

**SAN JUAN COUNTY, COLORADO**  
**BOARD OF COMMISSIONERS MEETING AGENDA**

June 24, 2020

**DUE TO THE COVID 19 EMERGENCY 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: 6:30 P.M.**

BOCC Meeting Minutes for June 10, 2020

**APPOINTMENTS:**

- 6:40 P.M. Becky Joyce, Public Health Director, Jim Donovan, OEM and DeAnne Gallegos PIO - COVID 19 Update
- 7:15 P.M. Public Hearing – Kevin Farmer, San Juan Cultivation LLC, CannaFarmer, Annual License Renewal for a Retail Marijuana Cultivation Facility
- 7:30 P.M. Public Hearing – Grizzly Peaks Sales and Distribution LLC, Water Treatment Building at Cascade Village
- 7:45 P.M. David Singer and Loren Lew – Hospital Building Update
- 8:00 P.M. Terry Morris – CAG Update

**CORRESPONDENCE**

Bonita Peak Mining District Update

**OLD BUSINESS**

**NEW BUSINESS**

- MS 16993 Wild Cat Lode and MS 19018 Hidden Treasure Lode Consolidation
- Anvil Mountain Amended Plat
- COVID 19 MOU
- Sheep Grazing on Reclaimed Mining Sites
- Public Comment
- Commissioner and Staff Reports

**Next Regular Meeting – July 8, 2020 8:30 A.M.**

Join Zoom Meeting

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

Meeting ID: 921 3647 3203

One tap mobile

+16699006833,,92136473203# US (San Jose)

+12532158782,,92136473203# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Meeting ID: 921 3647 3203

SAN JUAN COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING WEDNESDAY, JUNE 10, 2020  
AT 8:30 A.M.

Call to Order: The meeting was called to order by Chairman Peter McKay. Present were Commissioners Scott Fetchenhier, Ernie Kuhlman, and Administrator William Tookey. The meeting was held via Zoom video conferencing.

Payment of Bills: Commissioner Fetchenhier moved to authorize payment of the warrants as presented. Commissioner Kuhlman seconded the motion. The motion passed unanimous.

Minutes: Commissioner Fetchenhier moved to approve the minutes of May 27, 2020 as presented. Commissioner Kuhlman seconded the motion. The motion passed unanimous.

The Commissioners received notification that the Frisco-Bagley Mill and Tunnel has been listed on the National Register of Historic Places by the Department of the Interior.

The Commissioners discussed the attainable house under construction at 715 Martha Rose. It was the consensus of the Commissioners to allow a potential owner to enter into a lease to purchase agreement provided the potential owner met the income qualifications.

Social Services Director Martha Johnson was present to provide the Commissioners with a monthly update. Commissioner Fetchenhier moved to approve Transmittal #4 in the amount of \$10,832.74 as submitted. Commissioner Kuhlman seconded the motion. The motion passed unanimous.

Jim Harper provided the Commissioners with an update from the train.

A Public Hearing was held to receive comment concerning a proposed Plat Amendment to Lot 4 of the Cole Ranch Subdivision. Planning Director Lisa Adair introduced the project to Commissioners. Applicant Gorge Riley explained his plans to the Commissioners. Attorney Michael Goldman representing property owner Sandra Ippolite, spoke in opposition to the proposed plat amendment. Commissioner Fetchenhier noted that the property is currently in violation of the County Sign Code. Upon completion of the Public Hearing Commissioner Fetchenhier moved to deny the request for a Plat Amendment, noting that the building envelope on the current plat is developable and would provide for better screening of the proposed cabin. Commissioner Kuhlman seconded the motion. The motion passed unanimous.

Commissioner Fetch gave an update on the County Roads. The recent rainstorms had caused some flooding.

Administrator Tookey provided the Commissioners with an update on Anvil Mountain.

Jim Donovan OEM, Becky Joyce Public Health Director, and Public Information Officer DeAnne Gallegos were present to provide the Commissioners with an update on the COVID 19.

Resolution 2020-06 Stage One Fire Ban was presented to the Commissioners. Commissioner Fetchenhier moved to approve Resolution 2020-06. Commissioner Kuhlman seconded the motion. The motion passed unanimous.

Terry Morris and Anthony Edwards provided the Commissioners with an update from the CAG.

It was the consensus of the Commissioners to submit a letter to the SWRETAC to notify them that Kimmet Holland will continue as the Counties representative.

Administrator Tookey provided the Commissioners with an update that the Economic Recovery Team to pursue the development of a resiliency plan.

Having no further business, the meeting was adjourned at 12:21 P.M.



Ladonna Jaramillo &lt;clerk@sanjuancolorado.us&gt;

**San Juan County Public Health's Coronavirus Update, June 19th**

1 message

**SJC CO Office of Emergency Management** <pio@sanjuancolorado.us>

Fri, Jun 19, 2020 at 12:43 PM

Reply-To: pio@sanjuancolorado.us

To: clerk@sanjuancolorado.us



## For Immediate Release

### San Juan County Public Health's Coronavirus Update, June 19th

An update from Becky Joyce the SJCPH Director

- **Business Compliance Check-in's and Resources**
- **Mask Advisory~ is it enough?**
- **Update on Antibody and Viral Testing**
- **Early detection and Contact tracing**
- **Air Quality and Smoke**
- **How are you?**
- **Senior Meals and Vouchers**

### Thank you San Juan County

We want to thank the San Juan County community for being so responsive to social distancing and mask wearing when in close proximity (less than 6 feet) to other people outside your household and for washing your hands and staying home when sick. We have come A LONG ways since March 5th when the first COVID-19 case was announced in Colorado.

#### **Don't forget to follow the 5 commitments to containment:**

- 1. Practice social distancing.**
- 2. Wash hands often**
- 3. Wear a mask**
- 4. Stay home if sick**
- 5. Get tested immediately if you have symptoms.**



**Let's keep up the momentum to have a successful summer!**

### **Mask Advisory-Is an Advisory Enough?**

The San Juan County Public Health Mask Advisory was issued on June 8th to allow people to choose to respectfully wear masks in our community while not being ordered to do so. However, we're not seeing 80% voluntary compliance, therefore, SJCPH will consider implementing a mandatory mask order next week if people are not being more responsive. We are carefully observing while receiving input from our community. It has been reported that some business owners are telling their customers that they do not need to wear face coverings since it is not mandatory and that people are removing the masks they walked in with. *This was not the intention of issuing the mask advisory as opposed to making it mandatory.*

Our suggestion: Post the Mask Advisory on your business door to encourage guests to wear them. We do not want to implement the mandatory mask order, but we will if we do not see higher compliance. Business owners and employees: it is MANDATORY that you wear a mask in your business while interacting with customers. This is not optional. And, if you are wearing a mask, your guests will be more likely to do so as well.

### **San Juan County Business Check-in's**

SJCPH has been asked by many informed business owners to observe their efforts in reopening so we're excited to say hello and reconnect, therefore, the team will perform onsite business check-in's the week of June 22nd. In order to increase compliance, we will provide:

- 1. Technical assistance/education**
- 2. Letter stating not following order by Friday, the 26th if necessary**
- 3. Disciplinary action by Code enforcement and/or Sheriff's Department if non-compliance continues.**

Please call Becky Joyce at 970-387-0242 if you would like to schedule an appointment at your convenience or appointment not necessary if you're ready for a member of the team to drop in.

If you need signs or checklists ahead of time, please call or email [director@sjcph.org](mailto:director@sjcph.org) or [pio@sanjuancolorado.us](mailto:pio@sanjuancolorado.us) or call the Visitor Center's Ambassador Program at 387-5654.

Free masks and Hand sanitizer for businesses are available at Town Hall.

### **Did you Test positive for Antibodies?**

Antibody testing results are complex and need to be interpreted carefully. We do suspect the virus was present in our community earlier in the season and the antibody testing the Silverton Clinic has performed is giving us data that we are using. The rumors that 50% of Silverton has tested positive for antibodies is inaccurate and our community is still susceptible to the virus and must take precautions. There have been documented recurrent infections. SJCPH has heard one too many times this week from people who've tested positive for antibodies that

"I don't need to wear a mask, I've already had it". There is no data to back up that statement and we still do not know the accuracy of antibody testing. Wear masks and socially distance even if you've had a positive antibody result. Virologists note that a positive antibody test does not infer immunity to Coronavirus or COVID-19. Since this is a novel Coronavirus, immunity to the virus may take a long time to get established. The amount of time that antibodies stay in any particular person differ vastly, some people have them for much longer than others.

From the CDC: <https://www.cdc.gov/coronavirus/2019-ncov/testing/serology-overview.html>

A positive test result shows you may have antibodies from an infection with the virus that causes COVID-19, or possibly from infection with a related virus from the same family of viruses (called coronavirus), such as one that causes the common cold. We do not know yet if having antibodies to the virus that causes COVID-19 can protect someone from getting infected again or, if they do, how long this protection might last.

Talk with your healthcare provider about your test result and the type of test you took to understand what your result means. Your provider may suggest you take a second type of antibody test to see if the first test was accurate.

You should continue to protect yourself and others since it's possible you could get infected with the virus again. More questions about antibody testing or to schedule a test should be directed to the Silverton Clinic at 970-387-5114.

Lois Mackenzie reports from the Silverton Clinic states they've tested a "total of 168 people with 73 showing detected antibodies for 43%. We have sent to two different labs and have seen very different results. From 150 tests sent to IGenix in California 73 people showed either IgM or IgG antibodies which is 48%. We sent 18 to LabCorp with one coming back positive=5%. No laboratories in the country have been FDA approved and we still don't even know if IgG immunity will actually protect or last".

### **Early reporting and detection/testing/contact tracing is CRUCIAL**

If you have any symptoms such as: cough, Shortness of breath or difficulty breathing, Fever, Chills, Muscle pain, Sore throat, New loss of taste or smell. This list is not all possible symptoms. Other less common symptoms have been reported, including gastrointestinal symptoms like nausea, vomiting, or diarrhea. If you have symptoms use the online CDPHE symptom tracker <https://covid19.colorado.gov/covid19-symptoms>. This enables our team to monitor symptoms for the Silverton community and identify an outbreak early. Health information is always kept private under HIPPA.

### **Designated Community Testing Site**

Viral testing is considered the gold standard by public health officials for determining if you have COVID19. San Juan County Public Health (SJCPH) continues to offer FREE diagnostic PCR nasal swab, Call SJCPH at 970-387-0242. A doctor's order is not necessary and you do not need to be symptomatic. If you believe you have been exposed to someone positive or have other questions, please contact SJCPH immediately.

## **Vulnerable Populations and Precautions**

If you are higher risk, it is even more important to take precautions. Based on what we know now, those at high-risk for severe illness from COVID-19 are people 65 years and older, people who live in a nursing home or long-term care facility, people of all ages with underlying medical conditions, particularly if not well controlled, including people with chronic lung disease or moderate to severe asthma, people who have serious heart conditions, people who are immunocompromised, many conditions can cause a person to be immunocompromised, including cancer treatment, smoking, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications, people with severe obesity (body mass index [BMI] of 40 or higher), people with diabetes, people with chronic kidney disease undergoing dialysis and people with liver disease.

## **Air quality and wildfire smoke**

The East Canyon Fire started near Mancos on January 13. The fire has grown to over 2700 acres and is now being managed by a Type II Incident Management Team. The fire and smoke has closed HWY 160 temporarily. There are several other smaller wildfires to the south of San Juan County. Please monitor CODOT ([www.cotrip.org](http://www.cotrip.org)) for traffic updates.

CDPHE issued an Air Quality Advisory for the Southwest region. You can monitor Silverton air quality by checking [Purpleair.com](http://Purpleair.com)

## **How are you doing, really?**

SJCPCPH also urges citizens to check on their neighbors from a social distance and to consider those more isolated. If you are worried about someone and/or need to talk to a professional yourself, please call Axis Health system 24/7 crisis line at 970-247-5245, or text talk to 38255 for 24/7 Colorado Crisis Services text line. No problem is too big or too small to call or text about.

Area Agency for Aging is offering [Senior Meal](#) and gas card vouchers, Silverton Grocery gift cards and brown bag lunches to those Silverton residents who are 60 years old and over and who qualify. Please call Miriam White at 970-403-6759.

The next phase of public health orders will be coming out July 1st and the draft for [Protect your neighbor](#) phase is open to feedback by June 18th. The [Colorado Safer at Home Order](#) can be found here, or go to the [Safer At Home](#) website for more information.

To sign up for the updates from the Office of Emergency Management and San Juan County Public Health, email [pio@sanjuancolorado.us](mailto:pio@sanjuancolorado.us) to get on the email list. Also follow on Facebook [San Juan County Public Health](#) and the [Office of](#)

Emergency Management for up to date and accurate information You can also check the San Juan County Website. (<https://sanjuancounty.colorado.gov/>) Make sure to sign up for emergency alerts through Nixle for San Juan County. Text 81433 to 888-777.

###

For more information on Safer At Home order, please visit <https://covid19.colorado.gov/safer-at-home>

To sign up for the updates from the Office of Emergency Management and San Juan County Public Health, email [pio@sanjuancolorado.us](mailto:pio@sanjuancolorado.us) to get on the email list. Make sure to sign up for emergency alerts through Nixle for San Juan County. Text 81433 to 888-777.

Thank you.

**DeAnne Gallegos**  
**Public Information Officer**  
**San Juan County Office of Emergency Management**  
[pio@sanjuancolorado.us](mailto:pio@sanjuancolorado.us)

San Juan County Colorado [Website](#)



San Juan County CO Office of Emergency Management | PO Box 184, Silverton, CO 81433

Unsubscribe [clerk@sanjuancolorado.us](mailto:clerk@sanjuancolorado.us)

About Constant Contact

Sent by [pio@sanjuancolorado.us](mailto:pio@sanjuancolorado.us) in collaboration with



Try email marketing for free today!





---

6/23/2020

**TO: County Variances, Office of the Governor of Colorado, Jared Polis**  
**RE: Support for 2 endurance running events in San Juan County CO July 2020**

**Cc: Board of County Commissioners, Director of San Juan County Public Health, Aravaipa Running, USFS permitting, BLM permitting**

The San Juan County Incident Management Team and the San Juan County Public Health have reviewed the application submitted by the Aravaipa Running to operate 2 running events in Silverton CO in July 2020. The events are the Kendall Mountain Run and the Silverton Alpine Marathon.

We support the modified plan submitted by Aravaipa Running and have been working with the organization to operate the events within the parameters of the SEVENTH AMENDED PUBLIC HEALTH ORDER 20-28.

The variance is specifically requesting to increase the event capacities to 250. This would be an increase in 75 persons from the designated 175 in the Public Health Order. San Juan County has documented 1 case of COVID19 on 4/3/2020. San Juan County has been an established community testing site and has the capability to manage a reasonable number of reported cases. San Juan County has letters of support from our regional hospitals Mercy Medical Center, Durango and Montrose Memorial, Montrose, CO.

SJCPH supports and encourages organized outdoor activities with the supporting modified operating plans for COVID19 and see great public health benefits that such events can promote.

SJCPH supports the 2 events and believe that they operate in the spirit of the "Safer at Home and in the Vast, Great Outdoors" Public Health Order.

Thank You

*Jim Donovan*

Incident Command, San Juan County COVID19 Response  
Emergency Manager  
Emergency Preparedness and Response Coordinator, SJCPH



**Kendall Mountain Run & Silverton Alpine Runs**  
**July 11-12, 2020**  
**COVID-19 Operational Changes**

Our COVID-19 mitigation plan is listed below for the 2020 Silverton Alpine Runs & Kendall Mountain Run held in and around Silverton, Colorado. The majority of the courses take place on Bureau of Land Management lands while the event start & finish are in the Town of Silverton.

We at Aravaipa pride ourselves on the in-race experience and the community aspect of our finish lines that encourage participants to engage with other runners. However, at least for the foreseeable future, that will not be the case. We will not have beer gardens, social distancing will be in place, and attendees will be expected to wear masks while in our race headquarters. Please read the plan in detail and let us know if you have any questions.

Some of the highlights of the big picture changes are:

- Require all registered racers to sign and return electronically an acknowledgement of the social distancing requirements of the race and their commitment to adhere to them.
- Staggered start for all distances.
- The start window will be spread over several hours with start waves every five minutes.
- Fastest participants as projected by our registration software UltraSignup.com will begin first which means slower participants will potentially start two hours later.
- Aid stations will require participants to be more self-sufficient. No plopping down in chairs and having a crew of volunteers or family pamper you (sorry!). Volunteers will be required to stay on one side of the aid tables and racers will ask for food that will be set out in single serving format.
- Encouraging competitors to be more self-sufficient than normal if they prefer to skip aid stations.
- Family/crews will be allowed to help their participant at their car or outside the race village, but will not be allowed into the Race Village proper.
- Social distancing will be required at all times. The obvious exception is when passing another participant but if you find yourself near another participant at the same pace you must separate by a minimum of 6 feet. Social distancing standards will be required throughout the entire race (start, on course, aid stations, finish area, etc.) This may mean that you will be waiting to receive aid at the remote aid stations or when finishing each loop.
- After participants finish the race, they may recover in the park area, but outside of race village. Social distancing among non-family members will be required. If we find ourselves massing, we will ask recovered participants to disperse.

Full details of the COVID-19 mitigation plan are outlined below.

It's important that if participants are feeling ill, they do not travel to the area or race. We will gladly offer a full rollover or race credit, no questions asked even if it's last minute. When in doubt stay home.

Any questions please reach out to:

Jamil Coury  
Aravaipa Running  
[jamil@aravaiparunning.com](mailto:jamil@aravaiparunning.com)  
602-361-7440



## **Operational Changes to Event**

The Kendall Mountain Run & Silverton Alpine Runs are organized by Aravaipa Running and take place in and around the Town of Silverton, Colorado. The following guidelines constitute our event modifications for COVID-19 related mitigation. We've employed guidance from Colorado Department of Public Health & Environment, the United States Centers for Disease Control (CDC), the Town of Silverton, the Race Director Alliance, other trail running race directors and organizers as well as our own experience in the events industry for the past twelve years.

The Silverton Alpine Marathon is scheduled to take place on Saturday, July 11 on the Alpine Loop jeep roads from Silverton through Eureka, Animas Forks, over California Pass and back to Silverton. The event features distances of 50 kilometers, a Marathon (26.2 miles) & an 8 miler. This year's event will start and finish in Memorial Park and will feature spaced out wave starts of groups of 10 runners at a time socially distanced in the start corral. We would like to cap this event at 250 starters spread out over 2 hours (See Appendix A for wave start schedule). Participants will spread out over a total of 27 miles of dirt roads. Finish times will be spread out over a total of 7 hours.

The Kendall Mountain Run now in its 43<sup>rd</sup> year is a Silverton classic. It historically starts in town at 12<sup>th</sup> Street & Greene and runs to the top of Kendall Mountain and back to town. The event utilizes mostly a wide jeep road to the top of the mountain with a final scramble to the top up a short stretch of trail. This year the course will go up and over and connect back to the jeep trail eliminating any out and back sections. The race will finish back in town at Memorial Park. We would like to cap this event at 250 starters spread out over 2 hours (See Appendix B for wave start schedule). Participants will spread out over 6 miles of jeep road up and 6 miles of jeep road back down to town. Finish times will be spread out over a total of 6.5 hours.

Aravaipa Running is seeking input from the Town of Silverton on whether these events are welcome in Town this year and if they feel like they should take place in the current COVID-19 environment we live in. Additionally, we will be looking to work with the Town for information we should pass on to our participants regarding safely visiting Silverton and any local health regulation to follow.

### **General Event Format**

- Participants will have their temperature checked prior to entering the start corral and will answer symptom screening questions before receiving their race bib. Participants that answer "yes" to any symptoms or with a temperature greater than 100.4 deg will not be allowed to enter the race area.
- All registered participants will be required to sign and return electronically an acknowledgement of the social distancing requirements of the race and their commitment to adhere to them. Non-compliance could be ground for expulsion from the race with no refund. Any instances of non-compliance will be adjudicated by the Race Marshall.
- Signs detailing hygiene and safety measures will be posted throughout the race area.
- All event activities will take place outdoors.
- Pre-race briefings will be delivered in advance available online at least one week in advance of the race describing all details pertaining to the event format and additional guidelines for successful participation.

### **Pre-Race Packet Pickup**

- Participants will be encouraged to pick up their race packet a day in advance at pre-race packet pickup to reduce day-of pickup. This will be done in Memorial Park in a contactless way.
- Packets will include race bib, pins, race goody and finisher award in advance, reducing the need for a finish line staff member or volunteer.

### **Race Day Packet Pickup**

- Race packets will be separated to match the participants expected starting wave times and will include their bib, finisher medal and any other race swag.
- Participants may only pick up their packet within a half hour of their wave start time.

- We will mark the ground with chalk or flags in 7-foot increments in front of the registration tent for social distance guides. We will mark out at least 15 spots.
- Participants will be encouraged to return to their vehicles or disperse to less populated areas to wait for their start wave time.
- Day of registration will be done online through our website at AravaipaRunning.com. Participants will sign up for a specific wave if slots are available. Once on site, they will be given only a race bib with additional goodies with the finisher award mailed out post-race. There will be no on-site race day registration.
- If any payment option is offered on race day for any reason it have a contactless option.

#### **Event Village**

- We will designate an area of our event staging that is considered our “Essentials Race Village”. The race village will be comprised of the start corral, the finish line, the registration tent, medical, and aid station.
- Only registered participants with race bibs on will be permitted into the race village, and they must be wearing a face covering at all times.
- Outside the race village but on site we may have a store and food vendor that both take online payments / orders and are set up for social distancing.
- We will enforce a maximum number of 10 runners in the essentials race village at any one time.

#### **Start of Races**

- A starting corral will be set up for small group wave starts of no more than 10 participants at a time.
- At this starting corral 10 starting positions will be marked on the ground with chalk or flags that are spaced at least 6 feet apart.
- There will be 5 minutes between starting waves. Please see the appendix for wave start times for up to 250 runners.
- Participants will be pre-assigned a start time based upon their UltraSignup.com projected finish time. We will have the faster projected participants start first to cut down on on course passing.
- Participants must start in their pre-assigned wave.
- Participants may enter the starting corral no more than 3 minutes prior to the start of their wave to claim one of the starting spots.

#### **Kendall Mountain Start Line**

- Normally, the Kendall Mountain Run begins in a mass start on 12<sup>th</sup> Street and Greene. This year we will start in a vacant dirt lot at 12<sup>th</sup> Street and Blair/Empire. We will construct a starting corral that will be utilized to begin groups of 10 every 5 minutes. This will spread participants out considerably.
- Participants will be discouraged from showing up to the starting intersection until 10 minutes before their specified starting wave.
- For race day pickup, we would like to find an area at least one block away for people to pick up their race bib to avoid congestion.

#### **Day of Event Tracking**

- A disposable RFID timing chip will be on the back of each bib. This will provide a finish time that is chip timed based upon when each participant starts their race. No need to collect chip at finish.
- We will have a timing point at our remote aid station to track participants on course.

#### **Aid Stations**

- Our aid stations will be broken down and spaced out to reduce groupings of participants and create multiple service points for one participant at a time.
- Remote aid station will provide water, electrolyte drink and pre-packaged foods served by masked and gloved volunteers. Workspaces will be regularly sanitized.
- For water fill-up, participants will be instructed to open their water bladder or bottle themselves while a masked and gloved volunteer fills their container from a water pitcher.

- Food will be stored in sealed containers and gloved volunteers will place food items requested by a participant into a bag or disposable container and then put onto a table where a participant will be instructed to pick up requested items.
- Tables and equipment will be regularly cleaned with disinfecting wipes.

