (62) hours of GIS Services for the Addressing project, training or any other of the above-mentioned services.	$10,000.00
Sidwell Professional Services Total	**$10,000.00**

Project Assumptions and Notes:

- All costs quoted are in United States Dollars (USD)
- All work and training to be performed remotely
- Sidwell can provide additional professional services at the rate of $160.00/hr
- Hours in this contract must be used within one-year from the signing of this agreement

4. Additional Provisions

4.1 Commencement of Work

Sidwell will commence the work under this contract immediately upon its execution by the Agency and will continue diligently thereafter until all work, services, and materials covered by this contract have been completed.

All training/support service hours included in the scope of work in this contract must be completed by the conclusion of the Base Project Services or within one (1) year following the commencement of such training/support services, whichever is later in time. Any hours unused at the conclusion of this period through no fault on the part of Sidwell will expire and no longer be available for the Agency.

4.2 Additional Services

Any professional services, implementations, or software modifications that are not included in the scope of work in this contract but that are requested by the Agency and agreed upon by Sidwell shall be provided at Sidwell's prevailing hourly rate. At the time that this contract was executed, Sidwell's hourly rates were as follows: Professional/Technical $160/hour, Production $120/hour, Travel Time $130/hour.

4.3 Compensation

The Agency will pay Sidwell a fee of ten thousand and no/100 dollars ($10,000.00), as full compensation for all Sidwell work, services, and materials described and provided for under this Contract.

4.4 Invoicing Schedule

Annual recurring will be billed automatically each year until cancelled in writing. Training and/or support will be invoiced in full upon commencement of such services. For all other services, Sidwell will submit monthly invoices for the percentage of work completed.

4.5 Payments

The Agency will pay Sidwell the full amount of each submitted invoice within thirty (30) days of receipt thereof.

4.6 Limits of Liability

To the fullest extent permitted by law, the Agency agrees that Sidwell's liability hereunder for damages, regardless of the form of action, shall be limited to actual direct damages, and shall not exceed the charges paid by the Agency to Sidwell under this agreement. The Agency further agrees that Sidwell will not be liable for any other losses or damages, including indirect, incidental, consequential, punitive, exemplary, special, lost profits, failure to realize anticipated savings, data loss, loss of goodwill, business opportunities or reputation, economic loss, or for any claim or demand by any third party.

5. Authorization

This contract is effective this _____ day of _____, 2022.

SIDWELL

By _____

Vice President-Sales and Marketing
Title

AGENCY

By _____

_____
Print Name

_____
Title

Town of Silverton
PO Box 250
Silverton, CO 81433

SAN JUAN COUNTY
PO Box 466
Silverton, CO 81433

Date: February 6, 2022.
For: February 9 Board of County Commissioners Meeting.
From: Town/County Planning Director.
Regarding: Summary of Recent Town/County Planning Department Work.

Recent County Projects

- Proposed residence at GreyRock Village on Highway 550.
- Proposed residence at Lot 6 Cole Ranch.
- Proposed grading and gates at the Old 100 Mine, Old 100 Mill, Gary Owen Mine.
- Proposed cabin on the Lowville and Maxwell Mill Sites at the Arrastra Bridge.
- Proposed replat of condos or replat of townhomes at the Cascade Village PUD.
- Proposed residence at Lot 2 Cole Ranch.
- Proposed backcountry education lodge in Prospect Gulch.
- Proposed cabin on the Gold Finch Lode near Chattanooga.
- Proposed cabin on the Mayzeppa Revised Lode on Highway 550.
- Proposed residence/outbuildings in Know Your Neighbor on Lime Creek Road.
- Proposed workshop building in Know Your Neighbor on Lime Creek Road.
- Proposed campground in Mill Creek at the Chattanooga curve.
- Proposed cabin on Log Cabin Lode on Red Mountain Pass.
- Proposed cabin on Ruby Placer on Ophir Pass.
- Proposed signage on big bend curve on Highway 550.
- Proposed townhome duplexes and proposed apartment buildings in Anvil Mountain Subdivision.
- Prepared draft County Ordinance regarding maximum square footage and height for new structures.
- Proposed cabin and workshop on the Tiger Mill Site.
- County Special Events/Film Permit Application process revisions with Town staff.
- Transfer of ownership for an existing permitted County marijuana facility.
- Referring questions about Howardsville Rock Pirates to the County Administrator.
- Inquiries about a for sale two acre vacant parcel near Red Mountain Pass.
- Proposed cabin on Sandusky Lode in Picayune Gulch.
- Permitting questions regarding a proposed food vendor on mining claims at Eureka.
- Historic review comments for the proposed DSNGRR bridge replacement.
- Overlapping ownership, right of way, and easement issues along the Animas River.
- Other work related to upcoming County permit applications, projects, and County property inquiries.