#### **Volunteers & Staff**

- All volunteers & staff will agree to a COVID-19 symptom screening and will be subject to a temperature check.
- All volunteers & staff must wear a face mask / covering and disinfect hands using hand sanitizer after each interaction with another person.
- Face masks, gloves and sanitizer will be provided free of charge to volunteers & staff.
- A minimal number of volunteers will be utilized .
- Staff & volunteers will maintain 6-foot social distancing when possible and all will work outdoors.
- A new position titled "Race Marshall" will be on hand to ensure social distancing protocols are met.
- 

#### **Bathrooms**

- There will be several portable restrooms at the start and finish that will be separated by a minimum of 6 feet. The lines from the restrooms will be coned or chalked letting users know where to stand to remain 6 feet apart.
- Sanitizing wipes and hand sanitizer will be provided for each user to wipe down the restrooms after / before use.
- Staff will regularly sanitize handles during high use periods.
- Good hygiene signs will be posted.

#### **Medical**

- We will look to hire a local EMT if possible, to stage medical at our finish line.
- The role of the medical team is to help participants with minor injuries and to stabilize until additional medical services arrive should they be requested.
- Each medical area will have a 10 to 1 bleach solution in a sprayer to disinfect chairs and larger areas that a patient may come into contact with.
- Social distancing applies to their tent as well and only 1-3 patients will be allowed inside for treatment at any given time.

#### **On Course Activity**

- Due to our staggered start times and layout of the course we anticipate that participants will be well spread out over the course of the dirt roads used for the events.
- Participants will be instructed to maintain a minimum 6-foot distance from each other unless passing.

#### **Finish / Race Village Area**

- The race village will be in Memorial Park. This will provide us with a large open canvas for our headquarters to be set up in a manner that supports social distancing.
- The finish and timing line will be separated from the recovery tent (food and water) and participants will be required to leave the finish area as soon as possible after finishing to disperse into other areas of the park or Town.
- Participants will receive their finisher award in advance, minimizing interaction post-race.
- Participants will be directed to a separate post-race refreshment tent for food and fluids for recovery.
- We will be encouraging participants who finish to vacate the race village after they have recovered. We may reduce this time to follow maximum group size and will at all times require social distancing monitored by the race marshal.

This operating plan adheres to the guidelines outlined in the FIFTH AMENDED PUBLIC HEALTH ORDER 20-28. Aravaipa Running will provide volunteer, staff, and participant contact information if requested by the San Juan County Public Health Department.

<b>Silverton Alpine Wave Starts</b>	<b># Runners</b>	<b>Total</b>
6:00 AM Registration	10	
6:30 AM 50K Top Men 1	10	10
6:35 AM 50K Top Women 2	10	20
6:40 AM 50K Wave 3	10	30
6:45 AM 50K Wave 4	10	40
6:50 AM 50K Wave 5	10	50
6:55 AM 50K Wave 6	10	60
7:00 AM 50K Wave 7	10	70
7:05 AM 50K Wave 8	10	80
7:10 AM 50K Wave 9	10	90
7:15 AM 50K Wave 10	10	100
7:20 AM 50K Wave 11	10	110
7:25 AM 50K Wave 12	10	120
7:30 AM Marathon Top Men 13	10	130
7:35 AM Marathon Top Women 14	10	140
7:40 AM Marathon Wave 15	10	150
7:45 AM Marathon Wave 16	10	160
7:50 AM Marathon Wave 17	10	170
7:55 AM Marathon Wave 18	10	180
8:00 AM Marathon Wave 19	10	190
8:05 AM Marathon Wave 20	10	200
8:10 AM Marathon Wave 21	10	210
8:15 AM 8K Wave Top Men 22	10	220
8:20 AM 8K Wave Top Women 23	10	230
8:25 AM 8K Wave 24	10	240
8:30 AM 8K Wave 25	10	250

Figure 1 - Silverton Alpine Run Waves

<b>Kendall Mtn Wave Starts</b>	<b># Runners</b>	<b>Total</b>
6:00 AM Registration	10	
6:30 AM Elite Men 1	10	10
6:35 AM Elite Women 2	10	20
6:40 AM Elite Men 3	10	30
6:45 AM Elite Women 4	10	40
6:50 AM Wave 5	10	50
6:55 AM Wave 6	10	60
7:00 AM Wave 7	10	70
7:05 AM Wave 8	10	80
7:10 AM Wave 9	10	90
7:15 AM Wave 10	10	100
7:20 AM Wave 11	10	110
7:25 AM Wave 12	10	120
7:30 AM Wave 13	10	130
7:35 AM Wave 14	10	140
7:40 AM Wave 15	10	150
7:45 AM Wave 16	10	160
7:50 AM Wave 17	10	170
7:55 AM Wave 18	10	180
8:00 AM Wave 19	10	190
8:05 AM Wave 20	10	200
8:10 AM Wave 21	10	210
8:15 AM Wave 22	10	220
8:20 AM Wave 23	10	230
8:25 AM Wave 24	10	240
8:30 AM Wave 25	10	250

Figure 2 - Kendall Mountain Run Waves





**COLORADO**  
Department of Public  
Health & Environment

# Application for Variance

Name of County: San Juan County

Name of Submitter: Jim Donovan

Phone Number of Submitter: 970-903-7039

Email of Submitter: oem@sanjuancolorado.us

San Juan County requests a variance from the following restrictions in Executive Order D 2020 044 and/or Public Health Order 20-28.

List the sections of Executive Order D 2020 044 and/or Public Health Order 20-28 that a variance is being sought for:

Section H. 3. Variance to allow a maximum of up to 250 people to participate in a running recreation events that utilize old mining roads in San Juan County.

Summarize alternate restrictions being proposed to replace the above-referenced restrictions and indicate where in the Plan these alternate restrictions are addressed:

Total participation of 250 will be spread out over 2 hours of start times and over 8 hours of finish times. Kendall is a 12 mile run and Silverton Alpine is a 26 mile course so ample space to spread out. A max of 10 people will be starting in each start wave spread out by 5 minutes. Social interactions will be limited as much as possible, and contactless measures will be implemented in all aspects of event.

Upload your county COVID-19 Suppression Plan and documentation demonstrating approval by the county commissioners, and confirmation from all impacted local hospitals that they can serve all individuals needing their care. Provide a brief summary of each of the following elements contained in the county COVID-19 Suppression Plan and indicate where in the Plan more information can be found for each element.

1. Prevalence of COVID -19 within the county  
1 reported case on 4/3/2020

## 2. Hospital Capacity

San Juan County has no hospitals. San Juan County transports to either Mercy Medical Center in Durango, CO or Montrose Memorial in Montrose CO. we have letters of support from the respective hospitals stating that they have the capacity to handle cases from San Juan County.





3. Local containment measures

New cases are self reported to the SJCPH. San Juan County have been an established community testing site since April. A public education effort has been implemented to encourage citizens to track and report symptoms via the CDPHE Symptom Tracker. Testing and contact tracing are performed.

4. Conditions to determine the variance is not providing adequate COVID-19 protection and the triggers for tightening restrictions.

If we saw more cases in the county we could spread out the start times more, but we feel we are already being quite conservative with our start times, requiring masks except while exercising and being contactless as much as possible.

 Confirm that the variance requested does not lessen or eliminate the protections for Vulnerable Individuals in the Safer at Home Order and PHO 20-28.

 Confirm that the county will collect and monitor data to evaluate the impacts of the variance. and make such data available upon request by CDPHE.

Additional information relevant to the requested variance

San Juan County public health personnel have reviewed the plan submitted by Aravaipa Running and support their efforts. San Juan County supports the efforts to encourage healthy outdoor recreation and activity in a safe manner. Aravaipa Running is very experienced operating events and is very cooperative in modifying their operating plan to meet the Public Health Order requirements.

By signing below, I attest that I am authorized pursuant to the adoption of the COVID-19 Suppression Plan by the Board of County Commissioners to submit this variance request to CDPHE for consideration.

DocuSigned by:  
  
4DA5AEB11D6D423

2020-06-23

Signature

Date

**Kendall Mountain Run & Silverton Alpine Runs  
July 11-12, 2020  
COVID-19 Operational Changes**

Our COVID-19 mitigation plan is listed below for the 2020 Silverton Alpine Runs & Kendall Mountain Run held in and around Silverton, Colorado. The majority of the courses take place on Bureau of Land Management lands while the event start & finish are in the Town of Silverton.

We at Aravaipa pride ourselves on the in-race experience and the community aspect of our finish lines that encourage participants to engage with other runners. However, at least for the foreseeable future, that will not be the case. We will not have beer gardens, social distancing will be in place, and attendees will be expected to wear masks while in our race headquarters. Please read the plan in detail and let us know if you have any questions.

Some of the highlights of the big picture changes are:

- Require all registered racers to sign and return electronically an acknowledgement of the social distancing requirements of the race and their commitment to adhere to them.
- Staggered start for all distances.
- The start window will be spread over several hours with start waves every five minutes.
- Fastest participants as projected by our registration software UltraSignup.com will begin first which means slower participants will potentially start two hours later.
- Aid stations will require participants to be more self-sufficient. No plopping down in chairs and having a crew of volunteers or family pamper you (sorry!). Volunteers will be required to stay on one side of the aid tables and racers will ask for food that will be set out in single serving format.
- Encouraging competitors to be more self-sufficient than normal if they prefer to skip aid stations.
- Family/crews will be allowed to help their participant at their car or outside the race village, but will not be allowed into the Race Village proper.
- Social distancing will be required at all times. The obvious exception is when passing another participant but if you find yourself near another participant at the same pace you must separate by a minimum of 6 feet. Social distancing standards will be required throughout the entire race (start, on course, aid stations, finish area, etc.) This may mean that you will be waiting to receive aid at the remote aid stations or when finishing each loop.
- After participants finish the race, they may recover in the park area, but outside of race village. Social distancing among non-family members will be required. If we find ourselves massing, we will ask recovered participants to disperse.

Full details of the COVID-19 mitigation plan are outlined below.

It's important that if participants are feeling ill, they do not travel to the area or race. We will gladly offer a full rollover or race credit, no questions asked even if it's last minute. When in doubt stay home.

Any questions please reach out to:

Jamil Coury  
Aravaipa Running  
[jamil@aravaiparunning.com](mailto:jamil@aravaiparunning.com)  
602-361-7440



## Operational Changes to Event

The Kendall Mountain Run & Silverton Alpine Runs are organized by Aravaipa Running and take place in and around the Town of Silverton, Colorado. The following guidelines constitute our event modifications for COVID-19 related mitigation. We've employed guidance from Colorado Department of Public Health & Environment, the United States Centers for Disease Control (CDC), the Town of Silverton, the Race Director Alliance, other trail running race directors and organizers as well as our own experience in the events industry for the past twelve years.

The Silverton Alpine Marathon is scheduled to take place on Saturday, July 11 on the Alpine Loop jeep roads from Silverton through Eureka, Animas Forks, over California Pass and back to Silverton. The event features distances of 50 kilometers, a Marathon (26.2 miles) & an 8 miler. This year's event will start and finish in Memorial Park and will feature spaced out wave starts of groups of 10 runners at a time socially distanced in the start corral. We would like to cap this event at 250 starters spread out over 2 hours (See Appendix A for wave start schedule). Participants will spread out over a total of 27 milers of dirt roads. Finish times will be spread out over a total of 7 hours.

The Kendall Mountain Run now in its 43<sup>rd</sup> year is a Silverton classic. It historically starts in town at 12<sup>th</sup> Street & Greene and runs to the top of Kendall Mountain and back to town. The event utilizes mostly a wide jeep road to the top of the mountain with a final scramble to the top up a short stretch of trail. This year the course will go up and over and connect back to the jeep trail eliminating any out and back sections. The race will finish back in town at Memorial Park. We would like to cap this event at 250 starters spread out over 2 hours (See Appendix B for wave start schedule). Participants will spread out over 6 miles of jeep road up and 6 miles of jeep road back down to town. Finish times will be spread out over a total of 6.5 hours.

Aravaipa Running is seeking input from the Town of Silverton on whether these events are welcome in Town this year and if they feel like they should take place in the current COVID-19 environment we live in. Additionally, we will be looking to work with the Town for information we should pass on to our participants regarding safely visiting Silverton and any local health regulation to follow.

### General Event Format

- Participants will have their temperature checked prior to entering the start corral and will answer symptom screening questions before receiving their race bib. Participants that answer "yes" to any symptoms or with a temperature greater than 100.4 deg will not be allowed to enter the race area.
- All registered participants will be required to sign and return electronically an acknowledgement of the social distancing requirements of the race and their commitment to adhere to them. Non-compliance could be ground for expulsion from the race with no refund. Any instances of non-compliance will be adjudicated by the Race Marshall.
- Signs detailing hygiene and safety measures will be posted throughout the race area.
- All event activities will take place outdoors.
- Pre-race briefings will be delivered in advance available online at least one week in advance of the race describing all details pertaining to the event format and additional guidelines for successful participation.

### Pre-Race Packet Pickup

- Participants will be encouraged to pick up their race packet a day in advance at pre-race packet pickup to reduce day-of pickup. This will be done in Memorial Park in a contactless way.
- Packets will include race bib, pins, race goody and finisher award in advance, reducing the need for a finish line staff member or volunteer.

### Race Day Packet Pickup

- Race packets will be separated to match the participants expected starting wave times and will include their bib, finisher medal and any other race swag.
- Participants may only pick up their packet within a half hour of their wave start time.

- We will mark the ground with chalk or flags in 7-foot increments in front of the registration tent for social distance guides. We will mark out at least 15 spots.
- Participants will be encouraged to return to their vehicles or disperse to less populated areas to wait for their start wave time.
- Day of registration will be done online through our website at AravaipaRunning.com. Participants will sign up for a specific wave if slots are available. Once on site, they will be given only a race bib with additional goodies with the finisher award mailed out post-race. There will be no on-site race day registration.
- If any payment option is offered on race day for any reason it have a contactless option.

#### **Event Village**

- We will designate an area of our event staging that is considered our “Essentials Race Village”. The race village will be comprised of the start corral, the finish line, the registration tent, medical, and aid station.
- Only registered participants with race bibs on will be permitted into the race village, and they must be wearing a face covering at all times.
- Outside the race village but on site we may have a store and food vendor that both take online payments / orders and are set up for social distancing.
- We will enforce a maximum number of 10 runners in the essentials race village at any one time.

#### **Start of Races**

- A starting corral will be set up for small group wave starts of no more than 10 participants at a time.
- At this starting corral 10 starting positions will be marked on the ground with chalk or flags that are spaced at least 6 feet apart.
- There will be 5 minutes between starting waves. Please see the appendix for wave start times for up to 250 runners.
- Participants will be pre-assigned a start time based upon their UltraSignup.com projected finish time. We will have the faster projected participants start first to cut down on on course passing.
- Participants must start in their pre-assigned wave.
- Participants may enter the starting corral no more than 3 minutes prior to the start of their wave to claim one of the starting spots.

#### **Kendall Mountain Start Line**

- Normally, the Kendall Mountain Run begins in a mass start on 12<sup>th</sup> Street and Greene. This year we will start in a vacant dirt lot at 12<sup>th</sup> Street and Blair/Empire. We will construct a starting corral that will be utilized to begin groups of 10 every 5 minutes. This will spread participants out considerably.
- Participants will be discouraged from showing up to the starting intersection until 10 minutes before their specified starting wave.
- For race day pickup, we would like to find an area at least one block away for people to pick up their race bib to avoid congestion.

#### **Day of Event Tracking**

- A disposable RFID timing chip will be on the back of each bib. This will provide a finish time that is chip timed based upon when each participant starts their race. No need to collect chip at finish.
- We will have a timing point at our remote aid station to track participants on course.

#### **Aid Stations**

- Our aid stations will be broken down and spaced out to reduce groupings of participants and create multiple service points for one participant at a time.
- Remote aid station will provide water, electrolyte drink and pre-packaged foods served by masked and gloved volunteers. Workspaces will be regularly sanitized.
- For water fill-up, participants will be instructed to open their water bladder or bottle themselves while a masked and gloved volunteer fills their container from a water pitcher.

- Food will be stored in sealed containers and gloved volunteers will place food items requested by a participant into a bag or disposable container and then put onto a table where a participant will be instructed to pick up requested items.
- Tables and equipment will be regularly cleaned with disinfecting wipes.

#### **Volunteers & Staff**

- All volunteers & staff will agree to a COVID-19 symptom screening and will be subject to a temperature check.
- All volunteers & staff must wear a face mask / covering and disinfect hands using hand sanitizer after each interaction with another person.
- Face masks, gloves and sanitizer will be provided free of charge to volunteers & staff.
- A minimal number of volunteers will be utilized .
- Staff & volunteers will maintain 6-foot social distancing when possible and all will work outdoors.
- A new position titled "Race Marshal" will be on hand to ensure social distancing protocols are met.
- 

#### **Bathrooms**

- There will be several portable restrooms at the start and finish that will be separated by a minimum of 6 feet. The lines from the restrooms will be coned or chalked letting users know where to stand to remain 6 feet apart.
- Sanitizing wipes and hand sanitizer will be provided for each user to wipe down the restrooms after / before use.
- Staff will regularly sanitize handles during high use periods.
- Good hygiene signs will be posted.

#### **Medical**

- We will look to hire a local EMT if possible, to stage medical at our finish line.
- The role of the medical team is to help participants with minor injuries and to stabilize until additional medical services arrive should they be requested.
- Each medical area will have a 10 to 1 bleach solution in a sprayer to disinfect chairs and larger areas that a patient may come into contact with.
- Social distancing applies to their tent as well and only 1-3 patients will be allowed inside for treatment at any given time.

#### **On Course Activity**

- Due to our staggered start times and layout of the course we anticipate that participants will be well spread out over the course of the dirt roads used for the events.
- Participants will be instructed to maintain a minimum 6 foot distance from each other unless passing.

#### **Finish / Race Village Area**

- The race village will be in Memorial Park. This will provide us with a large open canvas for our headquarters to be set up in a manner that supports social distancing.
- The finish and timing line will be separated from the recovery tent (food and water) and participants will be required to leave the finish area as soon as possible after finishing to disperse into other areas of the park or Town.
- Participants will receive their finisher award in advance, minimizing interaction post-race.
- Participants will be directed to a separate post-race refreshment tent for food and fluids for recovery.
- We will be encouraging participants who finish to vacate the race village after they have recovered. We may reduce this time to follow maximum group size and will at all times require social distancing monitored by the race marshal.

This operating plan adheres to the guidelines outlined in the FIFTH AMENDED PUBLIC HEALTH ORDER 20-28. Aravaipa Running will provide volunteer, staff, and participant contact information if requested by the San Juan County Public Health Department.

	<b>Silverton Alpine Wave Starts</b>	<b># Runners</b>	<b>Total</b>
<b>6:00 AM</b>	Registration	10	
<b>6:30 AM</b>	50K Top Men 1	10	10
<b>6:35 AM</b>	50K Top Women 2	10	20
<b>6:40 AM</b>	50K Wave 3	10	30
<b>6:45 AM</b>	50K Wave 4	10	40
<b>6:50 AM</b>	50K Wave 5	10	50
<b>6:55 AM</b>	50K Wave 6	10	60
<b>7:00 AM</b>	50K Wave 7	10	70
<b>7:05 AM</b>	50K Wave 8	10	80
<b>7:10 AM</b>	50K Wave 9	10	90
<b>7:15 AM</b>	50K Wave 10	10	100
<b>7:20 AM</b>	50K Wave 11	10	110
<b>7:25 AM</b>	50K Wave 12	10	120
<b>7:30 AM</b>	Marathon Top Men 13	10	130
<b>7:35 AM</b>	Marathon Top Women 14	10	140
<b>7:40 AM</b>	Marathon Wave 15	10	150
<b>7:45 AM</b>	Marathon Wave 16	10	160
<b>7:50 AM</b>	Marathon Wave 17	10	170
<b>7:55 AM</b>	Marathon Wave 18	10	180
<b>8:00 AM</b>	Marathon Wave 19	10	190
<b>8:05 AM</b>	Marathon Wave 20	10	200
<b>8:10 AM</b>	Marathon Wave 21	10	210
<b>8:15 AM</b>	8K Wave Top Men 22	10	220
<b>8:20 AM</b>	8K Wave Top Women 23	10	230
<b>8:25 AM</b>	8K Wave 24	10	240
<b>8:30 AM</b>	8K Wave 25	10	250

Figure 1 - Silverton Alpine Run Waves

	<b>Kendall Mtn Wave Starts</b>	<b># Runners</b>	<b>Total</b>
<b>6:00 AM</b>	Registration	10	
<b>6:30 AM</b>	Elite Men 1	10	10
<b>6:35 AM</b>	Elite Women 2	10	20
<b>6:40 AM</b>	Elite Men 3	10	30
<b>6:45 AM</b>	Elite Women 4	10	40
<b>6:50 AM</b>	Wave 5	10	50
<b>6:55 AM</b>	Wave 6	10	60
<b>7:00 AM</b>	Wave 7	10	70
<b>7:05 AM</b>	Wave 8	10	80
<b>7:10 AM</b>	Wave 9	10	90
<b>7:15 AM</b>	Wave 10	10	100
<b>7:20 AM</b>	Wave 11	10	110
<b>7:25 AM</b>	Wave 12	10	120
<b>7:30 AM</b>	Wave 13	10	130
<b>7:35 AM</b>	Wave 14	10	140
<b>7:40 AM</b>	Wave 15	10	150
<b>7:45 AM</b>	Wave 16	10	160
<b>7:50 AM</b>	Wave 17	10	170
<b>7:55 AM</b>	Wave 18	10	180
<b>8:00 AM</b>	Wave 19	10	190
<b>8:05 AM</b>	Wave 20	10	200
<b>8:10 AM</b>	Wave 21	10	210
<b>8:15 AM</b>	Wave 22	10	220
<b>8:20 AM</b>	Wave 23	10	230
<b>8:25 AM</b>	Wave 24	10	240
<b>8:30 AM</b>	Wave 25	10	250

Figure 2 - Kendall Mountain Run Waves



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

May 19, 2020

Board of County Commissioners  
San Juan County  
Silverton, CO 81433

Members of the Commission:

RE:    Proposed Grizzley Peaks Water Treatment  
        Building, Adjacent to the San Juan  
        Condominium Building  
        Cascade Village, HWY 550  
        David Mersa applicant  
        Improvement Permit & Sketch Plan

At a regular meeting of the San Juan Regional Planning Commission, held on May 19, 2020, members of that Commission reviewed an application submitted by David Mersa Improvement Permit and Sketch Plan for a proposed Grizzley Peaks Water Treatment Building.

Following their review and lengthy discussion with the applicant David Mersa, the Planning Commission voted unanimously to recommend that you approve the application with the recommendations from the Planner for the Improvement Permit for the Sketch Plan for Proposed Grizzley Peaks Water Treatment Building as submitted.

Thank you for considering this recommendation.

Sincerely,

Ken Safranski  
Chairman



**STAFF REPORT FOR THE COUNTY COMMISSIONERS**

**PROPOSED WATER TREATMENT BUILDING AT CASCADE VILLAGE**

**REPORT DATE:** JUNE 21, 2020.

**MEETING DATE:** JUNE 24, 2020.

**FROM:** PLANNING DIRECTOR.

**Project:** Proposed Grizzly Peaks Water Treatment Building at Cascade Village.

**Application:** County Improvement Permit Application.

**Applicant:** Grizzly Peaks Sales and Distribution LLC.

**Representatives:** Dave Marsa, Water-Sewer Operator.

**Project Location:** The proposed water treatment building is located in Cascade Village, on the commonly owned land, managed by the Cascade Homeowners Association, adjacent to the existing condominium known as the “San Juan Building,” and adjacent to Lot 1R of the Twilight Meadows Subdivision.

**Proposed Improvements:** Proposed one-story well water treatment (chlorination and controls) utility building, under 400 square feet, and proposed associated utilities.

**Additional Details:** The proposed building will take in raw water, which originates from a new water well, which was drilled in 2018. The proposed building will house the chlorination and tanks for the water system, and the controls to regulate the water system. The applicant is a privately owned water company “Grizzly Peaks,” which is regulated by the PUC, and sells potable water to the residents at Cascade Village in San Juan County, CO. The applicant’s representative is Dave Marsa, the licensed water-sewer operator for this water system, and several other water/sewer Districts. The purpose of the proposed building and use is to meet the State drinking water regulations for a public water system.

**SUMMARY:** **The proposed water treatment building is in general compliance with the County’s Zoning and Land Use Regulations and the Master Plan, the Planning Commission has recommended approval, and the County Commissioners can approve this Improvement Permit with the Conditions listed in this report.**

**Process:** The Planning Commission reviewed this Improvement Permit application and recommended approval with conditions. The County Commissioners are reviewing this Improvement Permit application during a June 24 Public Hearing. A legal notice was published in the newspaper more than ten days before the Public Hearing. An Improvement Permit is required to construct a building in San Juan County. The process is three steps: Sketch Plan, Preliminary Plan, and Final Plan. That normally requires three submittals, and six meetings. Since this is a relatively small and necessary utility building, intended to meet State regulations for the treatment of water, this three step review process could possibly be combined into one submittal and two meetings, but only if that is permitted by the County Commissioners. The Planning Commission recommended that the County Commissioners consider one Planning Commission meeting, and one County Commissioners meeting. The County Commissioners can approve with conditions, deny, or table this Improvement Permit Application.



STAFF REPORT FOR THE COUNTY COMMISSIONERS, PROPOSED GRIZZLY PEAKS WATER TREATMENT BUILDING AT CASCADE VILLAGE, JUNE 21, 2020.

**Application:** The Improvement Permit Application binder is **attached** to this report.

**Site Plan:** The Planning Director and Planning Commission requested a better Site/Utility Plan, which was recently submitted, and is **attached** to this report.

**Water:** There is a proposed water service line shown on the Site Plan. There are no fixtures proposed within this building. The applicant has confirmed for me that the purpose of the proposed water service line will be to feed the chlorinated well water (coming out of the proposed building) into the existing Cascade Village water system.

**Sewer:** The Applicant has recently clarified that there will be no proposed fixtures, so there is no proposed sewer service line for the proposed building.

**Electric:** There is existing underground electric at the site, operated by La Plata Electric Association. An underground electric service line is proposed for this building.

**Phone:** Phone is not mentioned in the application. There is an existing phone line shown on the Site Plan adjacent to the proposed building.

**Lighting:** Any proposed minimal exterior lighting shall meet the requirements of the Cascade Village Homeowners Association, as well as the “dark sky” regulations of San Juan County.

**Building Materials:** The application mentions non-reflective, and that the structure will match the existing buildings at Cascade. A picture and the building plans indicate brown wood siding, and stone accents. The Homeowners Association is thoroughly reviewing the aesthetics of the proposed structure.

**Building Ownership:** The water system at Cascade Village is owned and operated by a private company, Grizzly Peaks Water Sales and Distribution LLC. The water company is the Applicant for this project. The water company will own the proposed building.

**Land Ownership:** The proposed building is located on commonly-owned land, which is jointly owned by all of the owners of residential units at Cascade Village. The land under the proposed building is therefore under separate ownership from the proposed building ownership. The land under the building is managed by the Homeowners Association on behalf of the approximately 185 Cascade co-owners. A letter has been provided, written by the Cascade Village Homeowners Association, which is **attached**, noting that the Homeowners Association is aware of this Application and the proposed building.

**Access:** The access for the proposed water treatment building will be from the existing Cascade Village road system. Access to the project site and Cascade Village is via Highway 550.

**Zoning:** The zoning at Cascade Village appears to be Urban Residential. All uses and structures are “Uses Subject to Review” (other than picnicking, camping, hiking, etc.). This proposed building could be considered a “commercial” use and structure, because it will be owned and operated by a private water company, treating well water in the building, then selling water as a business, to the occupants of Cascade Village. The County Land Use Regulations note that within the Urban Residential Zoning

STAFF REPORT FOR THE COUNTY COMMISSIONERS, PROPOSED GRIZZLY PEAKS WATER TREATMENT BUILDING AT CASCADE VILLAGE, JUNE 21, 2020.

District, “*limited commercial businesses are use subject to review and may be permitted within this zone.*”

**Setbacks:** Setbacks for structures in the Urban Residential Zoning District are noted in the Land Use Regulations as 10 feet minimum from property lines. Therefore this proposed building, if permitted by the County Commissioners, shall be constructed at least 10 feet from the nearby property line, where Cascade Village shares a boundary with Lot 1R of the Twilight Meadows Subdivision. The property boundary shall be marked prior to any excavation. The recently submitted Site Plan shows the proposed building located at 11 feet from the adjacent Twilight Meadows Lot 1R.

**Scenic Preservation Overlay District:** This site appears to be located within the Scenic Preservation Overlay District which includes “all sites located within 1500 feet of the centerline of U.S. Highway 550.” Therefore, this project shall comply with the regulations of the Scenic Preservation Overlay District specified in Section 1-114 of the County Zoning and Land Use Regulations. Those regulations require thoughtful design to protect environmental assets, scenic views, historical assets, geologic hazards, health safety welfare, multimodal access, and visual impacts. Within the Scenic Preservation Overlay District, the County can add project-specific requirements, related to setbacks, screening, visual/scenic impacts.

**Adjacent Land Owners:** Over 150 owners within 1500 feet of the proposed building were notified by mail. All of the owners were notified, instead of just notifying the Homeowners Association. That is because not all of the owners at Cascade Village are active in the Homeowners Association. To date one call was received, from a property manager who manages the condo closest to the proposed structure. The person who owns the closest unit in the existing San Juan Building has a deck balcony close to the proposed structure. The property manager was inquiring where to find the applications/plans, which are posted on the County website. The owner of the San Juan Condo Building Unit 18, Robert Reid, submitted an email, which is **attached**. The water company (Applicant’s) representative, water-sewer operator Dave Marsa, has been working for several years on this proposed building (location, aesthetics, building materials, building dimensions, etc.) with the managers of the Cascade Village Homeowners Association.

**Wetlands:** The last page of the application binder includes a photo, which indicates that there may be some wetlands near (downhill of) the proposed structure. The photo shows the proposed building located behind some existing trees, which will screen it from the Highway 550 view, and depicts that the proposed structure is uphill of the low-lying wetlands area. If there is any possibility of wetlands at the proposed building location, the Applicant is required to consult with the Army Corps of Engineers, in order to get the required wetlands clearance. Consulting with the representatives of the Tacoma pipeline replacement project will produce the latest wetlands delineation maps for the Cascade Village site.

**Geohazards and Avalanche:** The proposed structure is located close to and between two existing approved structures, within an approved Subdivision/PUD, and, according to the County Avalanche Hazard Map and Geohazard Map, the building footprint appears to be relatively free from hazards.

**Screening:** It appears from the application and photos that the proposed building will be partially shielded from Highway 550 view, by the presence of existing mature landscaping trees. Those trees

STAFF REPORT FOR THE COUNTY COMMISSIONERS, PROPOSED GRIZZLY PEAKS WATER TREATMENT BUILDING AT CASCADE VILLAGE, JUNE 21, 2020.

appear to be about 10-30 feet tall aspens and evergreens. It is assumed those existing trees are to remain in place. If the building is visible from Highway 550 during construction, then the County staff may require the Applicant Grizzly Peaks, to plant additional trees, to increase the vegetative screening.

**Chlorine:** The proposed building will contain some chlorine, since the purpose of the structure is water treatment. The storage and use of the chlorine shall be in accordance with any Federal and State regulations for potentially hazardous materials. All laws shall be complied with, as there are residents, children, and pets living near this structure. Any chemicals or hazardous substances kept in the structure shall be labeled, and the appropriate material data sheets posted. The applicant's representative clarified that he plans to use only one 55-gallon barrel of household liquid bleach at a time, required as the disinfectant for public water systems, and that per State law he is legally able to carry two barrels in the back of his truck without any "posting." All methods of safety shall be utilized by the Applicant to ensure the local children, pets, wildlife, adjacent properties, and the environment are protected from chemicals, ingestion, hazards, fire, and spills. A windsock was discussed during the Planning Commission meeting, and the Applicant clarified that a windsock is required for chlorine gas, whereas he will be utilizing household type liquid bleach.

**Fire Hazards:** There shall be a fire alarm and extinguisher, if required by the Building Inspector, and/or required by the Durango Fire and Rescue Chief Karola Hanks, and both shall be given the opportunity to review the plans and the proposed water treatment operation, for overall fire safety.

**Economic Development Corridor:** This site is located within the County's Economic Development Corridor, where site uses such as residential or commercial are allowed as Uses Subject to Review, where development can generally be encouraged, when compared to development on mountainous backcountry sites, with difficult access.

**Master Plan:** This is within the County's Economic Development Corridor, which specifically includes "*Cascade Village*," and is set aside as having the following characteristics: the "*focus of future development ... that are environmentally suitable, where public services are available and that provide feasible opportunities for growing the community and the economy*" and "*are suitable for residential, light industrial, and flexible commercial uses and already contain existing residential development and some mixed commercial, industrial and mining development.*"

**The Master Plan Goals EV-1 and EV-2 state the following:**

*"Town and County officials will work cooperatively and in partnership with applicants, creating a business friendly environment."*

*"The practical and well-planned extension of infrastructure and utilities makes Silverton and San Juan County more attractive and user-friendly."*

This project appears to comply with the Master Plan for several reasons, including being in general agreement with the goals and statements noted above. This is a proposed water system infrastructure building, required to meet State regulations, for the treatment of water, for existing local County residents at Cascade Village.

STAFF REPORT FOR THE COUNTY COMMISSIONERS, PROPOSED GRIZZLY PEAKS WATER TREATMENT BUILDING AT CASCADE VILLAGE, JUNE 21, 2020.

**Planning Commission Review:** The Planning Commission reviewed this Improvement Permit Application on May 19. The Planning Commission recommended Approval, with the Conditions listed below. The Planning Commission was asked to make a choice regarding Condition Number 4. The Planning Commission recommended Condition 4A, whereby the applicant might be permitted by the County Commissioners to follow an abbreviated, one-step review process. Condition 4B was not recommended. Condition 4B is included below, crossed out, for your review. The Planning Director and Planning Commission informally requested a better Site/Utility Plan, and that has been submitted (attached). The Planning Commission briefly discussed the following with the Applicant: chlorine, some of the chlorine regulations, when a windsock is required, the Applicant stated there were not any other chemicals proposed other than liquid chlorine, a small chlorine dosage pump will be baffled/enclosed within the proposed building to limit any noise impacts. The Planning Commission heard from one neighbor (Robert Reid), who owns a condo in the adjacent San Juan Building. Solid waste (trash) to be placed into the existing dumpster was the neighbor's main concern; the trash (lack thereof) to be generated by this proposed building was briefly was discussed between the Planning Commission and Applicant. The Planning Commission recommended Approval, with the Conditions listed below, and they specifically recommended that you consider Condition 4A. The Planning Commission's recommendation of Approval with Conditions can be considered an approval of the Sketch Plan or can be considered an approval of the Improvement Permit Application as a whole. The Planning Commission's recommendation of Condition 4A (an abbreviated review process) indicates that they do not see a need for further Planning Commission review of this project.

**County Commissioner Public Hearing Actions:** After hearing from the Applicant's representative (water/sewer operator Dave Marsa), and after listening to any verbal public comments, the County Commissioners have the following options, for the June 24 Public Hearing:

(1) **Approval with Conditions** of this Sketch Plan, and/or the Improvement Permit Application as a whole. There are proposed Conditions of Approval for you to consider below, if you choose to recommend Approval with Conditions.

(2) **Denial** of this Sketch Plan, and/or the Improvement Permit Application. If the project is denied as proposed, then it is advisable to note the County regulation(s) with which the project does not comply. Potential reasons for a denial could be if the County Commissioners expect adverse impacts to the adjacent land owners, and/or potential visual impacts as viewed from Highway 550.

(3) **Table the project**, because there is a critical piece of information missing, that the County Commissioners need before a decision can be made. If the project is tabled, it would be helpful to the Applicant to specify what document he needs to submit, so that the Commissioners can make a decision. An example of a document which the County Commissioners may decide they need, to make an informed decision, could be: a written wetlands clearance letter from the Army Corps of Engineers.

**The Commissioners Should Discuss Allowing or Not Allowing an Abbreviated Review Process:** Please specify whether or not the County Commissioners would permit this project to use a one-step or two-step abbreviated application review process. The normal review process, as defined in the County Land Use Regulations is: 1. Sketch Plan, 2. Preliminary Plan, and 3. Final Plan. The County's adopted review process requires three submittals, and six meetings. Given the proposed structure's relatively

STAFF REPORT FOR THE COUNTY COMMISSIONERS, PROPOSED GRIZZLY PEAKS WATER TREATMENT BUILDING AT CASCADE VILLAGE, JUNE 21, 2020.

small footprint, the location being within an existing, densely developed PUD, the nature of the structure being to meet a core infrastructure requirement (potable water for existing County residents), and the purpose being to meet State-mandated drinking water regulations, the Planning Commission recommended allowing this project to follow a one-step process. Please review Condition 4A below, which the Planning Commission recommended you consider. They chose Condition 4A, instead of 4B. The County Commissioners can require the normal three-step review process, with six meetings, or the Commissioners may decide to allow an abbreviated review process.

**Staff Recommendation:** The Planning Department believes that this project is in general compliance with the Master Plan, and will provide a critical service by allowing for the State-mandated treatment of water to provide potable water to existing County residents. The project also appears to be in general compliance with the County Zoning and Land Use Regulations. The Planning Director and the Planning Commission are both recommending approval of this project. The Planning Director recommends that the County Commissioners should approve this Improvement Permit Application, with the Conditions of Approval listed below.

**The Proposed Grizzly Peaks Water Treatment Building Improvement Permit Conditions of Approval are the following:**

1. All State and Federal permits and regulations are required, including but not limited to: NPDES/CDPHE stormwater permits, Army Corps of Engineers wetlands permitting, OSHA, UNCC, PUCC. All required State and Federal permits shall be obtained prior to commencement of the work.
2. The property line shall be staked, and clearly marked with caution tape and/or survey flagging to create a durable temporary construction fence, by a Licensed Surveyor, prior to any excavation or work, and the building shall meet the minimum required setback of ten feet from any property lines.
3. The Cascade Village Homeowners Association, as the land owner, shall approve the proposed building location and materials prior to any excavation and construction work.
4. (Please Consider Selecting Condition 4A or Condition 4B).

4A. Considering that this project involves the construction of a relatively small structure, located within an existing, approved, Planned Unit Development, and the use of the proposed building is to allow for the compliance with State drinking water regulations, and to provide potable water to County residents, the Improvement Permit applicant may utilize an abbreviated County review process, with one submittal, one review by the Planning Commission, and one review by the Board of County Commissioners. An abbreviated review process does not imply or guarantee approval, and the project may require additional review and meetings, until approval or denial is decided upon by the Board of County Commissioners. *(Condition 4A was recommended by the Planning Commission.)*

~~—OR—~~

STAFF REPORT FOR THE COUNTY COMMISSIONERS, PROPOSED GRIZZLY PEAKS WATER TREATMENT BUILDING AT CASCADE VILLAGE, JUNE 21, 2020.

~~4B. The Improvement Permit application for this project can utilize an abbreviated County review process with two Plan submittals instead of three, and each of the two submittals shall be reviewed for approval or denial by the Planning Commission and Board of County Commissioners. The second submittal shall be considered the “combined” Preliminary Final Plan.  
(Condition 4B is crossed out, because it was not recommended by the Planning Commission.)~~

5. The Applicant shall obtain and submit written clearance or a permit from the Army Corps of Engineers prior to any excavation or grading work. Approval of this County Improvement Permit is contingent on written approval of the project from the Army Corps of Engineers.
6. The Applicant shall provide adequate screening of the structure as viewed from public roads and trails including but not limited to Highway 550. A site visit by County staff shall occur during or after construction, and the County staff may require additional screening, including planting of evergreens, if the visibility of the structure exceeds the relatively minimal scenic impact anticipated. The Applicant, if not agreeing with the County staff screening requirements, may have the County staff’s proposed screening requirements reviewed by the Board of County Commissioners.
7. San Juan County requires reseeding of any disturbed soil ground surface, with certified weed free native seed. The reseeding shall comply with the applicable San Juan County Zoning and Land Use Regulations.
8. San Juan County has “dark sky” lighting requirements. Nighttime construction with lighting is not anticipated. Any lighting associated with this project shall comply with the applicable San Juan County Zoning and Land Use Regulations.
9. Prior to the commencement of the work, a copy of any stormwater permits/plans, and any wetlands permits, shall be provided to the Cascade Homeowners Association, as the representative of the commonly-owned project site land owners.
10. A site plan and a utility plan (showing all existing and proposed utilities) shall be provided to the Planning Department and Building Department, upon the application for a County Building Permit.
11. The project shall comply with all San Juan County Zoning and Land Use Regulations. The violation of San Juan County Zoning and Land Use Regulations, or any State or Federal regulations, shall cause this permit to be void. If requirements differ, the most stringent shall apply.
12. Due to the proximity of the site to existing residential occupants, no nighttime construction shall occur, between 8 pm and 6 am, except in the case of a public safety emergency.
13. Any sinks, toilets, water discharge, shall be plumbed into the existing sewer main system of Cascade Village, by a proposed sewer tap and a proposed sewer service line.
14. The proposed building shall be provided with positive drainage in all directions away from the structure, and a foundation drain shall be installed.

STAFF REPORT FOR THE COUNTY COMMISSIONERS, PROPOSED GRIZZLY PEAKS WATER TREATMENT BUILDING AT CASCADE VILLAGE, JUNE 21, 2020.

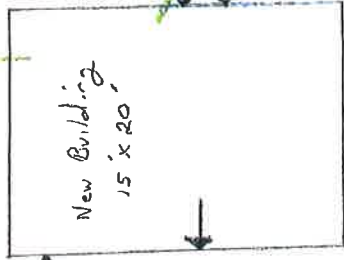
15. Any floor drains, raw water overflow, backwash water, or treated water overflow, shall outlet or discharge in accordance with the requirements of the County Building Inspector and the Cascade Village Homeowners Association, either into the existing Cascade Village sewer system, and/or the into the Cascade Village storm drainage system. No water system spillage, overflow, or backwash water, either raw or treated, shall outlet the building in an uncontrolled manner, or sheet flow and affect the adjacent lands.
16. The building materials and the building exterior colors shall be non-reflective, natural materials and subdued colors, designed to be similar in types, colors, and style to the adjacent existing structures, shall be in accordance with the County Zoning and Land Use Regulations, and shall be approved by the Cascade Homeowners Association.
17. All trash shall be contained in an enclosed structure until removal from the site, to prevent *attracting* wildlife, and any potential odor impacts to the San Juan Building, as noted in the adjacent land owner comments.
18. A copy of the building, site, and utility plans, and a list of any chemicals to be used within the structure, shall be provided for review, comment, and approval to the Chief Karola Hanks at the Durango Fire and Rescue. The Applicant shall comply with the requirements of the fire department.
19. Any unanticipated adverse impacts to the owners within the San Juan Building or Lot 1R Twilight Meadows Subdivision shall be remedied by the applicant to the satisfaction of the Cascade Village Homeowners Association.
20. *Additional Conditions of Approval the County Commissioners would like to add.*

Fire Hydrant

Entrance to San Juan Bldg Parking

San Juan Building

90'



Line from New well

Edge Telephone Lines

Property line with 101 Meadowview

101 Meadowview Building

35'

Edge of Road

Buried Power Lines

Buried Fiber Communication Lines

Edge of Meadowview Road

Buried Water Lines





Town of  
**Silverton**

PO Box 250  
Silverton, CO 81433



**SAN JUAN COUNTY**

PO Box 466  
Silverton, CO 81433

May 7, 2020

Regarding: County Improvement Permit Application, Proposed Water Treatment Building, Cascade Village, Highway 550, San Juan County, Colorado.

Dear Property Owner:

San Juan County, Colorado has received an application for a County Improvement Permit. The project site is located at Cascade Village, near property that you own. The Application was submitted by Grizzly Peaks Water Sales & Distribution LLC.

The purpose of the application is to obtain County permission to construct a proposed 400 square feet water treatment building. The location of the proposed structure is adjacent to the existing condominium building called the "San Juan Building" in Cascade Village. An Improvement Permit is required to construct a proposed structure in San Juan County, Colorado. The application is being posted onto the San Juan County, Colorado website, under "County Government" – "Building & Planning" – "Proposed Additions."

The San Juan Regional Planning Commission is an "advisory board," which will review this project on May 19. At a later date, the Board of County Commissioners will review, and vote to approve or deny this project, during a Public Hearing. There will be a legal notice in the Silverton newspaper prior to the Public Hearing. I would expect the Public Hearing to occur on June 10 or June 24. Neighbors and citizens may submit written and/or verbal comments before and/or during the meetings.

If you have any questions, you can contact the Town & County Planning Director Lisa Adair. The Planning Director is currently working from home, due to State corona virus restrictions.

These are the best ways to contact the Planning Director at this time:

Home-office landline: 970-387-0500

Work cell: 970-946-9408

Email address to use for the fastest response: [mackie@gobrainstorm.net](mailto:mackie@gobrainstorm.net)

Thank you,

Lisa M. Adair PE

Town & County Planning Director  
Office Located at Silverton Town Hall  
PO Box 250, 1360 Greene Street, Silverton, CO 81433  
Phone: Office (970) 387-5522, Work cell (970) 946-9408  
Email: [ladair@silverton.co.us](mailto:ladair@silverton.co.us)

ADJACENT LAND OWNER COMMENTS RECEIVED REGARDING THE PROPOSED  
GRIZZLY PEAKS WATER TREATMENT BUILDING AT CASCADE VILLAGE

Thu, 14 May 2020

Hello Ms. Adair,

Thank you for the notification and opportunity to comment on a permit application regarding the Proposed Water Treatment Building at Cascade Village, Highway 550, San Juan County, Colorado. Your acceptance of comments from affected owners who are unable to attend the Public Hearing is appreciated.

I agree with the information presented in the letter by the President of the Cascade Village Community Association as a part the documentation available on the San Juan County website. In addition to fulfilling the appearance, quality and service needs of the residents, I would like to add an additional requirement under the Solid Waste Management portion of the Application for Improvement Permit page. I ask that Grizzly Peaks Water Sales & Distribution LLC be required to contain the generated waste in a manner to prevent any noxious or unpleasant odors from escaping the proposed building or from waste placed in the Cascade Village dumpsters. Normal trash generates enough unpleasant odors. Previous experiences with any type of solid waste have usually resulted in some type of odor, so I would not want odors to permeate the air or penetrate into our condo. This has the potential to create an issue since all the condos at Cascade Village rely on fresh air through open windows and doors, especially during the heat of summer.

Thank you very much for your consideration of my comments and possible inclusion for permit approval. If you need to contact me, please do so at reidrg84@gmail.com (email) or at 513-313-3388 (phone or text).

Sincerely,

Robert G. Reid, Owner  
50827 Highway 550, Unit 18  
San Juan Building  
Durango, CO 81301

ADJACENT LAND OWNER COMMENTS RECEIVED REGARDING THE PROPOSED  
GRIZZLY PEAKS WATER TREATMENT BUILDING AT CASCADE VILLAGE

Thu, 14 May 2020 AM

Lisa,

Good morning. I received your letter regarding the Proposed Water Treatment Building at Cascade Village. I want to bring to your attention that the board ~~will not approve and allow a 400sqft Building as proposed.~~ The board is under the impression that it will be the size of the current building that they have which I guess is less than 100SQFT.

We do understand that the building has to be built but the size will have to be approved by Cascade Village Board.

Please feel free to call me at 214 218 3077.

Thanks

Charlie Tyack

Cascade Village Facilities Manager.