Recent Town Projects

- Rezoning application on Mineral between 11th and 12th, for proposed employee housing, backcountry lodge reception area, and a snowcat/shuttle garage.
- Approval of the Brown Subdivision for the Reese Street Townhomes at 5th/Reese, Jan. 24 Public

Hearing, Subdivision Improvements Agreement, Fee in Lieu, Final Plat, and infrastructure bonding.
- Approval of the Town Avalanche Hazard Development Permit for the AT&T Proposed Generator and Propane Tank, Block 95 at the town-owned cell phone tower site.
- Prepared draft Town Ordinance regarding maximum square footages, footprint sizes, and parcel coverages for new structures within most Town zoning districts.
- Application for a proposed Town street abandonment, for platted Animas Street, between 19th and 20th in Blagues Addition.
- Inquiries regarding proposed development/repository on Blocks along 5th Street.
- Town staff grant application work towards proposed Town purchase of vacant land on 5th Street.
- Proposed Town sponsored summer employee RV Park in an avalanche red zone on 13th Street.
- Proposed Town Subdivision of a Block containing an existing summer RV Park.
- Applications for the proposed Kranker, Roberts, and Gibson residences and proposed public infrastructure, located at 8th/Snowden, 8th/Bluff, and 11th/Bluff.
- Rezoning application for a proposed tiny home RV Park on Mineral near 17th.
- Review of draft Town Ordinance regarding Town Special Events Permits.
- Review of proposed revisions to the Town Employee Handbook.
- Discussions of the Town Boundary and various access easements along Truck Bypass Road.
- Discussion of potential locations for a proposed new large propane storage tank.
- Inquiries regarding development of Lots at 9th/Mineral, 13th/Cement, 8th/Mineral, 10th/Keystone, 11th/Keystone, and Taylor Addition.
- Review of draft CML article regarding the Town's regulations for Vacation Rentals.
- Building Inspector is working on a Town Ordinance to adopt a more recent version of the International Building Codes.
- Notification of adjacent land owners for several upcoming Town applications.
- Preparation of February (Town/County) Planning Commission Agenda and Packet due February 10.
- Ongoing assistance from and training of Town Planning Department Assistant Clark Thornhill.
- Other work related to upcoming Town permit applications, projects, and Town property inquiries.

Recent Town/County Meetings
- Jan. 24, Town Board meeting including two Planning Department Public Hearings.
- Jan. 26, Planning Director and Town Administrator meet weekly about Town codes and Town/County issues.
- Jan. 26, the Planning Director attended the Board of County Commissioners meeting.
- Jan. 27, the Town staff meets weekly, mostly focusing on Town community issues.
- Jan. 27, Building Inspector, Planning Director, Town Administrator, and Town Planning Assistant meet weekly to work on affordable housing issues/grants.
- Jan. 31, Building Inspector, Planning Director, Town Administrator met with the new Town Attorney.
- Jan. 31, the Planning Director attended the Town Personnel and Ordinance Committee who met about several proposed Town Ordinances, regarding maximum sizes for new structures, regarding Special Events permits, revisions to employee handbook, and one regarding senior citizens.
- Feb. 2, Building Inspector, Planning Director, and Town Administrator met regarding changes to the draft Town Ordinance limiting the size of new structures in Town.
- Feb. 3, Town staff weekly meeting, followed by Town weekly meeting on affordable housing.
- Feb. 3, meeting with the CDOT Safety Circuit Riders, attended by Planning Director, County Administrator, Town Administrator, Town Public Works Director, Chamber Director, and Sheriff.
- In person meetings with Town and County applicants (and a few adjacent land owners) on Jan. 24, Jan. 31, Feb. 2, Feb. 3, and Feb. 4.

Commissioners/citizens can contact me with any Town/County Planning Department questions at work email address LAdair@silverton.co.us or work cell phone number (970) 946-9408.

New legislation would address abandoned mine pollution in Southwest Colorado

Conservation groups, nonprofits and local governments could finally join remediation efforts

By Aedan Hannon Herald Staff Writer

Thursday, Feb 3, 2022 9:12 Updated Friday, Feb. 4, 2022 10:15

The Good Samaritan Remediation of Abandoned Hardrock Mines Act would allow "Good Samaritan" groups to clean up abandoned mines by limiting their legal and financial liability for mine pollution. Sen. Michael Bennet co-sponsored the bill, which would drastically expand the capacity of communities to address toxic mine waste from hundreds of thousands of abandoned mines in the U.S. (Durango Herald file)

A new bipartisan bill would help conservation groups, nonprofits and local governments mitigate pollution from abandoned mines across the West.