Note from Planning Director, 5/14/20 PM: I received a call from Charlie Tyack, the adjacent land owner, and Cascade Village Facilities Manager, who wrote the email above. Charlie stated that he spoke with the applicant's representative Dave Marsa, and that Charlie now understands why the building needs to be just-under 400 square feet. Charlie therefore permits me to cross out the sentence above, which states that the Cascade Homeowners Association will not approve the proposed structure at 400 square feet.

Grizzly Peaks Water  
Sales & Distribution  
LLC.

Water Well Treatment  
and Control Building

**Grizzly Peaks Water Sales & Distribution LLC.**  
**Water Well Treatment and Control Building**  
**Contents**

**Application Form**

**Application Narrative**

**Letter from Land Owner HOA**

**Well Permit Application**

**Sketches of Proposed Building**

**Example of Building Materials**

**Plat Maps Location**

**View from US 550**

**Location in winter**

### Application for Improvement Permit

		APPROVAL CHECKLIST		Initial	Date
Applicant	Name	Crizzly Rocks Water Sales			
	Address	222 S Kenosha Ave Tulsa, OK 74120 918 492 3070			
	Phone				
Owner	Name	Crizzly Rocks Water Sales + Distr. LLC			
	Address	222 S Kenosha Ave Tulsa, OK 74120 918 492 5050			
	Phone				
Contractor	Name	Cascade Village HOA			
	Address	50827 US 550 Durango CO 81301 223 772 1364			
	Phone				
Legal Description of Property:		<p>50827 US 550 in the Cascade Village Phase 1 development. Between 147 and 101 Meadowview Dr. in the Cascade Village common space 37.653127, -107.811165</p> <p>Township N, Range W, Section</p>			
Nature of Improvement Planned:		<p>a small building to control and disinfect the drinking water for the Cascade Village use.</p>			
Land Use Zone:		<p>County Building Inspector</p> <p>Building Permit</p> <p>State Electrical Inspector</p> <p>Electrical Permit</p> <p>San Juan Basin Health Unit</p> <p>Sewage Disposal: Test</p> <p>Design</p> <p>Central Sewage Collection</p> <p>State Division of Water Resources</p> <p>Adequate Water Source</p> <p>Well Permit</p> <p>Central Water Distribution</p> <p>U.S. Forest Service/BLM</p> <p>Access Approval</p> <p>State Division of Highways</p> <p>Driveway Permit</p> <p>Subdivision Variance</p> <p>Subdivision Approval</p> <p>PUD Approval</p>			
Applicant Signature		<p>Doc Drew agent for Crizzly Rocks Water</p>			
Date Application Requested					
Date Submitted for Permit					
Date Permit Issued					
Date Permit Denied					
Reason for Denial					
Receipt	FEE PAYMENT	Amount	Date		
	Application				
	Building Permit				
	Subdivision/PUD				
	Hearing Notice				

**Application For Improvement Permit  
Proposed Well Treatment Building**

**Applicant Name:** Grizzly Peaks Water Sales & Distribution LLC

**Project Location:** 50827 US 550, Between 147 San Juan Bld. and 101 Meadowview Drive in the Cascade Village Common Space 37.653127,-107.811165

**Proposed Development:** Small building to control the well and disinfect water for Cascade Village usage

**Water and Sewer Service:** Grizzly Peaks Water Sales & Distribution LLC PWSID 0156300, NPDES Permit # CO0039691

**Electrical Service:** Existing electric pedestal from LPEA

**Lighting:** For Safety, a minimal amount of exterior lighting may be installed onto building. All exterior features will be approved by the Cascade HOA.

**Landscaping:** Landscaping will be consistent with existing. Leaving trees as-is to screen building from highway US 550. Finish landscaping will be approved by the Cascade HOA to blend in with existing.

**Solid Waste Management:** The small amount generated will be disposed of in the Cascade Village Dumpsters.

**Access:** Plan is to use the existing driveway for the San Juan Building off Meadowview Drive.

**Ownership:** The land is common space owned by all the condominium owners in the Cascade Village HOA. The build and well will be owned by the water provider Grizzly Peaks Water Sales & Distribution LLC. SOS ID # 20091513856

**Structure:** The Applicant plans to construct a one story, less than 400 square feet, 2 room, with entrance cover and not continuously occupied building. The exterior will be no reflective and blend in with the existing building of the Cascade Village. Materials and colors will be approved by the Cascade HOA and resemble the current buildings.

**Scenic Quality:** Trees will be left as is to hide the building from US 550 as pictures demonstrate.

Cascade Village Community Association  
50827 Highway 550  
Durango, Co 81301

April 2, 2020

Lisa Adair  
Planning Director  
1360 Greene Street  
Silverton CO 81433

Re: Well Treatment Building by Grizzly Peak located at Cascade Village

Dear Ms. Adair:

This letter is to confirm that Cascade Village Community Association is the owner of the property upon which Grizzly Peak has applied for a permit to build a Well Treatment Building.

Cascade Village Community Association has granted permission to Grizzly Peak to build the Well Treatment Building on its property at the location indicated to us by Dave Marsa who represents Grizzly Peak.

This permission is based upon Grizzly Peak's representation that it will build a building which is consistent with the décor of Cascade Village and is acceptable to the Cascade Village Community Association in appearance and quality. It is also our understanding that this well will serve the needs of the owners of units at Cascade Village.

If you have any questions, you may contact me at (225) 772-1364. Thank You for your assistance in this matter.

Sincerely,

Gregory S. Erwin  
President, Cascade Village Community Association

Cc. Dave Marsa  
Charlie Tyack  
Vicki Alper



COLORADO DIVISION OF WATER RESOURCES  
 DEPARTMENT OF NATURAL RESOURCES  
 1313 SHERMAN ST, RM 821, DENVER, CO 80203  
 Main: (303) 866-3581 [dwrpermitsonline@state.co.us](mailto:dwrpermitsonline@state.co.us)

**GENERAL PURPOSE**  
**Water Well Permit Application**

Review instructions on reverse side prior to completing form.  
 The form must be computer generated, typed or in black or blue ink.

Office Use Only

**1. Applicant Information**

Name of applicant: Grizzly Peak Water Sales & Distribution LLC  
 Mailing address: 7170 S Braden Ave Ste 200  
 City: Tulsa State: OK Zip code: 74136  
 Telephone # (area code & number): 918 492 2358 E-mail (online filing required): sw@water6@yahoo.com

**6. Use Of Well (check applicable boxes)**

Attach a detailed description of uses applied for.  
 Industrial  Dewatering System  
 Municipal  Geothermal (production or reinjection)  
 Irrigation  Other (describe): \_\_\_\_\_  
 Commercial

**7. Well Data (proposed)**

Maximum pumping rate: 50 gpm Annual amount to be withdrawn: 50 acre-feet  
 Total depth: \_\_\_\_\_ feet Aquifer: \_\_\_\_\_

**2. Type Of Application (check applicable boxes)**

Construct new well  Use existing well  
 Replace existing well  Change or increase use  
 Change source (aquifer)  Reapplication (expired permit)  
 COGCC Well  Other: \_\_\_\_\_

**8. Land On Which Ground Water Will Be Used**

Legal Description of Land (may be provided as an attachment):  
 (If used for crop irrigation, attach a scaled map that shows irrigated area.)  
 A. # Acres \_\_\_\_\_ B. Owner \_\_\_\_\_  
 C. List any other wells or water rights used on this land:

**3. Refer To (if applicable)**

Well permit #: \_\_\_\_\_ Water Court case #: \_\_\_\_\_  
 Designated Basin Determination #: \_\_\_\_\_ Well name no. #: Cascade Village Well No. 9

**4. Location Of Proposed Well**

County: San Juan NE 1/4 of the NW 1/4  
 Section: 13 Township: 39 N Range: 9 E Principal Meridian: NM  
 Distance of well from section lines (section lines are typically not property lines):  
 Ft. from \_\_\_\_\_ S Ft. from \_\_\_\_\_ E/W  
 For replacement wells only - distance and direction from old well to new well: \_\_\_\_\_ feet direction \_\_\_\_\_  
 Well location address (include City, State, Zip)  Check if well address is same as in Item 1.

**9. Proposed Well Driller License #(optional):**

**10. Sign or Enter name Of Applicant(s) Or Authorized Agent**  
 The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104 (13)(a). I have read the statements herein, know the contents thereof and state that they are true to my knowledge.  
 Sign or enter name(s) of person(s) submitting application: \_\_\_\_\_ Date (mm/dd/yyyy): \_\_\_\_\_  
 If signing print name and title: \_\_\_\_\_

Optional: GPS well location information in UTM format. You must check GPS unit for required settings as follows:

Format must be UTM  
 Zone: 18N  
 Datum must be NAD83  
 UTM Easting: 252098  
 UTM Northing: 4171028  
 Was GPS unit checked for surge?  YES Remember to set Datum to NAD83

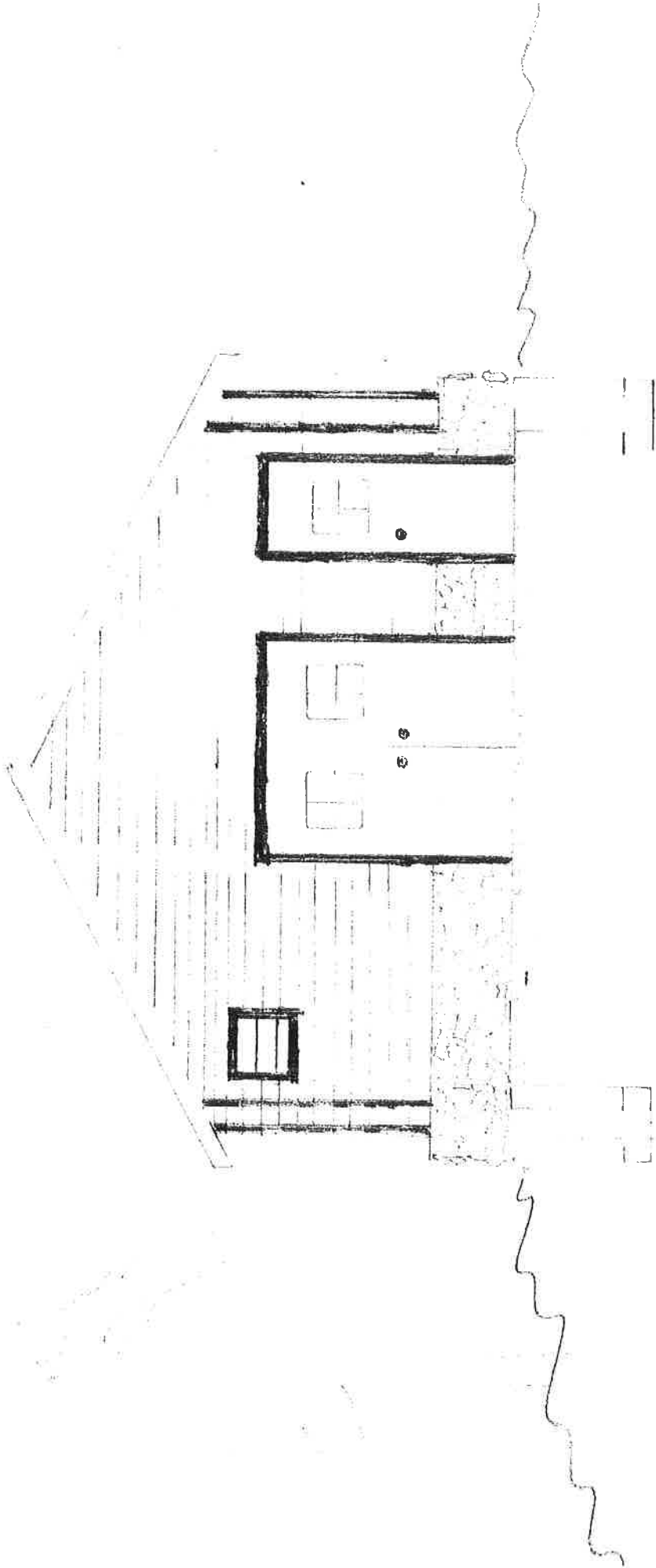
**Office Use Only**

USGS map name: \_\_\_\_\_ DWR map no.: \_\_\_\_\_ Surface elev.: \_\_\_\_\_

**5. Parcel On Which Well Will Be Located**

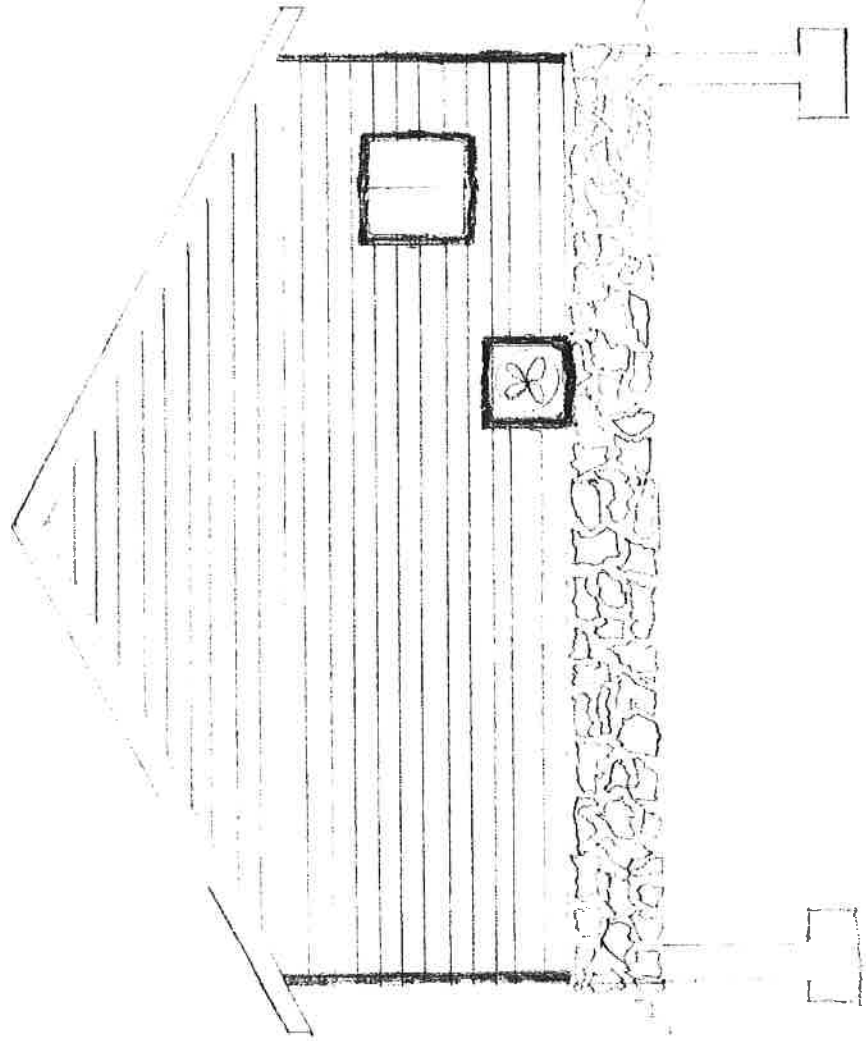
(PLEASE ATTACH A CURRENT DEED FOR THE SUBJECT PARCEL)  
 A. Legal Description (may be provided as an attachment):  
Twilight Meadow Lot 1R, Filed for Record June 10 1994 in Book 243 of Pages 110 and 111 and as Reception # 136848 and in map # 202  
 B. # of acres in parcel: 1.088 AC C. Owner: Gary & Tiffany Warwick  
 D. Will this be the only well on this parcel?  YES  NO (if no list other wells)  
 E. State Parcel ID# (optional): \_\_\_\_\_

Receipt area only:  
 AQUAMAP  
 WE  
 WU  
 CWCB  
 TOPO  
 MYLAR  
 SDB  
 DIV \_\_\_\_\_ WD \_\_\_\_\_ BA \_\_\_\_\_ MD \_\_\_\_\_

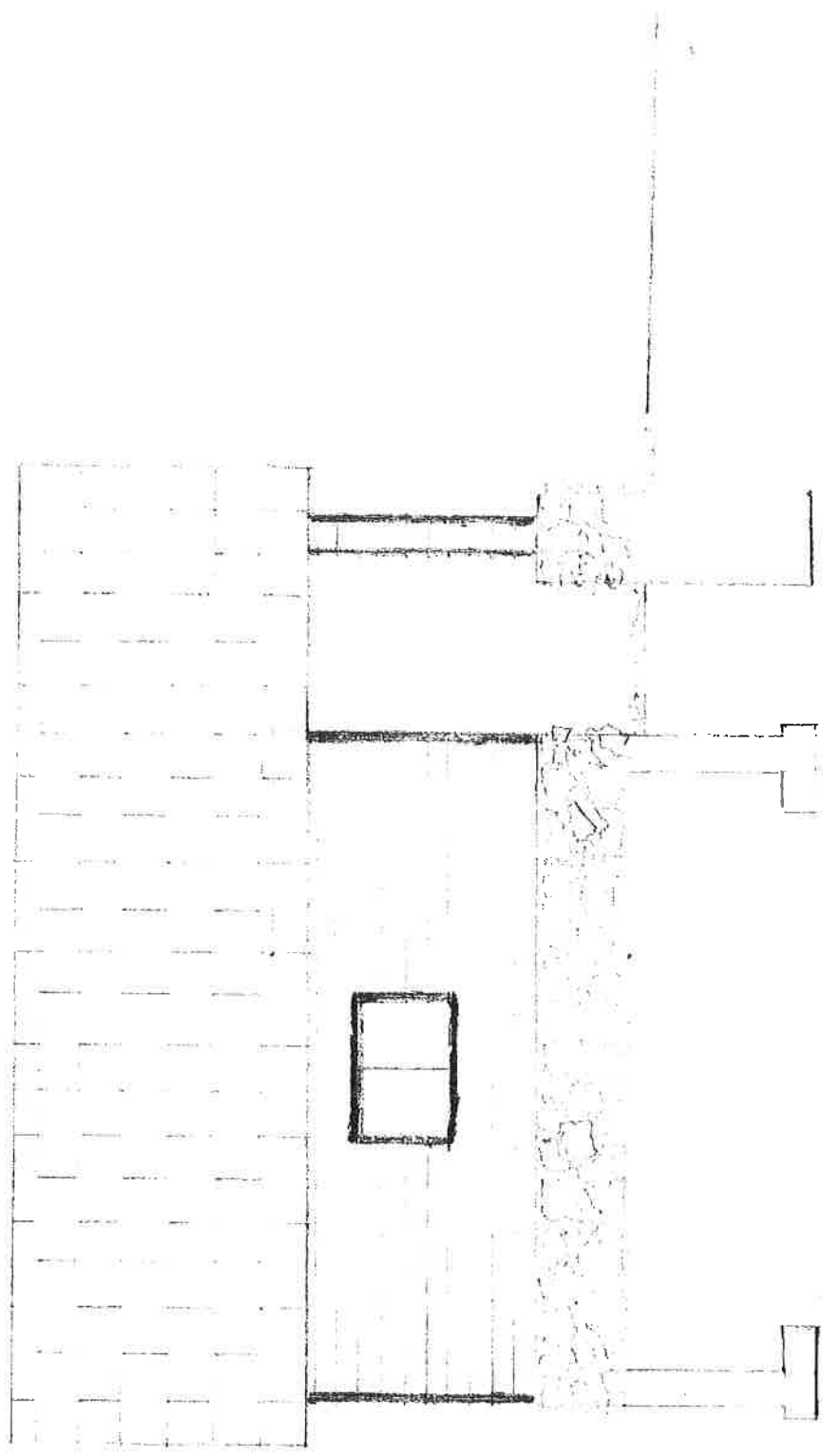


Grizzly Island Treatment Center Front View

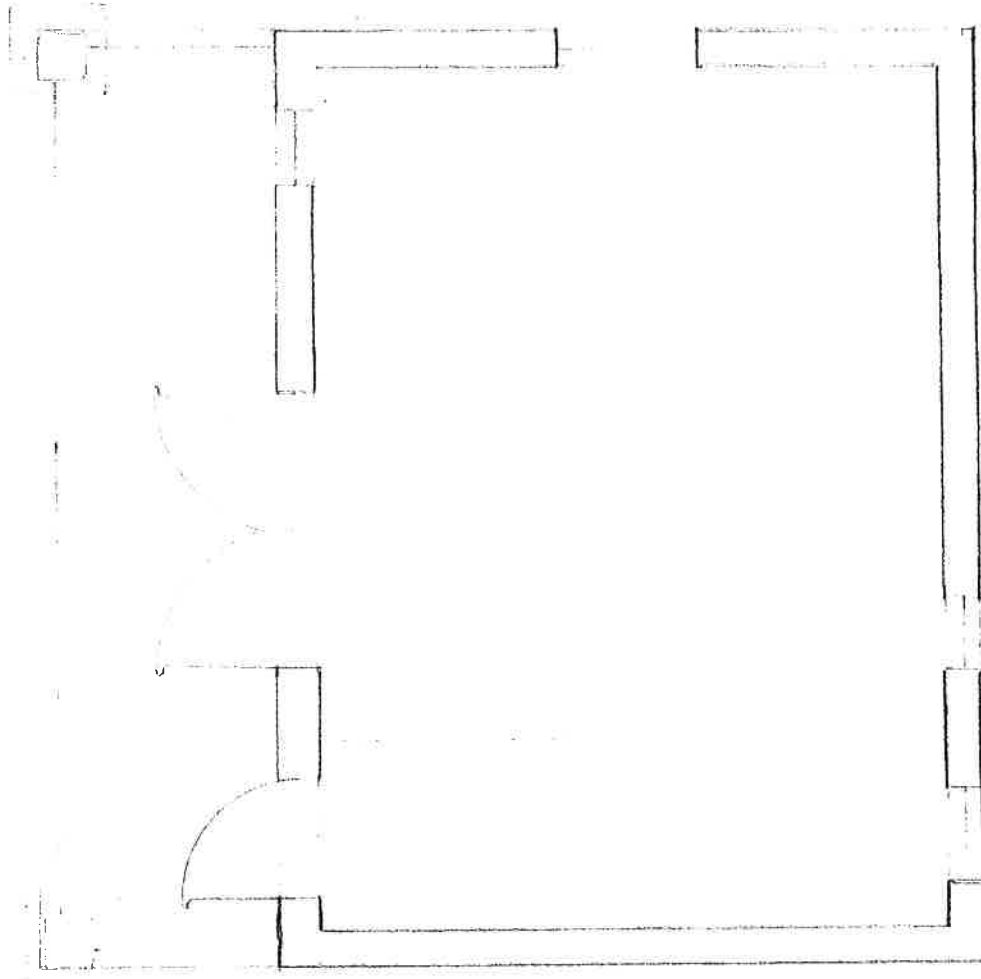
4/20 Card



Grizzly Well Treatment Building Rear View 7/20/2012



Grizzly Wall Treatment Studio Side View 4/20 2022



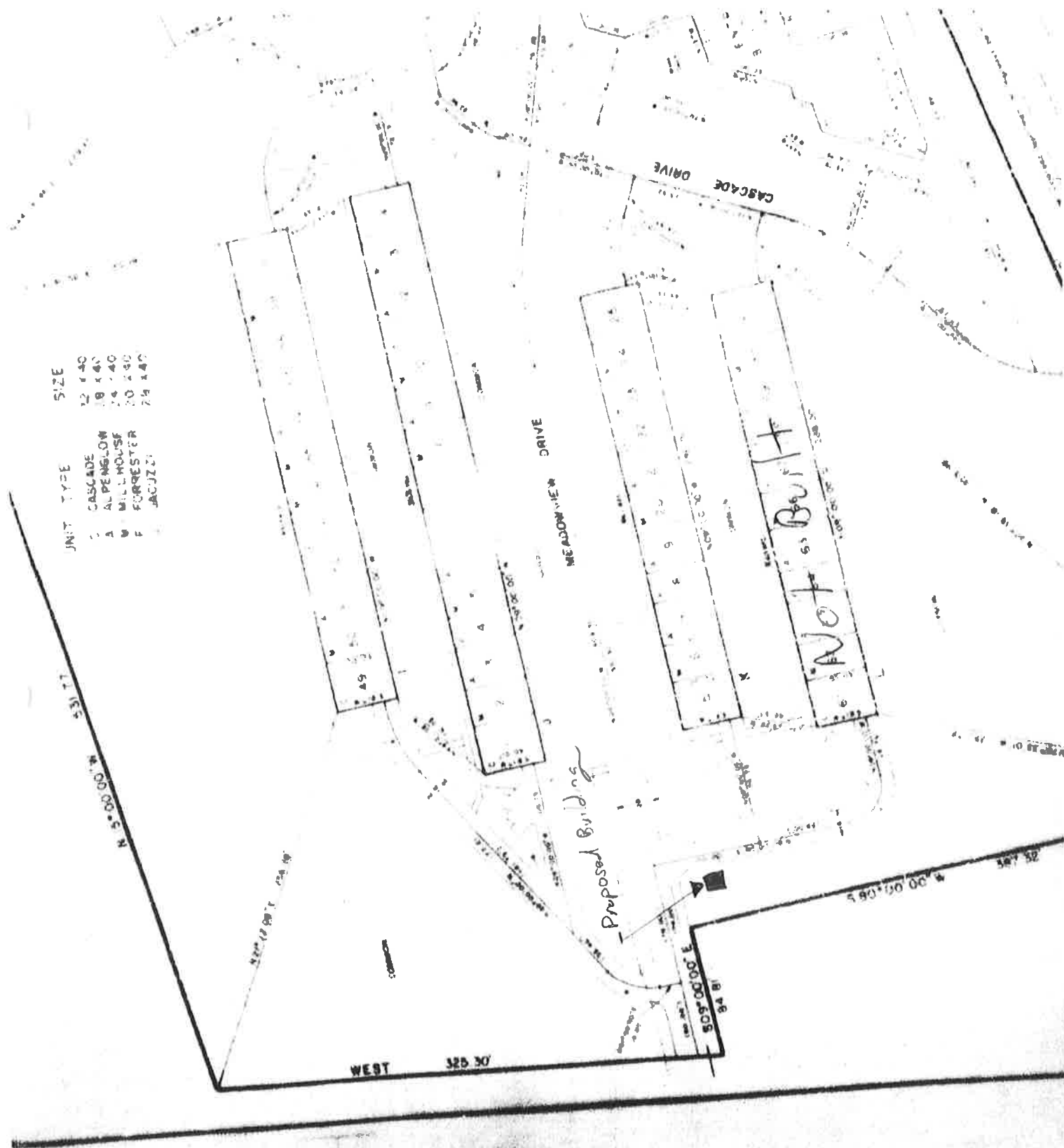
Grizzly Well Treatment Building Floor Plan

4/20/80 Dave

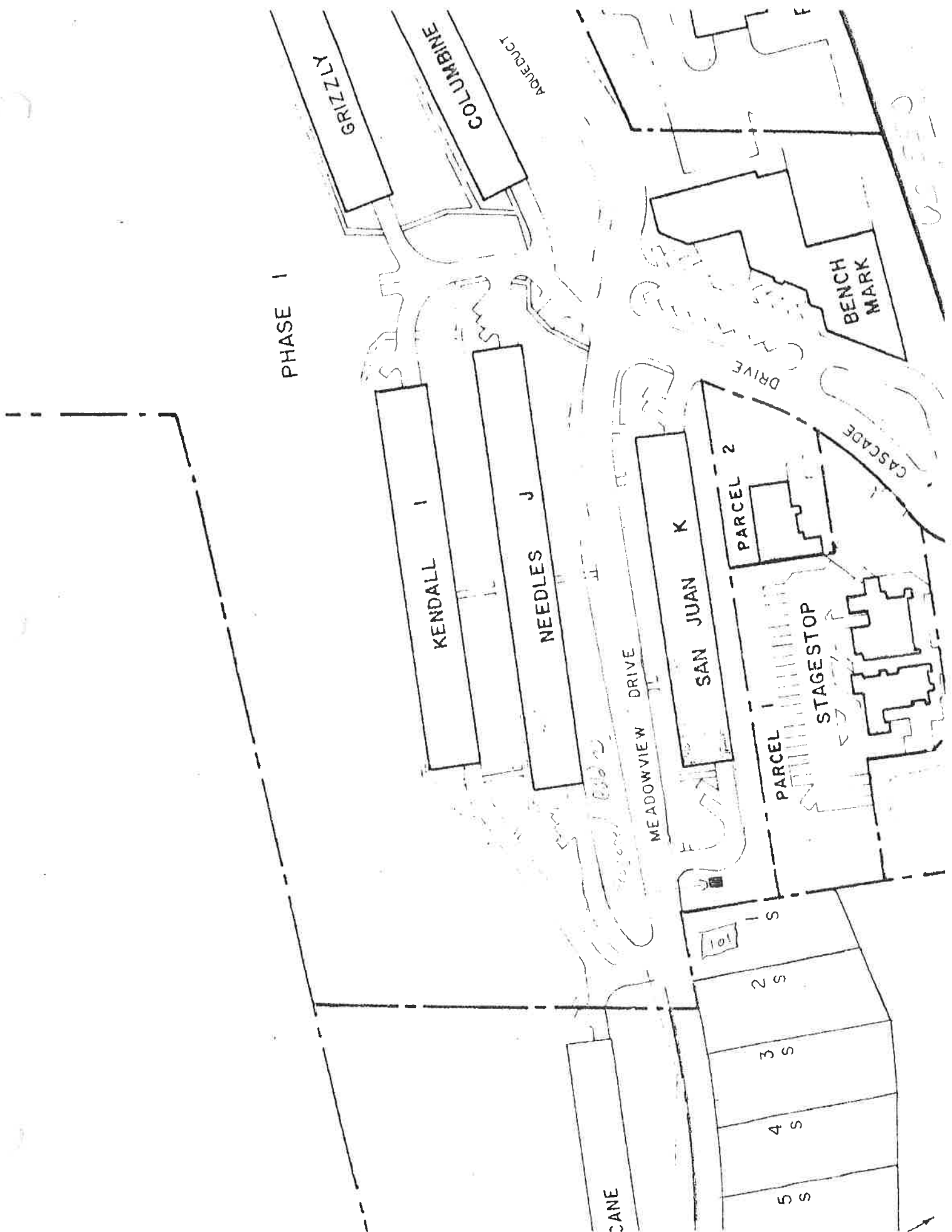




JNIT	TYPE	SIZE
1	CASCADE	12 x 40
2	ALPENGLAW	18 x 40
3	MILLMOUSE	24 x 40
4	FORRESTER	20 x 40
5	JACUZZI	24 x 40



PHASE I



GRIZZLY

COLUMBINE

AQUEDUCT

KENDALL I

NEEDLES J

MEADOWVIEW DRIVE

SAN JUAN K

PARCEL 2

PARCEL 1

STAGE STOP

2 S

3 S

4 S

5 S

101

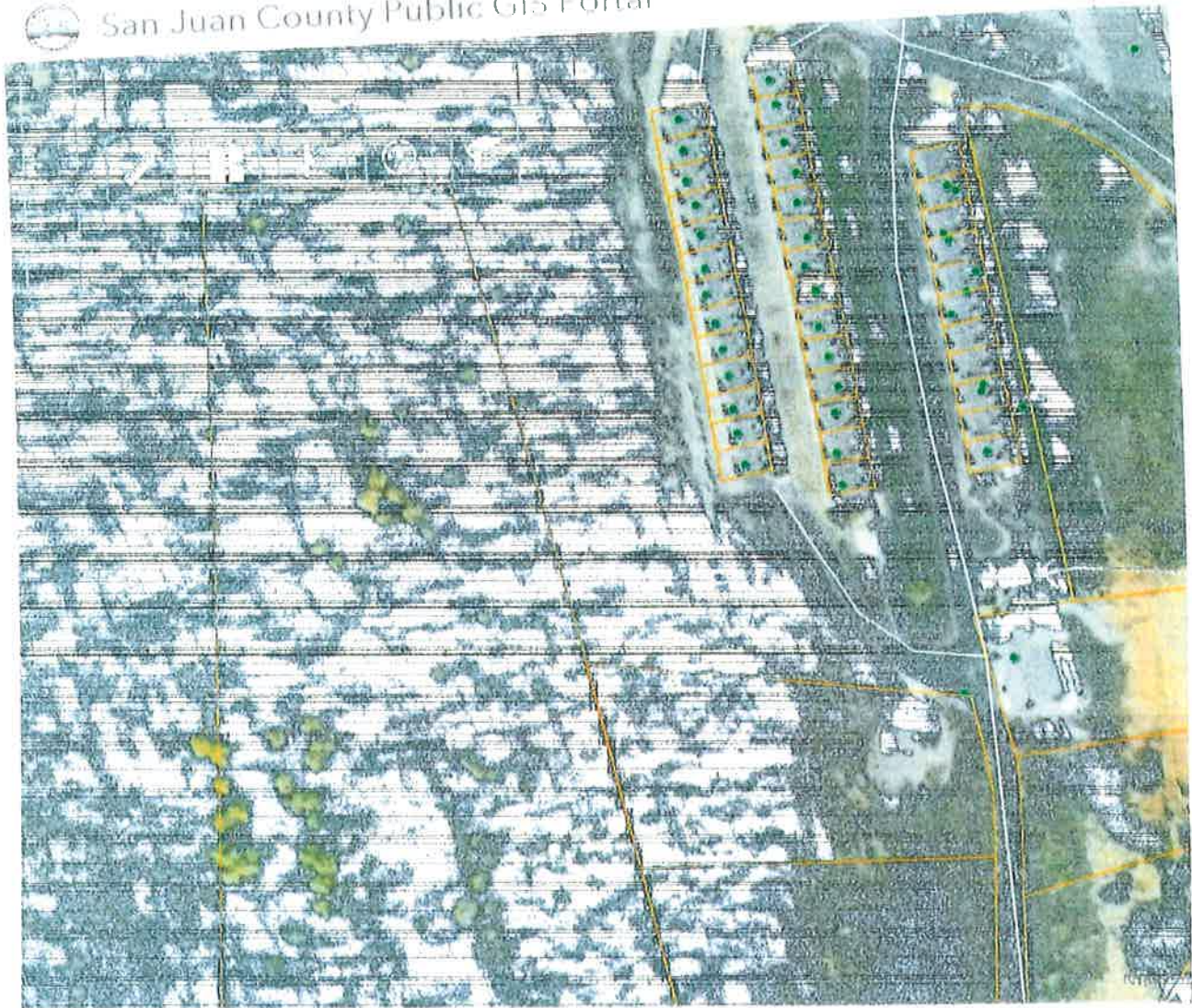
BENCH MARK

CASCADE

USE



San Juan County Public GIS Portal



W  
E

200ft  
107.81337654 Degrees











**San Juan County Treasurer**  
**Treasurers Receipt for Miscellaneous Collections**

**Register Number 2                      Receipt Number 3,234                      05/19/2020**

Code 10-0    Account 1804    Amount 840.00

For    Dept-Item-Sub  
LAND USE FEES - IMPROVEMENT PERMITS    000000000000

Grizzly Peak Improvement Permit

Amount Tendered    840.00    Using CA00000  
Change Returned    0.00

Deanna Jaramillo  
San Juan County Treasurer  
P.O. Box 368

Silverton, CO. 81433  
(970) 387-5488



**STAFF REPORT FOR THE BOARD OF COUNTY COMMISSIONERS**

**Report Date:** June 21, 2020.

**Meeting Date:** Wednesday, July 24, 2020.

**From:** Town & County Planning Director.

**Project:** Public Hearing for a County License Renewal Application for a Retail Marijuana Cultivation Facility.

**Applicant:** San Juan Cultivation, LLC, Tradename CannaFarmer, represented by Kevin Farmer.

**Attachments:**

License Renewal Application, Signature Pages from Building Inspector, Sheriff, Fire Department.

**Proposal:** Kevin Farmer, representing “San Juan Cultivation, LLC” Tradename CannaFarmer, is requesting an annual license renewal, for the continued operation of an indoor marijuana cultivation facility.

**Project Site:** The facility is in an existing warehouse building, approximately 2 miles north of Silverton on Highway 550. Applicant is leasing the building from The Filling Station, LLC. The parcel legal description is: A Portion of the Silverton Placer USMS No. 14665 (containing 12.63 acres).

**Project History:** The initial request for a “retail cannabis cultivation facility license” was approved unanimously by the Board of County Commissioners, on June 24, 2015, according to Planning Department files prepared by previous Planning Director Bob Nevins.

**Zoning:** All uses, including mining and milling, are Uses Subject to Review in San Juan County. The proposed use is located in unincorporated San Juan County within the Highway 550 Economic Corridor.

**License Requirements and Fees:** San Juan County adopted Ordinance No. 2014-01 establishing the licensure of retail marijuana establishments within unincorporated San Juan County. County Resolution No. 2014-03 imposed fees for the renewal of County licenses of those marijuana establishments. The Applicant has attached a letter requesting the County Commissioners waive the renewal fee due to financial/economic hardship.

**License Renewal Application:** San Juan Cultivation, LLC submitted a renewal application to Town Hall on May 26, 2020.

**Public Notice:** The required legal notice for this Public Hearing was advertised in the Silverton Standard newspaper, more than ten days prior to the hearing (a copy of the legal notice is available upon request). The required public notice sign, to be posted on-site at least ten days before the hearing, was emailed to the Applicant, to post in a visible front window location.

**Staff Report Regarding CannaFarmer Cultivation License Renewal, for July 24, 2020**  
**BOCC Meeting (Continued).**

**Current Use:** To the best of our knowledge, the Applicant has operated the cultivation facility in compliance with all applicable laws and conditions of the license. No requirements or negative comments were received regarding the renewal, from the Fire Chief, Building Inspector, or Sheriff.

**Comments from Former Planning Director Bob Nevins:** “The continued operation of a cultivation facility within the US Highway 550 Economic Corridor is consistent with the relevant Vision Statements, Goals and Strategies contained within the jointly adopted 2010 Town and County Master Plan. This... has provided positive results to both the County and Town in terms of increased employment and revenues while having minimal environmental, visual, traffic or other operational impacts. The ... facility is not located within any mapped INSTAAR Hazard Zones such as Avalanche, Geologic, Floodplain and/or Wildfire.”

**Criteria for Reviewing This Renewal Application (Page 15 of Ordinance 2014-01):** In determining whether to grant or deny a Renewal License the Board shall consider the following as applicable:

- (1) Whether the Applicant has failed to comply with any of the terms, conditions, or provisions of the State Retail Marijuana Code...or this Ordinance.
- (2) Whether the Applicant has failed to comply with any terms or conditions that were placed on its State Retail Marijuana License...or a License issued under this Ordinance.

As attested to by the Applicant, in the Renewal Application, and to the best of our knowledge, the existing facility and the Applicant appear to be in compliance with all of the pertinent State and County regulations, licenses, provisions, terms, and conditions.

- (3) Whether the Licensed Premises has been operated in a manner that adversely affects the public health or the safety of the immediate neighborhood...
- (4) Whether complaints...have been made to the Administrator or others by the public or law enforcement.
- (5) Whether there has been an increased need for law enforcement in the vicinity...or as a result of its operation.

As noted by the Sheriff, Building Inspector, and Fire Chief, within the Renewal Application, the existing facility appears to be free from complaints, public health/safety issues, and law enforcement concerns. County Administrator Willy Tookey, County Building Inspector Bill MacDougall, and Fire Chief Gilbert Archuleta were asked by the Planning Director if they had received any complaints, or have any minor concerns, which they might have omitted from the written application forms, and they did not have any concerns about this facility.

- (6) Whether the Applicant has changed its business structure and whether the current owners, officers, contractors, employees, and other support staff have completed a fingerprint-based criminal history record check and the results of such check.

**Staff Report Regarding CannaFarmer Cultivation License Renewal, for July 24, 2020**  
**BOCC Meeting (Continued).**

- (7) Whether any physical modifications have been made to the Licensed Premises.
- (8) Whether the Applicant owns...or has a valid lease, rental agreement...for possession of the Licensed Premises for the term of the renewal.

As noted by the Applicant, in the Renewal Application, and to the best of our knowledge, the existing facility and the Applicant appear to be in compliance with all of the above requirements, including: “no change” to the rental lease agreement; “no change” to the building plans, Location, Licensed Premises; Applicant(s) fingerprints are “on file;” and “no change” to the business structure, owner(s), of the LLC (San Juan Cultivation LLC).

The County Commissioners may: approve the renewal application, deny the renewal application, or “table” the decision in order to request additional information.

As the Planning Director, having reviewed the application, finding it generally complete, without any known change to the existing license or operation, and receiving no written or verbal concerns from the Sheriff, Fire Chief, and County staff, I recommend that **the Board of County Commissioners can approve the “Retail Marijuana Cultivation Facility License Renewal Application.”**

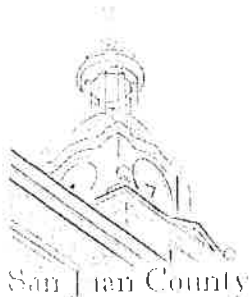
The “Retail Marijuana Cultivation Facility - License Renewal” can be approved, with the following proposed Conditions of Approval (listed below, and similar to those previously imposed by the County):

1. The Operator is San Juan Cultivation, LLC, doing business as Tradename CannaFarmer, with the Contact Person/Applicant designated as Kevin Farmer.
2. The Land Use hereby approved is one “Retail Marijuana Cultivation Facility.”
3. The Applicant shall comply with the CDOT access permit, and the parking, deliveries, and vehicles associated with this use shall not impact highway traffic safety.
4. That all owners, officers, managers, contractors, and employees, comply with the fingerprint-based criminal history background check requirements.
5. The Applicant shall comply with all San Juan Basin Health Department public health, safety, and septic system regulations, for this site.
6. Cannabis waste shall be disposed in a manner consistent with the Colorado Retail Marijuana Code, and regular trash shall be stored in bear-proof containers behind the building. Applicant is responsible for transporting trash to the Transfer Station near Silverton, and not allowing it to accumulate on-site.

**Staff Report Regarding CannaFarmer Cultivation License Renewal, for July 24, 2020  
BOCC Meeting (Continued).**

7. The security system shall meet the requirements of the Colorado Marijuana Enforcement Division. All windows and doors shall be secured. Chain-link security perimeter fencing is not permitted.
8. There shall be a sufficient, operational air filtration system, to ensure there are no cannabis odors detectable from outside the building.
9. All grow operation activities are to be wholly contained within the structure, and not visible from the highway.
10. All lights shall comply with the County's "dark sky" regulations of Section 4-110.17 Exterior lighting.
11. The building exterior and property shall be maintained in a neat and orderly manner.
12. The Operator, Applicant, project, facility, and site shall be in compliance with all applicable County and State regulations, including County Ordinance 2014-01 and Land Use Regulations Section 4-110.
13. The Applicant shall possess permits for and obtain all required renewals of the applicable State marijuana facility licenses.
14. The failure to comply with these conditions shall be grounds for the revocation of this cultivation license.





## RETAIL MARIJUANA LOCAL LICENSING APPLICATION

<b>San Juan County Land Use Administrator</b> <b>P.O. Box 250, Silverton, CO 81433</b> <b>Phone (970) 387-5522 ext. 16</b> <b>Fax (970) 387-5583</b>	RECEIVED <u>5/26/2020</u> PAID _____ RM- _____ <i>Yma RECEIVED 05/26/20</i>
---	--

License for: <input type="checkbox"/> New <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Change of Ownership/Corporate Structure <input type="checkbox"/> Modification to Premises		Application and Operation Fee: \$1,000.00	
<b>License Type:</b> <input type="checkbox"/> Retail Marijuana Store License <input checked="" type="checkbox"/> Retail Marijuana Cultivation Facility <input type="checkbox"/> Retail Marijuana Products Manufacturing <input type="checkbox"/> Retail Marijuana Testing Facility		<b>Permit:</b> <input type="checkbox"/> Improvement Permit	
Physical Address			
Applicant's Legal Business Name/Trade Name (DBA) San Juan Cultivation, LLC		Parcel Name and ID Number Silverton Placer	Zone District ED
Street Address of Business 71463 US HWY 550, Warehouse, Silverton, CO 81433		Business Phone Number (970 ) 403-6233	
Mailing Address PO BOX 933	City Silverton	State CO	Zip 81433
Primary Contact Person			
Primary Contact Person for Business Kevin Farmer		Primary Contact Phone Number (206 )225-6353	Primary Contact Cell Number (206) 225-6353
Primary Contact Email Address kevin@cannafarmer.com			
Primary Contact Address PO BOX 492		City Silverton	State CO
Zip 81433			
State Retail Marijuana License Numbers			
Retail Marijuana Center Number NA		Products Manufacturing Number NA	
Cultivation Facility Number 403R-00569		Testing Facility Number NA	
Applicant's Signature 			Date <u>5/22/20</u>

## Retail Marijuana License Application Checklist

**For Complete Regulation Language see San Juan County- Ordinance 2014-01,**

Submitted	Section 4 (1)	
No Change	(a)	<i>Copy of Lease, Deed, or Contract</i> for right to possess physical premises.
No Change	(b)	<i>Building Plans</i>
No Change	(b)	<i>Food Prep Area</i>
No Change	(c)	<i>Location Plan/Plot Plan</i> - Submit a location plan showing all uses located within 1,000 feet of the premises including schools, daycare facility (see complete list in Section 4.1 c.)
No Change	(d)	<i>Fees</i> – Make payable to San Juan County
No Change	(e)	<i>Fingerprints</i> – Applicants shall include a set of fingerprints for each licensee applicant on forms provided by the state licensing authority.
No Change	(f)	<i>Corporate, LLC, or Partnership</i> – Formation documents shall be provided for any licensee other than a sole proprietorship.
No Change	(g)	<i>Material Safety Data Sheets ("MSDS")</i> – MSDS sheets for each and every proposed chemical and/or proposed chemical mixtures to be stored or used on the premises shall be submitted with the application.
Submitted	Section 4 (3)	
Attached	(a)	<i>Fire District Comments</i> – Written comments or a letter from the appropriate fire district in which the proposed licensed premises are to be located demonstrating compliance with the applicable fire code provisions.
ED Zone	(b)	<i>Proof of county land use approval</i> – use is allowed in the proposed location.
NA	(c)	<i>San Juan Basin Department of Health and Environment approval</i>
Attached	(d)	<i>Building Department approval</i> – facility must comply with applicable building codes and comply with all applicable Colorado plumbing/electrical code standards.
Attached	(e)	<i>Sheriff's Office</i> – Written comments or a letter with regard to the Sheriff's recommendations concerning issuance of the license(s) for which application has been made, including the results of any investigation conducted.
Submitted	Section 5	
Attached	(3)	<i>State License for the proposed Licensed Premises.</i>
Attached	(4)	<i>Indemnification</i> – Applicant/Licensee must provide an executed indemnification in a form acceptable to the Local Licensing Authority.
One year	(5)	<i>Permit Duration</i> – Local License shall be valid for a period not to exceed one year from date of issuance, and shall terminate on the same date as the State Licensing Authority's license.
Attached		<i>Affirmation &amp; Consent Form</i>
Attached		<i>Investigation Authorization &amp; Authorization to Release Information</i>
Attached		<i>Applicant's Request to Release Information</i>

**Retail Cannabis (Marijuana) Local Licensing Application**  
**San Juan County – Land Use Administrator**  
**P.O. Box 250, Silverton, CO 81433**

Phone (970) 387-5522 Ext. 16 – Fax 970-387-5583 – [bnevins@silverton.co.us](mailto:bnevins@silverton.co.us)

**PRIOR TO THE LOCAL LICENSING AUTHORITY'S FINAL DECISION REGARDING AN APPLICATION, THE APPLICANT SHALL PROVIDE THE FOLLOWING INFORMATION:**

<b>FIRE PROTECTION DISTRICT</b>	
Written comments or a letter from the appropriate fire authority or district in which the proposed licensed premises are to be located demonstrating compliance with the applicable adopted fire code provisions.	
<input type="checkbox"/> No objection to the Retail Marijuana facility as proposed.	
Signature Fire Department	Date
<input type="checkbox"/> Applicant must comply with the following adopted fire code provisions:	
Signature Fire Department	Date
<b>SAN JUAN BASIN DEPARTMENT OF HEALTH AND ENVIRONMENT</b>	
For Retail cannabis infused products manufacturing licenses, documentary proof of compliance with the applicable county and/or state health department standards.	
<input type="checkbox"/> No objection to the Retail Marijuana facility as proposed.	
NA – Not product manufacturing	
Signature Dept. Health and Environment	Date
<input type="checkbox"/> Applicant must comply with the following health code provisions:	
NA – Not product manufacturing	
Signature Dept. Health & Environment	Date

**SAN JUAN COUNTY BUILDING DEPARTMENT**

For all licensed facilities located within a building or structure for which a San Juan County Building permit is required, documentary proof of compliance with all applicable county building code standards, as well as documentary proof of compliance with all applicable Colorado Plumbing/Electrical Code standards.