The Good Samaritan Remediation of Abandoned Hardrock Mines Act introduced in the U.S. Senate on Thursday would allow "Good Samaritan" groups to assist in the cleanup of abandoned mines by limiting their legal and financial liability for mine pollution. Sen. Michael Bennet, D-Colo., co-sponsored the bill, which would drastically expand the capacity for communities to address toxic mine waste from hundreds of thousands of abandoned mines in the U.S.

corporations to clean up these old, abandoned mines, helping to reduce pollution and improve water quality."

The bill establishes a pilot program of 15 sites in which Good Samaritans – anyone from state mine reclamation agencies to local conservation groups – receive permits from the U.S. Environmental Protection Agency to carry out cleanups at abandoned mine sites.

The legislation has a seven-year sunset and is meant to test a more constructive approach to limiting the pollution from the hundreds of thousands of mines that don't qualify for the EPA's Superfund status.

For years, conservation groups and local governments have argued that the Clean Water Act, though critical for protecting water, limits their involvement in mine cleanups.

The Clean Water Act characterizes the pollution from abandoned mines in two different ways. One is "nonpoint source," which means there is no single identifiable source actively emitting pollution. Solid waste rock at an abandoned mine would qualify as a nonpoint source because it releases toxic materials only when rain and snow wear down the rock.

Nonprofits and other Good Samaritans have been able to clean up nonpoint source abandoned mine pollution since at least 2007 after the EPA issued a policy that protected these groups from any liability for the pollution.

The Clean Water Act also identifies "point source" pollution, which is actively emitted by a single source such as a pipe. Under the Clean Water Act, any entity that wants to clean up the infrastructure of an abandoned mine that discharges pollution, such as a tunnel, must assume liability for that pollution permanently.

To comply with the Clean Water Act, these entities would have to undertake costly efforts to ensure that any water released by the mines during their work meets stringent standards.

"Whoever has responsibility for that mine, they are responsible under the Clean Water Act for cleaning up their (polluted) water to a very, very high degree of purity, almost perfectly pure, before they can discharge that industrial waste back into a creek to run down river," said Ty Churchwell, mining coordinator for Trout Unlimited. "That's all well and good until you have an abandoned mine where there is no miner, there is no mining company."

This issue of liability prevented state agencies, local governments and conservation organizations from cleaning up tens of thousands of abandoned mine sites that spew toxic chemicals.

"Really what this is about is providing a mechanism by which volunteers or third parties can go deal with one of these abandoned draining mines and not be responsible for liability forever for pollution that they didn't cause in the first place," Churchwell said.

In addition to granting Good Samaritans limited liability, the legislation also removes the barrier of the Clean Water Act's strict water standards, allowing organizations to release water according to the standards outlined in their permit and approved by the EPA.

"Our contention is any improvement in water quality is better than none at all," Churchwell said. "Right now, it's 100% or zero. You either clean it up 100% or you're in violation of the Clean Water Act."

Sens. Martin Heinrich, D-N.M., and James Risch, R-Idaho, are the lead sponsors of the bill. They are backed by a bipartisan coalition of co-sponsors, including Bennet and Sens. Ben Ray Luján, D-N.M., Steve Daines, R-Mont., Jon Tester, D-Mont., Mike Crapo, R-Idaho, and John Barrasso, R-Wyo.

Good Samaritan legislation for abandoned mines has been introduced in Congress for more than a decade, but has yet to gain traction.

Bennet has been involved in past efforts and has introduced the bill before, said Kate Oehl, a spokeswoman for Bennet.

According to a March 2020 report by the U.S. Government Accountability Office, there are more than 140,000 abandoned hardrock mine features like toxic waste piles or mine tunnels across the U.S. About 22,500 pose environmental risk.

Hardrock mines are where heavy metals like gold, copper and lead are extracted.

But according to the report, officials with federal land agencies such as the U.S. Forest Service estimated they could be missing another 390,000 features.

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Churchwell said.

"The only legal mechanism right now by which anybody can address one of these abandoned draining mines is through a Superfund action," he said. "... Unfortunately, Superfund (designation) is not well-suited for the vast majority of the bleeding mines all over this country. Superfund is for the absolute worst case scenarios."

In the Animas River watershed, there are about 180 draining mines, only 48 of which were included in the Bonita Peak Mining District, he said.

That leaves dozens of mines that do not qualify for Superfund designation, which prevents the remediation of those sites; the EPA does not have the legal authority to clean up sites that are not Superfund.

The Good Samaritan Remediation of Abandoned Hardrock Mines Act would begin to address those shortcomings.

"Superfund works at these really, really bad sites like in Bonita Peak," Churchwell said. "But there are other sites in Bonita Peak that didn't qualify as a Superfund site, and Good Samaritan (legislation) is intended to fill that void."

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