No objection to the Retail Marijuana facility as proposed.

\_\_\_\_\_  
Signature Building Official

\_\_\_\_\_  
Date

Applicant must comply with the following county building code standards:

\_\_\_\_\_  
Signature Building Official

\_\_\_\_\_  
Date

**SAN JUAN COUNTY SHERIFF'S OFFICE**

Written comments or a letter from the San Juan County Sheriff or his designee with regard to the Sheriff's recommendations to the Local Licensing Authority concerning the issuance of the license(s) for which the application has been made, including the results of any investigation conducted: New application review shall include, but need not be limited to, an investigation into the criminal background, if any, of the proposed licensee(s) by the San Juan County Sheriff's Office. The Sheriff's Office may, in its discretion, require the proposed licensee(s) to submit to a personal interview regarding, but not limited to, their background, qualifications, and financial arrangements, relevant to the proposed License.

No objection to the Retail Marijuana facility as proposed, and recommend no additional security measurers required.

\_\_\_\_\_  
Signature Sheriff

\_\_\_\_\_  
Date

Application should be Denied. See attached written report of the results of the SMCSO investigation of the proposed licensee(s).

\_\_\_\_\_  
Signature Sheriff

\_\_\_\_\_  
Date

**SAN JUAN COUNTY COLORADO  
RETAIL MARIJUANA LOCAL  
LICENSEE INDEMNIFICATION  
AGREEMENT**

The undersigned in consideration for the San Juan County Board of Commissioners, acting in its capacity as the Local Licensing Authority, issuance of a Retail Marijuana local license to the undersigned pursuant to the Colorado Retail Marijuana Code (C.R.S. Title 12, Article 43.3, Part1) by its acceptance of such Local License hereby agrees, undertakes, and covenants to hold and save harmless, release, and indemnify San Juan County, its Board of County Commissioners, the San Juan County Local Licensing Authority, and their officers, directors, employees, contractors and agents, and all other persons or entities associated or affiliated with San Juan County, all jointly and severally (collectively, the "County"), from and against any and all liabilities, claims, demands, actions, damages, injuries, and/or rights of action, of any nature whatsoever, that are related to, arise out of, or are in any way connected with the County's issuance of a local license to the undersigned pursuant to the Colorado Retail Marijuana Code and San Juan County Ordinance 2014-01 For Licensure of Retail Marijuana Establishment.

The undersigned understands and acknowledges that by signing this Retail Marijuana Local Licensee Indemnification Agreement the undersigned has given up certain legal rights and/or possible claims that the undersigned might otherwise assert or maintain against the County. The undersigned also understands and acknowledges that this Indemnification Agreement is intended to be as broad and inclusive as permitted by the laws of the State of Colorado and that if any portion hereof is held invalid, the undersigned agrees and understands that the balance shall continue in full legal force and effect.

The undersigned understands and acknowledges that this Indemnification Agreement constitutes the entire agreement and understanding between the undersigned and the County relating to the subject matter herein and that it cannot be modified or changed in any way by the representations or statements of the County, or by the undersigned.

Nothing herein shall be deemed or construed as waiver or diminishment of any protections, limitations, rights or immunities available to the County by any provision of Colorado law, including, without limitation, any protection or limitation of liability under the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*


In the event that a controversy, dispute, litigation or arbitration emerges over this Indemnification Agreement, venue and jurisdiction shall be proper only in San Juan County District Court. The County shall have the right to recover reasonable attorneys fees and costs it may incur to enforce this Indemnification Agreement.



## Affirmation & Consent

I, Kevin Michael Farmer, as an authorized agent for the applicant, state under penalty for offering a false instrument for recording pursuant to 18-5-114 C.R.S. that the entire Retail Marijuana Business License Application Form, statements, attachments, and supporting schedules are true and correct to the best of my knowledge and belief, and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for the refusal to issue a Retail Marijuana license by San Juan County. Further, I am aware that later discovery of an omission or misrepresentation made in the above statements may be grounds for the denial of a temporary Retail Marijuana application or the revocation of the license. I am voluntarily submitting this application to the San Juan County Licensing Authority under oath with full knowledge that I may be charged with perjury or other crimes for intentional omissions and misrepresentations pursuant to Colorado law or for offering a false instrument for recording pursuant to 18-5-114 C.R.S. I further consent to any background investigation necessary to determine my present and continuing suitability and that this consent continues as long as I hold a San Juan County Retail Marijuana License, and for 90 days following the expiration or surrender of such Retail Marijuana License.

**Print Full Legal Agent Name clearly below:**

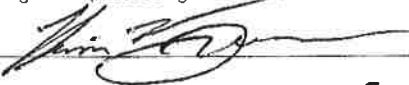
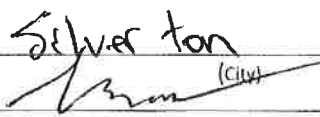
Applicant's Business Name		Trade Name (DBA)	
San Juan Cultivation, LLC		CannaFarmer	
Legal Agent Last Name (Please Print)	Legal Agent First Name	Legal Agent Middle Name	
Farmer	Kevin	Michael	
Signature		Date	
		5/22/20	

## INVESTIGATION AUTHORIZATION AUTHORIZATION TO RELEASE INFORMATION

I, Kevin Michael Farmer, as an authorized agent for the applicant, hereby authorize the San Juan County Local Licensing Authority, through the San Juan County Sheriff's Office (hereafter, the Investigative Agency) to conduct a complete investigation into my personal background, using whatever legal means they deem appropriate. I hereby authorize any person or entity contacted by the Investigative Agency to provide any and all information deemed necessary by the Investigative Agency. I hereby waive any rights of confidentiality in this regard. I understand that by signing this authorization, a financial record check may be performed. I authorize any financial institution to surrender to the Investigative Agency a complete and accurate record of such transactions that may have occurred with that institution, including but not limited to, internal banking memoranda, past and present loan applications, financial statements, and any other documents relating to my personal or business financial records in whatever form and wherever located. I understand that by signing this authorization, a financial record check of my tax filing and tax obligation status may be performed. I authorize the Colorado Department of Revenue to surrender to the Investigative Agencies a complete and accurate record of any and all tax information or records relating to me. I authorize the Investigative Agency to obtain, receive, review, copy, discuss and use any such tax information or documents relating to me. I authorize the release of this type of information, even though such information may be designated as "confidential" or "nonpublic" under the provisions of state or federal laws. I understand that by signing this authorization, a criminal history check will be performed. I authorize the Investigative Agency to obtain and use from any source, any information concerning me contained in any type of criminal history record files, wherever located. I understand that the criminal history record files contain records of arrests which may have resulted in a disposition other than a finding of guilt (i.e., dismissed charges, or charges that resulted in a not guilty finding). I understand that the information may contain listings of charges that resulted in suspended imposition of sentence, even though I successfully completed the conditions of said sentence and was discharged pursuant to law. I authorize the release of this type of information even though this record may be designated as "confidential" or "nonpublic" under the provisions of state or federal laws.

The Investigative Agency reserves the right to investigate all relevant information and facts to their satisfaction. I understand that the Investigative Agency may conduct a complete and comprehensive investigation to determine the accuracy of all information gathered. However, San Juan County, the Investigative Agency, and other agents of employees of San Juan County shall not be held liable for the receipt, use, or dissemination of inaccurate information. I, on behalf of the applicant, its legal representatives, and assigns, hereby release, waive, discharge, and agree to hold harmless, and otherwise waive liability as to San Juan County, the Investigative Agency, and other agents or employees of San Juan County for any damages resulting from any use, disclosure, or publication in any manner, other than a willfully unlawful disclosure or publication, of any material or information acquired during inquiries, investigations, or hearings and hereby authorize the lawful use, disclosure, or publication of this material or information. Any information contained within my application, contained within any financial or personnel record, or otherwise found, obtained, or maintained by the Investigative Agency, shall be accessible to law enforcement agents of this or any other state, the government of the United States, or any foreign country.

**Print Full Legal Agent Name clearly below:**

Applicant's Business Name San Juan Cultivation, LLC		Trade Name (DBA) CannaFarmer	
Legal Agent Last Name (Please Print) Farmer	Legal Agent First Name Kevin	Legal Agent Middle Name Michael	
Legal Agent Title Owner	Signature (Must be signed in front of one witness) 		
Dated this <u>22nd</u> day of <u>May</u> , 20 <u>20</u> at <u>1045am</u> (time)			
<u>Silverton</u>  (City)		<u>CO</u> (State)	
Witness Signature			

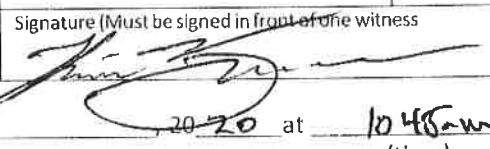



## APPLICANT'S REQUEST TO RELEASE INFORMATION

To: \_\_\_\_\_

From: \_\_\_\_\_

1. I/We hereby authorize and request all persons to whom this request is presented having information relating to or concerning the above named applicant to furnish such information to a duly appointed agent of the San Juan County Retail Marijuana Local Licensing Authority whether or not such information would otherwise be protected from the disclosure by any constitutional, statutory or common law privilege.
2. I/We hereby authorize and request all persons to whom this request is presented having documents relating to or concerning the above named applicant to permit a duly appointed agent of the San Juan County Retail Marijuana Local Licensing Authority to review and copy any such documents, whether or not such documents would otherwise be protected from disclosure by any constitutional, statutory, or common law privilege.
3. I/We hereby authorize and request the Colorado Department of Revenue to permit a duly appointed agent of the San Juan County Retail Marijuana Local Licensing Authority to obtain, receive, review, copy, discuss and use any such tax information or documents relating to or concerning the above named applicant, whether or not such information or documents would otherwise be protected from disclosure by any constitutional, statutory, or common law privilege.
4. If the person to whom this request is presented is a brokerage firm, bank, savings and loan, or other financial institution or an officer of the same, I/We hereby authorize and request that a duly appointed agent of the San Juan County Retail Marijuana Local Licensing Authority be permitted to review and obtain copies of any and all documents, records or correspondence pertaining to me/us, including but not limited to past loan information, -notes co-signed by me/us, checking records, savings deposit records, safe deposit box records, and general ledger folio sheets.
5. I/We do hereby make, constitute, and appoint any duly appointed agent of the San Juan County Retail Marijuana Local Licensing Authority, my/our true and lawful attorney in fact for me/us in my/our behalf and for my/our use and benefit:
  - (a) To request, review, copy, sign for, or otherwise act for investigative purposes with respect to documents and information in the possession of the person to whom this request is presented as I/we might;
  - (b) To name the person or entity to whom this request is presented and insert that person's name in the appropriate location in this request;
  - (c) To place the name of the agent presenting this request in the appropriate location on this request.
6. I grant to said attorney in fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I/we might or could do it personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney in fact, or his substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.
7. This power of attorney ends twenty-four (24) months from the date of execution.
8. The above named applicant has filed with the San Juan County Retail Marijuana Local Licensing Authority an application for a Retail Marijuana Local License. Said applicant understands that it is seeking the granting of a privilege and acknowledges that the burden of proving its qualifications for a favorable determination is at all times on the applicant. Said applicant accepts any risk of adverse public notice, embarrassment, criticism, or other action of financial loss, which may result from action with respect to this application.
9. I/We do for myself/ourselves, my/our heirs, executors, administrators, successors, and assigns, hereby release, remise, and forever discharge the person to whom this request is presented, and his agents and employees from all and all manner or actions, causes of action, suits, debts, judgments, executions, claims, and demands whatsoever, known or unknown, in law or equity, which the applicant ever had, now has, may have, or claims to have against the person to whom this request is being presented or his agents or employees arising out of or by reason of complying with the request.
10. I/We agree to indemnify and hold harmless the person to whom this request is presented and his agents and employees from and against all claims, damages, losses, and expenses, including reasonable attorney's fees arising out of or by reason of complying with this request.
11. A reproduction of this request by photocopying or similar process shall be for all intents and purposes as valid as the original.

Legal Agent Last Name (Please Print) Farmer	Legal Agent First Name Kevin	Legal Agent Middle Name Michael
Legal Agent Title Owner	Signature (Must be signed in front of the witness) 	
Dated this <u>22nd</u> day of <u>May</u> , <u>2020</u> at <u>10:45am</u> (time)		
<u>Silverton</u> (City) <u>CO</u> (State)		
Witness Signature		
Signature of Retail Marijuana Licensing agent presenting this request 		Date <u>5/22/20</u>



San Juan County Board of County Commissioners  
San Juan County Land Use Administrator  
PO Box 250  
Silverton, CO 81433

San Juan Cultivation, LLC  
CannaFarmer  
PO Box 933  
Silverton, CO 81433

RE: Annual renewal fee – request to waive

Good day,

As the owner and operator of San Juan Cultivation, LLC., I, Kevin Farmer, am requesting the \$1,000 annual renewal fee be waived for the current renewal year. Due to the current business conditions around COVID 19 and my businesses' inability to acquire protections from the state and federal government, I'm asking the county help me and my business move into the summer without needing to borrow money from a private party to pay the annual renewal fee to the county. My business is down 48% or \$4,900 compared to May of last year, thus the cash shortage going into the summer and the lack of funds to pay the renewal fee at the current date.

I'm hopeful you'll understand my position and help locally where I'm unable to get assistance federally or at a state level.

Thank you for considering my request.

Sincerely,

Kevin Farmer  
Owner/Operator  
San Juan Cultivation, LLC – DBA CannaFarmer

**SAN JUAN COUNTY BUILDING DEPARTMENT**

For all licensed facilities located within a building or structure for which a San Juan County Building permit is required, documentary proof of compliance with all applicable county building code standards, as well as documentary proof of compliance with all applicable Colorado Plumbing/Electrical Code standards.

No objection to the Retail Marijuana facility as proposed.

 \_\_\_\_\_ Date 6/12/2020

Signature Building Official

Date

Applicant must comply with the following county building code standards:

Signature Building Official

Date

**SAN JUAN COUNTY SHERIFF'S OFFICE**

Written comments or a letter from the San Juan County Sheriff or his designee with regard to the Sheriff's recommendations to the Local Licensing Authority concerning the issuance of the license(s) for which the application has been made, including the results of any investigation conducted: New application review shall include, but need not be limited to, an investigation into the criminal background, if any, of the proposed licensee(s) by the San Juan County Sheriff's Office. The Sheriff's Office may, in its discretion, require the proposed licensee(s) to submit to a personal interview regarding, but not limited to, their background, qualifications, and financial arrangements, relevant to the proposed License.

No objection to the Retail Marijuana facility as proposed, and recommend no additional security measures required.

 \_\_\_\_\_ Date 06/12/20

Signature Sheriff

Date

Application should be Denied. See attached written report of the results of the SMCSO investigation of the proposed licensee(s).

Signature Sheriff

Date





Town of  
**Silverton**

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



**SAN JUAN COUNTY**

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

Date: June 21, 2020.

For: June 24 County Commissioners Meeting.

From: Town/County Planning Director.

Regarding: Two Week Update on Town & County Planning Projects.

Here are some of the projects passing through the Town/County Planning Department during the past two weeks.

County Projects

- The County Commissioners will hold a Public Hearing to consider a Proposed Water Treatment Building at Cascade Village.
- The County Commissioners will hold a Public Hearing to consider an annual license renewal for CannaFarmer.
- A County Land Use Permit was issued to the Cascade Village Homeowners Association, for foundation drain repair, stormwater system improvements, and associated utility work (LUP approval letter is attached).
- The Lot 4 Cole Ranch owner requested assistance with options regarding an Improvement Permit Application, the recently rejected Proposed Plat Amendment, and County regulations regarding the County appeals board.
- The Lot 1 Cole Ranch land owner was assisted with the process of a submitting a Proposed Plat Amendment and/or Improvement Permit Application, and inquiry regarding possible ongoing BLM work adjacent to Lot 1.
- A meeting occurred with a septic designer, currently designing three engineered septic systems in this County.
- Brief meeting with Fire Chief, regarding CannaFarmer, as well as general backcountry fire mitigation issues.
- Email and phone coordination with several owners of mining claims on CRs 20 & 20A, including the Dick Bland, Manhattan & General Sherman Revised Lodes, the Tarpon Lode, the First Chance Revised Lode, the Blair Mountain & Panic Lodes, the Slide Rockless & Tiptop Lodes.
- Email coordination with three owners of mining claims near Minnesota Gulch, including the Tungsten, Anglo Saxons, and the Prodigal Son.
- Email and phone coordination with County Administrator, Building Inspector, realtor, and buyer of the previously permitted, vacant, Log Cabin Lode, near Red Mountain Pass.
- Email and phone coordination with the Building Inspector, seller, and two buyers of claims on Highway 550, informing the seller and two buyers that there is no "Use By Right" for structures/residential use on mining claims, and describing our Improvement Permit Application process.
- Coordination with the owner of a vacant lot in the Know Your Neighbor Subdivision, and the Building Inspector, regarding Improvement Permit Applications, Certificates of Occupancy, and septic systems.
- Assistance to Applicants proposing a mixed use structure on a Powerhouse Subdivision lot, regarding the County's previous Subdivision requirements, floodplain issues, and application submittal requirements.
- The Improvement Permit Application process, and a previously approved permit, was described for a buyer, regarding the vacant Gold Finch Lode, located above Chattanooga.
- Coordination with a traffic control plan designer, the County Administrator, and Building Inspector, regarding potential traffic control/closure on CR 14, for a Forest Service investigation of ponds (possibly the Brooklyn).
- Coordination with owner and Building Inspector regarding a permit and septic on one of the Forest Queens.
- Coordination with owner and Building Inspector regarding a foundation on the Kruger Lode in Henrietta.
- Other miscellaneous ongoing County projects.

Town Projects

- The Town Board of Trustees has created a new Form to fill out, for Town Staff Reports, which is below.

- Planning Director, and the weekly Town Code Committee (Town Administrator and Building Inspector), have been working on revisions to the Town's Accessory Dwelling Unit (ADU) regulations, and the Town's Vacation Rental (VR) regulations. Proposed revisions to the Town's ADU and VR regulations are intended to increase the availability of long-term rental housing for local workers.
- Four new proposed windows on the second story of the Outdoor World Building on Greene Street were approved by the Planning Commission, in their official capacity as the Town Historic Review Committee.
- A Town Use Subject to Review Application was received, for a proposed mixed-use commercial/residential structure, within the blue zone of the Town's Avalanche Hazard Overlay District, 12<sup>th</sup> & Mineral.
- A Town Vacation Rental application was processed by the Planning & Building Departments, for a change in ownership of an existing vacation rental, 921 Greene.
- A Town Vacation Rental application was received by the Planning & Building Departments, 902 Empire.
- Two separate non-conforming Town parcels, changing ownership, which are only 50x50 square feet each, were investigated by the Building & Planning Departments.
- During the past two weeks, Planning Director attended weekly Town Staff meetings, a monthly Town Personnel & Ordinance Committee meeting, Town Board of Trustees meetings, Planning Commission meeting.
- Two Town marijuana facility licenses were worked on this past week, one recently approved, one proposed.
- Coordination with Town Staff, regarding Molas Lake Campground occupancy and septic system.
- Building/Planning Depts. worked on permitting for two proposed structures in the Town's southern ED zone.
- A Vacation Rental (VR) inquiry was received for a townhome in the BA zone, where VRs are not permitted.
- Other miscellaneous ongoing Town projects.
- Below is the Planning Department Staff Report, for the June 22 Town Board Meeting, using the new Form.

**Town of Silverton  
Staff Report**

**Purpose and Intent:**

- Based on trust & limited to 1 page
- Relevant information
- Supports trustees' decision making process

**Department:** Town and County Planning Department.  
**Head of Department:** Lisa Adair.  
**Date of Trustee meeting:** June 22, 2020.

**For immediate Trustee consideration:**  
 N/A.

**Regular Meetings & Communication:**  
 \*This is a place for staff to complete in their own template so that it is faster to use before each meeting\*  
 Town Board, County Commissioners, Planning Commission, Town Code Committee, Town Staff Meetings.

**Top on the TO DO list:**  
 Processing of Submitted Town and County Applications which are Deemed Complete.

**Grants (applications, updates, awards):**  
 \*This is a place for staff to complete in their own template so that it is faster to use before each meeting\*  
 N/A.

**Upcoming Issues:**  
 Upcoming Town and County Applications About to Be Submitted.

**Notable completed tasks:**

Notable completed tasks include several Town and County applications which were recently presented to the Planning Commission and County Commissioners.

**Ongoing Project Update:**  
 \*This is a place for staff to complete in their own template so that it is faster to use before each meeting\*  
 Ongoing Town Applications and Projects, Updating of Town Codes, Updating the Joint Master Plan, Town Website Documents.  
 \*County Projects – N/A, Separate County Staff Report is available upon request.

**Learning/ Professional Development**  
 Town Historic Overlay District Regulations.  
 Town Builder's Handbook: A Guide to Silverton's Historic Style.  
 Town Architectural Design Standards for Historic Districts.  
 Town Avalonche Overlay District Application Requirements.

**COVID related**  
 Assisting applicants and meeting participants with Zoom.

This Staff Report was prepared by the Town & County Planning Director Lisa Adair PE, for the County Commissioners, who will meet on June 24. The County Commissioners can contact the Planning Director for more information on these Town & County projects, at 387-0500 or 946-9408.



## SAN JUAN COUNTY COLORADO

1557 Greene Street  
P.O. Box 466  
Silverton, Colorado 81433

June 15, 2020

To County Staff and Owners/Applicants.  
From Planning Director L. Adair.  
Regarding County Land Use Permit (LUP) 2020-02.

The Planning Department of San Juan County Colorado hereby approves **County Land Use Permit 2020-02** for the following project:

Project: Proposed Foundation Drain, Stormwater Pipe, Stormwater Inlet Structure, Associated Utility Work, Grading, Asphalt Paving, Concrete Curbs, Boulder Wall (up to 3.8 Feet Tall), Landscaping, Traffic Control; Located on the Uphill Side of the Existing Needles Condo Building, on Commonly-Owned Land, Cascade Village PUD, Highway 550, San Juan County, Colorado. The purpose of the work is to correct the failure of the existing exterior foundation drain, and to address existing drainage issues which are causing intermittent flooding in the interior of the existing Needles Condo Building.

Owners/Applicants: Cascade Village Community Association (“HOA”), HOA President Gregory Erwin, Facility Manager Charlie Tyack (phone 214-218-3077), and Contractor Daison Shockley of Neil’s Excavation (phone 970-442-1827).

Submittal Documents: Plans Prepared by Goff Engineering Stamped by T. Engel PE on 12/23/19 (submitted May 14), Email & Letter from G. Erwin President of Cascade Village Community Association (submitted May 20), Land Use Permit Application Form from D. Shockley of Neil’s Excavation (submitted May 20), LUP Application Fee of \$350 (check from Cascade HOA received by County Treasurer on June 2).

Review: The County Land Use Permit Application is considered complete as of June 2. The Application was posted on the County website for public review. The County Commissioners briefly discussed this project and permitted an administrative review on May 27, to be completed by the Town & County Planning Director and Building Inspector. The Planning Director has reviewed the Application in comparison to the County Zoning & Land Use Regulations and the Master Plan. This project appears to comply with the master Plan and the applicable County regulations.

Approval and Conditions of Approval: The Planning Director is hereby granting approval of this project, with the contingencies listed below, referred to as the Conditions of Approval, or the Conditions. The Owners/Applicants shall carefully review these Conditions, shall indicate

agreement to these Conditions by signing in the presence of a Notary Public and causing this signed document to be filed at the San Juan County Colorado Courthouse (for filing information contact County Clerk Ladonna Jaramillo at phone 970-387-5671). The construction work described herein may immediately commence after the document has been filed, and upon all Conditions of Approval being in compliance. The following Conditions of Approval apply to this County Land Use Permit 2020-02:

**ACKNOWLEDGEMENT OF CONDITIONS**

**LAND USE PERMIT 2020-02 Proposed Foundation Drain, Stormwater Infrastructure, and Associated Improvements, Needles Condo Building at Cascade Village, Highway 550, San Juan County, CO.**

In consideration of San Juan County Land Use Permit No. 2020-02, the Owners/Applicants Cascade Village Community Association, President G. Erwin, Facility Manager C. Tyack, and Contractor D. Shockley, hereby agree to the following Conditions of Approval.

1. Approval: This approval is for the following work: Proposed Foundation Drain, Stormwater Pipe, Stormwater Inlet Structure, Associated Utility Work, Grading, Asphalt Paving, Concrete Curbs, Boulder Wall (up to 3.8 Feet Tall), Landscaping, Traffic Control; Located on the Uphill Side of the Existing Needles Condo Building. Any other proposed work not described herein requires a separate permit from San Juan County, and is hereby not approved as part of this permit.
2. Wetlands: Any possible proposed wetlands disturbance, or discharge into wetlands, requires the Applicants to contact the Army Corps of Engineers for permitting, prior to any grading.
3. UNCC: Prior to any grading, the Owners/Applicants shall contact the Utility Notification Center of Colorado for utility locates. The utility locates shall include understandable marking of all known existing utilities, which shall be completed before any excavation or grading occurs.
4. SWMP Permit: The Applicants shall obtain any required Stormwater Management Permit that may be required by CDPHE, State and/or Federal laws. Stormwater management permit/ plan (SWMP) shall be submitted to the State and/or kept inside the heavy equipment on site during construction, dependent on the currently unknown acreage of proposed disturbance. The County hereby requires that the local water quality shall be protected, from construction-related and silt runoff, through the use of Best Management Practices (BMPs) where needed. The contractor shall install and maintain BMPs as needed to protect any nearby local waterways and below grade/above grade drainages during construction, such as silt fence, hay bales, etc. Concrete trucks shall not wash out in existing drainages or vegetation.
5. Public and Worker Safety: Consideration of public safety is required through the use of Traffic Control (placement of flaggers, signs, cones, barricades, fencing, overnight trench covers, sheeting, bracing, protection, etc.) as necessary to protect children, pedestrians, and drivers. Worker Safety is required through adherence to all applicable State and Federal laws such as the regulations of MSHA and OSHA (which may include the use of trench boxes, proper worker training, and safety



equipment to be provided by the Contractor).

6. Notifications: Prior to commencement of the work, the Contractor shall notify the Cascade Community Association of the date and time that the work will commence. Prior to any scheduled potable water line shut off, the affected individual condominium residents shall be notified 24 hours in advance, by the Contractor's placement of a water shutoff paper notice posted on the residents' condo doors.

7. Nighttime Work: To limit noise and light impacts to the residents, no nighttime construction work, and no temporary construction lighting shall be permitted, between the overnight hours of 7 pm to 7 am, except in the event of a public safety emergency.

8. County Regulations: The project shall comply with the San Juan County Colorado "Zoning and Land Use Regulation" which can be found on the County governmental website. Any violation of the County Regulations shall void this County Land Use Permit.

9. State & Federal Laws: The project shall comply with all required State and Federal regulations. If the Federal, State, and County regulations differ, then the most stringent shall apply. Any violation of the applicable State or Federal laws shall cause this County permit to be rescinded.

10. Burning: Due to the current fire danger, and the current adopted County Fire Ban Resolution, the burning of any vegetation or trash at this site is hereby prohibited. If burning is proposed, then the Owners/Applicants shall contact the County Sheriff and County Staff prior to any controlled burn, for a re-consideration of this Condition of Approval.

11. Water for Fire: Cutting and grinding of existing metal pipes is anticipated; the use of cutting torches, welding, grinders, and equipment/power tools which may cause sparks, shall be accompanied by several buckets of water located directly adjacent to the work, in case of fire. Please consult the current adopted County Fire Ban Resolution on the County website, the local Silverton/Durango Fire Departments, San Juan County Sheriff (phone 970-387-5531), for additional fire precaution information.

12. Storm Drain: Storm inlet grate shall immediately be attached to the storm inlet manhole as shown on the plans, and the excavated ends of installed stormwater pipes shall not be left open at any time, in order to protect resident children and animals from entering the storm drain system.

13. Existing Utilities: The Contractor shall investigate, mark, protect, and maintain all existing utilities. Prior to any excavation, the Contractor shall contact UNCC, as well as the Cascade Village Grizzly Peaks Water System Operator Dave Marsa (phone 970-759-1609).

14. Emergency Services: Permit Owners/Applicants in San Juan County Colorado are required to acknowledge that emergency services in San Juan County Colorado, including ambulance, fire, police, search and rescue, emergency services, may not be available in a timely manner, and may not be available at all. In the case of an emergency during this project, the Owners/Applicants would be advised to first contact the emergency services of La Plata County Colorado (phone 911) due to the site location.

15. Building Department: The Owners/Applicants shall comply with all requirements from the San Juan County/Town of Silverton Building Department, Building Inspector, Fire Inspector, Code Enforcement Officer: Bill MacDougall (phone 970-946-9031). Building Inspector may visit the site of the work at any time, and/or may make reasonable written and/or verbal requirements in accordance with Local, State, and Federal laws, and Owners/Applicants shall comply with those requirements.

16. Document On-Site: The Contractor and workers at the site are required to read this list of Conditions of Approval, and a copy of this document shall be kept on site subject to inspection at any time by County Staff. Owners/Applicants are responsible for informing workers at the site of the requirements contained within this document including but not limited to: public safety, covering of trenches, and buckets of water directly adjacent to any spark causing equipment.

17. Owners/Applicants and their contractors, workers, engineers, all on-site personnel, shall follow Best Practices for Covid 19 health/safety. For up to date information on construction site guidelines, please refer to the San Juan County Colorado website for the State and County Covid 19 public health orders and requirements, and/or contact Building Inspector (phone 970-946-9031).

18. Filed Conditions: This document shall be signed by the Owners/Applicants in the presence of a Notary Public and filed at the County Clerk and Recorder Office. Signature indicates that the Owners/Applicants agree to the Conditions of Approval. The signed and notarized document shall be filed in the San Juan County Courthouse Clerk and Recorder Office prior to commencement of the approved work.

Signed By (Print Name) \_\_\_\_\_

Signing on Behalf of the Owners/Applicants: The Cascade Village Community Association HOA, The HOA President, The Facility Manager, and the Contractor.

Signature: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,

2020, by \_\_\_\_\_; Witness my hand and official seal.

\_\_\_\_\_

Notary Public

My commission expires: \_\_\_\_\_.

This document was prepared by Town & County Planning Director Lisa M. Adair PE, June 15, 2020.



**STAFF REPORT FOR THE BOARD OF COUNTY COMMISSIONERS**

**Report Date:** June 21, 2020.

**Meeting Date:** Wednesday, July 24, 2020.

**From:** Town & County Planning Director.

**Project:** Public Hearing for a County License Renewal Application for a Retail Marijuana Cultivation Facility.

**Applicant:** San Juan Cultivation, LLC, Tradename CannaFarmer, represented by Kevin Farmer.

**Attachments:**

License Renewal Application, Signature Pages from Building Inspector, Sheriff, Fire Department.

**Proposal:** Kevin Farmer, representing “San Juan Cultivation, LLC” Tradename CannaFarmer, is requesting an annual license renewal, for the continued operation of an indoor marijuana cultivation facility.

**Project Site:** The facility is in an existing warehouse building, approximately 2 miles north of Silverton on Highway 550. Applicant is leasing the building from The Filling Station, LLC. The parcel legal description is: A Portion of the Silverton Placer USMS No. 14665 (containing 12.63 acres).

**Project History:** The initial request for a “retail cannabis cultivation facility license” was approved unanimously by the Board of County Commissioners, on June 24, 2015, according to Planning Department files prepared by previous Planning Director Bob Nevins.

**Zoning:** All uses, including mining and milling, are Uses Subject to Review in San Juan County. The proposed use is located in unincorporated San Juan County within the Highway 550 Economic Corridor.

**License Requirements and Fees:** San Juan County adopted Ordinance No. 2014-01 establishing the licensure of retail marijuana establishments within unincorporated San Juan County. County Resolution No. 2014-03 imposed fees for the renewal of County licenses of those marijuana establishments. The Applicant has attached a letter requesting the County Commissioners waive the renewal fee due to financial/economic hardship.

**License Renewal Application:** San Juan Cultivation, LLC submitted a renewal application to Town Hall on May 26, 2020.

**Public Notice:** The required legal notice for this Public Hearing was advertised in the Silverton Standard newspaper, more than ten days prior to the hearing (a copy of the legal notice is available upon request). The required public notice sign, to be posted on-site at least ten days before the hearing, was emailed to the Applicant, to post in a visible front window location.

**Staff Report Regarding CannaFarmer Cultivation License Renewal, for July 24, 2020**  
**BOCC Meeting (Continued).**

**Current Use:** To the best of our knowledge, the Applicant has operated the cultivation facility in compliance with all applicable laws and conditions of the license. No requirements or negative comments were received regarding the renewal, from the Fire Chief, Building Inspector, or Sheriff.

**Comments from Former Planning Director Bob Nevins:** “The continued operation of a cultivation facility within the US Highway 550 Economic Corridor is consistent with the relevant Vision Statements, Goals and Strategies contained within the jointly adopted 2010 Town and County Master Plan. This... has provided positive results to both the County and Town in terms of increased employment and revenues while having minimal environmental, visual, traffic or other operational impacts. The ... facility is not located within any mapped INSTAAR Hazard Zones such as Avalanche, Geologic, Floodplain and/or Wildfire.”

**Criteria for Reviewing This Renewal Application (Page 15 of Ordinance 2014-01):** In determining whether to grant or deny a Renewal License the Board shall consider the following as applicable:

- (1) Whether the Applicant has failed to comply with any of the terms, conditions, or provisions of the State Retail Marijuana Code...or this Ordinance.
- (2) Whether the Applicant has failed to comply with any terms or conditions that were placed on its State Retail Marijuana License...or a License issued under this Ordinance.

As attested to by the Applicant, in the Renewal Application, and to the best of our knowledge, the existing facility and the Applicant appear to be in compliance with all of the pertinent State and County regulations, licenses, provisions, terms, and conditions.

- (3) Whether the Licensed Premises has been operated in a manner that adversely affects the public health or the safety of the immediate neighborhood...
- (4) Whether complaints...have been made to the Administrator or others by the public or law enforcement.
- (5) Whether there has been an increased need for law enforcement in the vicinity...or as a result of its operation.

As noted by the Sheriff, Building Inspector, and Fire Chief, within the Renewal Application, the existing facility appears to be free from complaints, public health/safety issues, and law enforcement concerns. County Administrator Willy Tookey, County Building Inspector Bill MacDougall, and Fire Chief Gilbert Archuleta were asked by the Planning Director if they had received any complaints, or have any minor concerns, which they might have omitted from the written application forms, and they did not have any concerns about this facility.

- (6) Whether the Applicant has changed its business structure and whether the current owners, officers, contractors, employees, and other support staff have completed a fingerprint-based criminal history record check and the results of such check.

**Staff Report Regarding CannaFarmer Cultivation License Renewal, for July 24, 2020**  
**BOCC Meeting (Continued).**

- (7) Whether any physical modifications have been made to the Licensed Premises.
- (8) Whether the Applicant owns...or has a valid lease, rental agreement...for possession of the Licensed Premises for the term of the renewal.

As noted by the Applicant, in the Renewal Application, and to the best of our knowledge, the existing facility and the Applicant appear to be in compliance with all of the above requirements, including: “no change” to the rental lease agreement; “no change” to the building plans, Location, Licensed Premises; Applicant(s) fingerprints are “on file;” and “no change” to the business structure, owner(s), of the LLC (San Juan Cultivation LLC).

The County Commissioners may: approve the renewal application, deny the renewal application, or “table” the decision in order to request additional information.

As the Planning Director, having reviewed the application, finding it generally complete, without any known change to the existing license or operation, and receiving no written or verbal concerns from the Sheriff, Fire Chief, and County staff, I recommend that **the Board of County Commissioners can approve the “Retail Marijuana Cultivation Facility License Renewal Application.”**

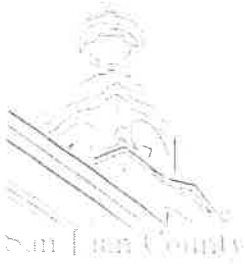
The “Retail Marijuana Cultivation Facility - License Renewal” can be approved, with the following proposed Conditions of Approval (listed below, and similar to those previously imposed by the County):

1. The Operator is San Juan Cultivation, LLC, doing business as Tradename CannaFarmer, with the Contact Person/Applicant designated as Kevin Farmer.
2. The Land Use hereby approved is one “Retail Marijuana Cultivation Facility.”
3. The Applicant shall comply with the CDOT access permit, and the parking, deliveries, and vehicles associated with this use shall not impact highway traffic safety.
4. That all owners, officers, managers, contractors, and employees, comply with the fingerprint-based criminal history background check requirements.
5. The Applicant shall comply with all San Juan Basin Health Department public health, safety, and septic system regulations, for this site.
6. Cannabis waste shall be disposed in a manner consistent with the Colorado Retail Marijuana Code, and regular trash shall be stored in bear-proof containers behind the building. Applicant is responsible for transporting trash to the Transfer Station near Silverton, and not allowing it to accumulate on-site.

**Staff Report Regarding CannaFarmer Cultivation License Renewal, for July 24, 2020**  
**BOCC Meeting (Continued).**

7. The security system shall meet the requirements of the Colorado Marijuana Enforcement Division. All windows and doors shall be secured. Chain-link security perimeter fencing is not permitted.
8. There shall be a sufficient, operational air filtration system, to ensure there are no cannabis odors detectable from outside the building.
9. All grow operation activities are to be wholly contained within the structure, and not visible from the highway.
10. All lights shall comply with the County's "dark sky" regulations of Section 4-110.17 Exterior lighting.
11. The building exterior and property shall be maintained in a neat and orderly manner.
12. The Operator, Applicant, project, facility, and site shall be in compliance with all applicable County and State regulations, including County Ordinance 2014-01 and Land Use Regulations Section 4-110.
13. The Applicant shall possess permits for and obtain all required renewals of the applicable State marijuana facility licenses.
14. The failure to comply with these conditions shall be grounds for the revocation of this cultivation license.





## RETAIL MARIJUANA LOCAL LICENSING APPLICATION

<b>San Juan County Land Use Administrator</b> <b>P.O. Box 250, Silverton, CO 81433</b> <b>Phone (970) 387-5522 ext. 16</b> <b>Fax (970) 387-5583</b>	RECEIVED <u>5/26/2020</u> PAID _____ RM- _____ <i>Alma RECEIVED on 6/1/20</i>
---	--

License for: <input type="checkbox"/> New <input checked="" type="checkbox"/> Renewal <input type="checkbox"/> Change of Ownership/Corporate Structure <input type="checkbox"/> Modification to Premises		Application and Operation Fee: <b>\$1,000.00</b>	
<b>License Type:</b> <input type="checkbox"/> Retail Marijuana Store License <input checked="" type="checkbox"/> Retail Marijuana Cultivation Facility <input type="checkbox"/> Retail Marijuana Products Manufacturing <input type="checkbox"/> Retail Marijuana Testing Facility		<b>Permit:</b> <input type="checkbox"/> Improvement Permit	
<b>Physical Address</b>			
Applicant's Legal Business Name, Trade Name (DBA) San Juan Cultivation, LLC		Parcel Name and ID Number Silverton Placer	Zone District ED
Street Address of Business 71463 US HWY 550, Warehouse, Silverton, CO 81433		Business Phone Number <b>(970 ) 403-6233</b>	
Mailing Address PO BOX 933	City Silverton	State CO	Zip 81433
<b>Primary Contact Person</b>			
Primary Contact Person for Business Kevin Farmer	Primary Contact Phone Number <b>(206 )225-6353</b>	Primary Contact Cell Number <b>(206) 225-6353</b>	
Primary Contact Email Address <a href="mailto:kevin@cannafarmer.com">kevin@cannafarmer.com</a>			
Primary Contact Address PO BOX 492	City Silverton	State CO	Zip 81433
<b>State Retail Marijuana License Numbers</b>			
Retail Marijuana Center Number NA		Products Manufacturing Number NA	
Cultivation Facility Number 403R-00569		Testing Facility Number NA	
Applicant's Signature 			Date <b>5/22/20</b>

## Retail Marijuana License Application Checklist

**For Complete Regulation Language see San Juan County- Ordinance 2014-01,**

Submitted	Section 4 (1)	
No Change	(a)	<i>Copy of Lease, Deed, or Contract</i> for right to possess physical premises.
No Change	(b)	<i>Building Plans</i>
No Change	(b)	<i>Food Prep Area</i>
No Change	(c)	<i>Location Plan/Plot Plan</i> - Submit a location plan showing all uses located within 1,000 feet of the premises including schools, daycare facility (see complete list in Section 4.1 c.)
No Change	(d)	<i>Fees</i> – Make payable to San Juan County
No Change	(e)	<i>Fingerprints</i> – Applicants shall include a set of fingerprints for each licensee applicant on forms provided by the state licensing authority.
No Change	(f)	<i>Corporate, LLC, or Partnership</i> – Formation documents shall be provided for any licensee other than a sole proprietorship.
No Change	(g)	<i>Material Safety Data Sheets ("MSDS")</i> – MSDS sheets for each and every proposed chemical and/or proposed chemical mixtures to be stored or used on the premises shall be submitted with the application.
Submitted	Section 4 (3)	
Attached	(a)	<i>Fire District Comments</i> – Written comments or a letter from the appropriate fire district in which the proposed licensed premises are to be located demonstrating compliance with the applicable fire code provisions.
ED Zone	(b)	<i>Proof of county land use approval</i> – use is allowed in the proposed location.
NA	(c)	<i>San Juan Basin Department of Health and Environment approval</i>
Attached	(d)	<i>Building Department approval</i> – facility must comply with applicable building codes and comply with all applicable Colorado plumbing/electrical code standards.
Attached	(e)	<i>Sheriff's Office</i> – Written comments or a letter with regard to the Sheriff's recommendations concerning issuance of the license(s) for which application has been made, including the results of any investigation conducted.
Submitted	Section 5	
Attached	(3)	<i>State License for the proposed Licensed Premises.</i>
Attached	(4)	<i>Indemnification</i> – Applicant/Licensee must provide an executed indemnification in a form acceptable to the Local Licensing Authority.
One year	(5)	<i>Permit Duration</i> – Local License shall be valid for a period not to exceed one year from date of issuance, and shall terminate on the same date as the State Licensing Authority's license.
Attached		<i>Affirmation &amp; Consent Form</i>
Attached		<i>Investigation Authorization &amp; Authorization to Release Information</i>
Attached		<i>Applicant's Request to Release Information</i>

**Retail Cannabis (Marijuana) Local Licensing Application  
San Juan County – Land Use Administrator  
P.O. Box 250, Silverton, CO 81433**

Phone (970) 387-5522 Ext. 16 – Fax 970-387-5583 – bnevins@silverton.co.us

**PRIOR TO THE LOCAL LICENSING AUTHORITY'S FINAL DECISION REGARDING AN APPLICATION, THE APPLICANT SHALL PROVIDE THE FOLLOWING INFORMATION:**

<b>FIRE PROTECTION DISTRICT</b>	
Written comments or a letter from the appropriate fire authority or district in which the proposed licensed premises are to be located demonstrating compliance with the applicable adopted fire code provisions.	
<input type="checkbox"/> No objection to the Retail Marijuana facility as proposed.	
Signature Fire Department	Date
<input type="checkbox"/> Applicant must comply with the following adopted fire code provisions:	
Signature Fire Department	Date

<b>SAN JUAN BASIN DEPARTMENT OF HEALTH AND ENVIRONMENT</b>	
For Retail cannabis infused products manufacturing licenses, documentary proof of compliance with the applicable county and/or state health department standards.	
<input type="checkbox"/> No objection to the Retail Marijuana facility as proposed.	
NA – Not product manufacturing	
Signature Dept. Health and Environment	Date
<input type="checkbox"/> Applicant must comply with the following health code provisions:	
NA – Not product manufacturing	
Signature Dept. Health & Environment	Date

**SAN JUAN COUNTY BUILDING DEPARTMENT**

For all licensed facilities located within a building or structure for which a San Juan County Building permit is required. documentary proof of compliance with all applicable county building code standards, as well as documentary proof of compliance with all applicable Colorado Plumbing/Electrical Code standards.

No objection to the Retail Marijuana facility as proposed.

\_\_\_\_\_  
Signature Building Official

\_\_\_\_\_  
Date

Applicant must comply with the following county building code standards:

\_\_\_\_\_  
Signature Building Official

\_\_\_\_\_  
Date

**SAN JUAN COUNTY SHERIFF'S OFFICE**

Written comments or a letter from the San Juan County Sheriff or his designee with regard to the Sheriff's recommendations to the Local Licensing Authority concerning the issuance of the license(s) for which the application has been made, including the results of any investigation conducted: New application review shall include, but need not be limited to, an investigation into the criminal background, if any, of the proposed licensee(s) by the San Juan County Sheriff's Office. The Sheriff's Office may, in its discretion, require the proposed licensee(s) to submit to a personal interview regarding, but not limited to, their background, qualifications, and financial arrangements, relevant to the proposed License.

No objection to the Retail Marijuana facility as proposed, and recommend no additional security measurers required.

\_\_\_\_\_  
Signature Sheriff

\_\_\_\_\_  
Date

Application should be Denied. See attached written report of the results of the SMCSO investigation of the proposed licensee(s).

\_\_\_\_\_  
Signature Sheriff

\_\_\_\_\_  
Date

**SAN JUAN COUNTY COLORADO  
RETAIL MARIJUANA LOCAL  
LICENSEE INDEMNIFICATION  
AGREEMENT**

The undersigned in consideration for the San Juan County Board of Commissioners, acting in its capacity as the Local Licensing Authority, issuance of a Retail Marijuana local license to the undersigned pursuant to the Colorado Retail Marijuana Code (C.R.S. Title 12, Article 43.3, Part1) by its acceptance of such Local License hereby agrees, undertakes, and covenants to hold and save harmless, release, and indemnify San Juan County, its Board of County Commissioners, the San Juan County Local Licensing Authority, and their officers, directors, employees, contractors and agents, and all other persons or entities associated or affiliated with San Juan County, all jointly and severally (collectively, the "County"), from and against any and all liabilities, claims, demands, actions, damages, injuries, and/or rights of action, of any nature whatsoever, that are related to, arise out of, or are in any way connected with the County's issuance of a local license to the undersigned pursuant to the Colorado Retail Marijuana Code and San Juan County Ordinance 2014-01 For Licensure of Retail Marijuana Establishment.

The undersigned understands and acknowledges that by signing this Retail Marijuana Local Licensee Indemnification Agreement the undersigned has given up certain legal rights and/or possible claims that the undersigned might otherwise assert or maintain against the County. The undersigned also understands and acknowledges that this Indemnification Agreement is intended to be as broad and inclusive as permitted by the laws of the State of Colorado and that if any portion hereof is held invalid, the undersigned agrees and understands that the balance shall continue in full legal force and effect.

The undersigned understands and acknowledges that this Indemnification Agreement constitutes the entire agreement and understanding between the undersigned and the County relating to the subject matter herein and that it cannot be modified or changed in any way by the representations or statements of the County, or by the undersigned.

Nothing herein shall be deemed or construed as waiver or diminishment of any protections, limitations, rights or immunities available to the County by any provision of Colorado law, including, without limitation, any protection or limitation of liability under the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*

In the event that a controversy, dispute, litigation or arbitration emerges over this Indemnification Agreement, venue and jurisdiction shall be proper only in San Juan County District Court. The County shall have the right to recover reasonable attorneys fees and costs it may incur to enforce this Indemnification Agreement.

MY SIGNATURE BELOW INDICATES THAT I, THE UNDERSIGNED, HAVE READ AND UNDERSTAND THIS ENTIRE RETAIL MARIJUANA LOCAL LICENSEE INDEMNIFICATION AGREEMENT AND AGREE TO BE BOUND BY THE TERMS HEREIN.

Date 5/25/20

PRINTED NAME OF LOCAL LICENSEE: Kevin Farmer - San Juan Cultivation, LLC

By: [Signature]  
Authorized Signature of Local Licensee



STATE OF COLORADO |  
COUNTY OF SAN JUAN | ss.

Acknowledged, subscribed and sworn to before on May 26, 2020 by Kevin Farmer as authorized signatory of the Local

Licensee Kevin Farmer - San Juan Cultivation, LLC

My commission expires September 5, 2023  
Witness my hand and official seal. Brandy E. Cook  
Notary Public

(SEAL)

ACCEPTED AND AGREED TO by the SAN JUAN COUNTY, COLORADO, BOARD OF COUNTY COMMISSIONERS, ACTING IN ITS CAPACITY AS THE LOCAL LICENSING AUTHORITY PURSUANT TO THE COLORADO RETAIL MARIJUANA CODE (Title 12, Article 43.4, Part 1, C.R.S.)

SAN JUAN COUNTY, COLORADO  
COUNTY LAND USE ADMINISTRATOR  
Acting for the  
SAN JUAN COUNTY LOCAL LICENSING AUTHORITY


By: \_\_\_\_\_  
Land Use Administrator

Date: \_\_\_\_\_

## Affirmation & Consent

I, Kevin Michael Farmer, as an authorized agent for the applicant, state under penalty for offering a false instrument for recording pursuant to 18-5-114 C.R.S. that the entire Retail Marijuana Business License Application Form, statements, attachments, and supporting schedules are true and correct to the best of my knowledge and belief, and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for the refusal to issue a Retail Marijuana license by San Juan County. Further, I am aware that later discovery of an omission or misrepresentation made in the above statements may be grounds for the denial of a temporary Retail Marijuana application or the revocation of the license. I am voluntarily submitting this application to the San Juan County Licensing Authority under oath with full knowledge that I may be charged with perjury or other crimes for intentional omissions and misrepresentations pursuant to Colorado law or for offering a false instrument for recording pursuant to 18-5-114 C.R.S. I further consent to any background investigation necessary to determine my present and continuing suitability and that this consent continues as long as I hold a San Juan County Retail Marijuana License, and for 90 days following the expiration or surrender of such Retail Marijuana License.

**Print Full Legal Agent Name clearly below:**

Applicant's Business Name		Trade Name (DBA)	
San Juan Cultivation, LLC		CannaFarmer	
Legal Agent Last Name (Please Print)	Legal Agent First Name	Legal Agent Middle Name	
Farmer	Kevin	Michael	
Signature		Date	
		5/22/20	



## INVESTIGATION AUTHORIZATION AUTHORIZATION TO RELEASE INFORMATION

I, Kevin Michael Farmer, as an authorized agent for the applicant, hereby authorize the San Juan County Local Licensing Authority, through the San Juan County Sheriff's Office (hereafter, the Investigative Agency) to conduct a complete investigation into my personal background, using whatever legal means they deem appropriate. I hereby authorize any person or entity contacted by the Investigative Agency to provide any and all information deemed necessary by the Investigative Agency. I hereby waive any rights of confidentiality in this regard. I understand that by signing this authorization, a financial record check may be performed. I authorize any financial institution to surrender to the Investigative Agency a complete and accurate record of such transactions that may have occurred with that institution, including but not limited to, internal banking memoranda, past and present loan applications, financial statements, and any other documents relating to my personal or business financial records in whatever form and wherever located. I understand that by signing this authorization, a financial record check of my tax filing and tax obligation status may be performed. I authorize the Colorado Department of Revenue to surrender to the Investigative Agencies a complete and accurate record of any and all tax information or records relating to me. I authorize the Investigative Agency to obtain, receive, review, copy, discuss and use any such tax information or documents relating to me. I authorize the release of this type of information, even though such information may be designated as "confidential" or "nonpublic" under the provisions of state or federal laws. I understand that by signing this authorization, a criminal history check will be performed. I authorize the Investigative Agency to obtain and use from any source, any information concerning me contained in any type of criminal history record files, wherever located. I understand that the criminal history record files contain records of arrests which may have resulted in a disposition other than a finding of guilt (i.e., dismissed charges, or charges that resulted in a not guilty finding). I understand that the information may contain listings of charges that resulted in suspended imposition of sentence, even though I successfully completed the conditions of said sentence and was discharged pursuant to law. I authorize the release of this type of information even though this record may be designated as "confidential" or "nonpublic" under the provisions of state or federal laws.

The Investigative Agency reserves the right to investigate all relevant information and facts to their satisfaction. I understand that the Investigative Agency may conduct a complete and comprehensive investigation to determine the accuracy of all information gathered. However, San Juan County, the Investigative Agency, and other agents of employees of San Juan County shall not be held liable for the receipt, use, or dissemination of inaccurate information. I, on behalf of the applicant, its legal representatives, and assigns, hereby release, waive, discharge, and agree to hold harmless, and otherwise waive liability as to San Juan County, the Investigative Agency, and other agents or employees of San Juan County for any damages resulting from any use, disclosure, or publication in any manner, other than a willfully unlawful disclosure or publication, of any material or information acquired during inquiries, investigations, or hearings and hereby authorize the lawful use, disclosure, or publication of this material or information. Any information contained within my application, contained within any financial or personnel record, or otherwise found, obtained, or maintained by the Investigative Agency, shall be accessible to law enforcement agents of this or any other state, the government of the United States, or any foreign country.

**Print Full Legal Agent Name clearly below:**

Applicant's Business Name San Juan Cultivation, LLC	Trade Name (DBA) CannaFarmer
--	---------------------------------

Legal Agent Last Name (Please Print) Farmer	Legal Agent First Name Kevin	Legal Agent Middle Name Michael
--	---------------------------------	------------------------------------

Legal Agent Title Owner	Signature (Must be signed in front of one witness) 
----------------------------	--

Dated this 22nd day of May, 2020 at 1045am (time)

Silverton (City) CO (State)

Witness Signature

## APPLICANT'S REQUEST TO RELEASE INFORMATION

To: \_\_\_\_\_

From: \_\_\_\_\_

1. I/We hereby authorize and request all persons to whom this request is presented having information relating to or concerning the above named applicant to furnish such information to a duly appointed agent of the San Juan County Retail Marijuana Local Licensing Authority whether or not such information would otherwise be protected from the disclosure by any constitutional, statutory or common law privilege.
2. I/We hereby authorize and request all persons to whom this request is presented having documents relating to or concerning the above named applicant to permit a duly appointed agent of the San Juan County Retail Marijuana Local Licensing Authority to review and copy any such documents, whether or not such documents would otherwise be protected from disclosure by any constitutional, statutory, or common law privilege.
3. I/We hereby authorize and request the Colorado Department of Revenue to permit a duly appointed agent of the San Juan County Retail Marijuana Local Licensing Authority to obtain, receive, review, copy, discuss and use any such tax information or documents relating to or concerning the above named applicant, whether or not such information or documents would otherwise be protected from disclosure by any constitutional, statutory, or common law privilege.
4. If the person to whom this request is presented is a brokerage firm, bank, savings and loan, or other financial institution or an officer of the same, I/We hereby authorize and request that a duly appointed agent of the San Juan County Retail Marijuana Local Licensing Authority be permitted to review and obtain copies of any and all documents, records or correspondence pertaining to me/us, including but not limited to past loan information, notes co-signed by me/us, checking records, savings deposit records, safe deposit box records, and general ledger folio sheets.
5. I/We do hereby make, constitute, and appoint any duly appointed agent of the San Juan County Retail Marijuana Local Licensing Authority, my/our true and lawful attorney in fact for me/us in my/our behalf and for my/our use and benefit:
  - (a) To request, review, copy, sign for, or otherwise act for investigative purposes with respect to documents and information in the possession of the person to whom this request is presented as I/we might;
  - (b) To name the person or entity to whom this request is presented and insert that person's name in the appropriate location in this request;
  - (c) To place the name of the agent presenting this request in the appropriate location on this request.
6. I grant to said attorney in fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as I/we might or could do it personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney in fact, or his substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.
7. This power of attorney ends twenty-four (24) months from the date of execution.
8. The above named applicant has filed with the San Juan County Retail Marijuana Local Licensing Authority an application for a Retail Marijuana Local License. Said applicant understands that it is seeking the granting of a privilege and acknowledges that the burden of proving its qualifications for a favorable determination is at all times on the applicant. Said applicant accepts any risk of adverse public notice, embarrassment, criticism, or other action of financial loss, which may result from action with respect to this application.
9. I/We do for myself/ourselves, my/our heirs, executors, administrators, successors, and assigns, hereby release, remise, and forever discharge the person to whom this request is presented, and his agents and employees from all and all manner of actions, causes of action, suits, debts, judgments, executions, claims, and demands whatsoever, known or unknown, in law or equity, which the applicant ever had, now has, may have, or claims to have against the person to whom this request is being presented or his agents or employees arising out of or by reason of complying with the request.
10. I/We agree to indemnify and hold harmless the person to whom this request is presented and his agents and employees from and against all claims, damages, losses, and expenses, including reasonable attorney's fees arising out of or by reason of complying with this request.
11. A reproduction of this request by photocopying or similar process shall be for all intents and purposes as valid as the original.

Legal Agent Last Name (Please Print) Farmer	Legal Agent First Name Kevin	Legal Agent Middle Name Michael
Legal Agent Title Owner	Signature (Must be signed in front of one witness) 	
Dated this <u>22nd</u> day of <u>May</u> <u>2020</u> at <u>10:45am</u> (time)		
<u>Silverton</u> (City)		<u>CO</u> (State)
Witness Signature		
Signature of Retail Marijuana Licensing agent presenting this request 		Date <u>5/22/20</u>



San Juan County Board of County Commissioners  
San Juan County Land Use Administrator  
PO Box 250  
Silverton, CO 81433

San Juan Cultivation, LLC  
CannaFarmer  
PO Box 933  
Silverton, CO 81433

RE: Annual renewal fee – request to waive

Good day,

As the owner and operator of San Juan Cultivation, LLC., I, Kevin Farmer, am requesting the \$1,000 annual renewal fee be waived for the current renewal year. Due to the current business conditions around COVID 19 and my businesses' inability to acquire protections from the state and federal government, I'm asking the county help me and my business move into the summer without needing to borrow money from a private party to pay the annual renewal fee to the county. My business is down 48% or \$4,900 compared to May of last year, thus the cash shortage going into the summer and the lack of funds to pay the renewal fee at the current date.

I'm hopeful you'll understand my position and help locally where I'm unable to get assistance federally or at a state level.

Thank you for considering my request.

Sincerely,

Kevin Farmer  
Owner/Operator  
San Juan Cultivation, LLC – DBA CannaFarmer

**SAN JUAN COUNTY BUILDING DEPARTMENT**

For all licensed facilities located within a building or structure for which a San Juan County Building permit is required, documentary proof of compliance with all applicable county building code standards, as well as documentary proof of compliance with all applicable Colorado Plumbing/Electrical Code standards.

No objection to the Retail Marijuana facility as proposed.

W. Mae Douglass \_\_\_\_\_ Date 6/12/2020

Applicant must comply with the following county building code standards:

\_\_\_\_\_  
Signature Building Official \_\_\_\_\_ Date

**SAN JUAN COUNTY SHERIFF'S OFFICE**

Written comments or a letter from the San Juan County Sheriff or his designee with regard to the Sheriff's recommendations to the Local Licensing Authority concerning the issuance of the license(s) for which the application has been made, including the results of any investigation conducted: New application review shall include, but need not be limited to, an investigation into the criminal background, if any, of the proposed licensee(s) by the San Juan County Sheriff's Office. The Sheriff's Office may, in its discretion, require the proposed licensee(s) to submit to a personal interview regarding, but not limited to, their background, qualifications, and financial arrangements, relevant to the proposed License.

No objection to the Retail Marijuana facility as proposed, and recommend no additional security measurers required.

[Signature] \_\_\_\_\_ Date 06/12/20

Application should be Denied. See attached written report of the results of the SMCSO investigation of the proposed licensee(s).

\_\_\_\_\_  
Signature Sheriff \_\_\_\_\_ Date

**Retail Cannabis (Marijuana) Local Licensing Application**  
**San Juan County – Land Use Administrator**  
**P.O. Box 250, Silverton, CO 81433**

Phone (970) 387-5522 Ext. 16 – Fax 970-387-5583 – bnevins@silverton.co.us

**PRIOR TO THE LOCAL LICENSING AUTHORITY'S FINAL DECISION REGARDING AN APPLICATION, THE APPLICANT SHALL PROVIDE THE FOLLOWING INFORMATION:**

<b>FIRE PROTECTION DISTRICT</b>	
Written comments or a letter from the appropriate fire authority or district in which the proposed licensed premises are to be located demonstrating compliance with the applicable adopted fire code provisions.	
<input checked="" type="checkbox"/> No objection to the Retail Marijuana facility as proposed.	
<u>Gilbert Proppolito Chief</u> Signature Fire Department	<u>JUNE, 15, 2020</u> Date
<input type="checkbox"/> Applicant must comply with the following adopted fire code provisions:	
Signature Fire Department	Date

<b>SAN JUAN BASIN DEPARTMENT OF HEALTH AND ENVIRONMENT</b>	
For Retail cannabis infused products manufacturing licenses, documentary proof of compliance with the applicable county and/or state health department standards.	
<input type="checkbox"/> No objection to the Retail Marijuana facility as proposed.	
<u>NA – Not product manufacturing</u> Signature Dept. Health and Environment	_____ Date
<input type="checkbox"/> Applicant must comply with the following health code provisions:	
<u>NA – Not product manufacturing</u> Signature Dept. Health & Environment	_____ Date



# Silverton Miner's Union Hospital Restoration Project 2015-2020

## Project Sponsors

History Colorado's State Historic Fund  
Department of Local Affairs  
Gates Family Foundation  
The Citizens of San Juan County

## San Juan County Commissioners

Scott Fetchenhier  
Ernest Kuhlman  
Peter McKay

## County Administrator

William Tookey

## Historic Preservation Specialist

David A. Singer

## General Contractors

Klinke and Lew Construction  
Richardson Construction

This project is dedicated to the memory of the members  
of San Juan County's Local #26 Western Federation of Miners

### PLEASE NOTE THE FOLLOWING:

- Manipulated Art to allow for production constraints/detail to be retained
- Modified seal artwork to allow for production (Mountains)
- Text in seal was retyped in arial font to allow for production

VERSION: 4

Decreased text size to fit into one column per corrsp

### PRECISION TOOLED PLAQUE

MATERIAL - BRONZE

SIZE - 18"w x 18"h

QTY - 1

DEPTH - 5/16" Thick: Painted Edges

SHAPE - Custom Shape with insert-See c

COPY - Raised Copy-Horizontal Stroke

FINISH - Leatherette-w/Brushed Surface

BORDER - Single Line Border

COLOR - 2025 Black SATIN Painted

STYLE - Arial

CLEAR CO - Satin

MOUNT - Blind:Standard Stud(min1/4"th)

ROSETTES - No Rosettes Required



### ETCHED INSERT

QTY - 1

SIZE - 4" diameter

ETCH INS - Smooth-Brushed Face-Ptd Return

MATERIAL - Bronze

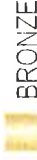
THICKNES - 1/16" Thick Material

COLOR - 2025 Black SATIN Painted

CLEAR CO - Satin

PHOTO IN - Line Art for Etching

RAISED



BRONZE

RECESSED



2025 BLACK



# Bonita Peak CAG

Ms. Christina Prograss  
Superfund Project Manager, EPA, Region 8  
1595 Wynkoop Street  
Denver, CO 80202-1129

June 22, 2020

RE: Draft Chapters 2 & 4 of the BPMD Site Management Strategy

Dear Ms. Prograss:

The Bonita Peak Community Advisory Group (CAG) appreciates the opportunity to review and comment on Chapters 2 and 4 of the Site Strategy Management Plan. In general, we are supportive of EPA's efforts to move forward expeditiously with smaller projects for improving water quality and protecting human health, and to adaptively change management strategies based upon lessons learned through project implementation.

For these two particular chapters, we have several comments and concerns. First, this detailed Site Management Strategy lays out a process-heavy plan for moving forward in five-year increments. It appears to us that EPA is settling in for a twenty-five to thirty-year timeframe for completing and potentially delisting the Bonita Peak Mining District (BPMD). Extensive study and mine remediation have been on-going for the past twenty-five years in the BPMD. Given all the work that has already been accomplished, we feel that we should be moving more quickly to set specific goals and objectives and to address individual mine sites.

Another reason for moving more quickly is related to the lack of designated boundaries for the 48 listed mine sites in the BPMD. Multiple mine claims with multiple property owners surround many of these mines. The owners have been left in limbo, not knowing if their properties are considered part of the listed site and whether or not they have remediation responsibilities. Setting specific goals and objectives are the first steps towards giving these owners clarity as to their potential obligations.

We also realize that the BPMD is currently a high priority site for EPA and is garnering quite a bit of resources. That may not always be the case. We want to be sure that significant progress is made while we remain a high priority.

With regard to setting more specific goals and objectives, our biggest concern with these chapters lies with the structure laid out in Chapter 4 for the roles of the CAG and the BPMD Silverton Planning Group (SPG). First, Section 4.1 states that the initial Site Principles (site goals and objectives) were developed collaboratively by EPA and Site stakeholders. In fact, community stakeholders were not part of that process. Several government agencies developed those Site Principles and presented them to the local community. While these initial Site Principles are reasonable, we are concerned that as they are revisited and potentially become more specific, they will again be developed with little input from



community stakeholders. Local stakeholders are directly impacted by the goals and objectives selected at this site. We want our perspectives included in the initial “input” stage in the Site Principles development. Similarly, we are keenly interested in reviewing the Five-Year Strategic Plans, particularly because part of the Five-Year Plan development is a discussion as to whether or not the Site Principles need to be reviewed and revised.

Some members of the CAG and SPG have twenty-five years of experience with water quality and mine remediation in the Animas Basin. As far as we can tell, currently only one EPA person who is heavily involved with the site has more than four years of direct experience in the Animas Basin. EPA should welcome the use of long-term, local experience.

Several more specific comments:

- In Chapter 4, the first figure shows the circular flow path for Adaptive Management. The other four figures in the chapter show one-way, linear process flows. While the four linear diagrams pertain to the first step in the Adaptive Management figure, it is somewhat confusing to show a number of linear processes as part of what is supposed to be a circular, iterative process. It might be useful to both show in the figures and discuss in the text how the Knowledge Integration is to be incorporated into the three distinct decision-making levels outlined in section 4.1.

- In Section 4.4, second paragraph, describes how EPA will review feedback from the CAG and SPG “to determine if the format of the Annual BPMD Task List requires updates.” But nowhere in the diagrams or descriptions in Chapter 4 is there any discussion of when and how that feedback will be solicited or provided.

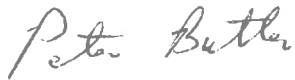
- We have attached the Word documents of the two chapters with some minor “track changes” suggestions and clarifications.

- Finally, we are unclear as to how the public at large will be able to weigh-in on the Site Strategy Management Plan, future changes in the Site Principals, development of the Five-Year plans and Annual Task Lists. Will there be any formal public notice or official comment periods for any of these documents?

When the San Juan County Commissioners first asked Governor Hickenlooper to formally request the listing of the BPMD on the National Priority List, one of their stated conditions was for local interests to have a “seat at the table.” The CAG and SPG represent many of those interests, and remain continually vigilant that the chair isn’t pushed back into the second row. This is our main concern with these chapters.

We look forward to EPA’s response to our concerns.

On behalf of the Bonita Peak CAG,



**Peter Butler, Ph.D.**

Chair, Bonita Peak CAG  
[Butlerpeter2@gmail.com](mailto:Butlerpeter2@gmail.com)  
970-317-0584  
[www.BonitaPeakCAG.org](http://www.BonitaPeakCAG.org)

cc:

Senator Michael Bennet  
Senator Cory Gardner  
Rep. Scott Tipton  
La Plata County Commissioner Clyde Church  
San Juan County Commissioner Pete McKay  
Silverton Mayor Shane Fuhrman  
Durango Mayor Dean Brookie  
USFS – Kara Chadwick  
BLM- Kris Doebbler  
DNR– Tim Mauck

CDPHE-John Putnam  
SWCD – Bob Wolff  
EPA-Brigid Lowery  
EPA- Doug Ammon  
EPA-Shahid Mahmud  
EPA-Schatzi Fitz-James  
EPA- Helen Duteau  
EPA-Greg Sopkin  
EPA-Patrick Davis



## **2.0 STAKEHOLDERS, ROLES, RESPONSIBILITIES AND COMMUNICATIONS**

This section presents the project team, roles, responsibilities, and discusses the framework for communication. Due to the large geographic area impacted with contamination, coupled with current, historic, and future land use, BPMD has a multitude of stakeholders. Stakeholders may vary over time, location, and may also vary with specific actions. The stakeholders listed below are considered stakeholders for the EPA-led CERCLA remediation of the BPMD. Stakeholders may have additional roles, responsibilities, and actions beyond the scope of the CERCLA remediation process, but this Adaptive Management Site Management Plan deals with the work conducted at the BPMD National Priorities List (NPL) Site pursuant to CERCLA.

### **2.1 FEDERAL AGENCIES**

The BPMD Superfund Site is a mixed ownership site consisting of 48 source areas, located on both private lands and lands managed by the Bureau of Land Management (BLM) or the United States Forest Service (USFS). Pursuant to Executive Order 12580, as amended by Executive Order 13016, the President delegated authority to conduct various activities under CERCLA to the EPA, Department of Interior (DOI), and the United States Department of Agriculture (USDA). EPA, DOI, and USDA recognize that the coordinated use of authorities and available resources is desirable and may often be necessary to conduct response actions at mixed ownership sites. These general principles facilitate a collaborative approach that is intended to assist in expediting assessments, investigations, cleanups, or other response actions at mixed ownership sites.

To ensure continued coordinated CERCLA efforts between the Federal Agencies at the BPMD, existing Memorandums of Understanding (MOUs) between EPA and the USFS, who has been delegated CERCLA authority from USDA, and between EPA and the BLM, who has been delegated CERCLA authority from the DOI, are being revised and updated.

#### **2.1.1 U.S. Environmental Protection Agency**

Consistent with the National Contingency Plan (NCP) and Executive Order 12580 Section 9(i), EPA, as the sitewide lead agency, EPA will conduct sitewide activities that may require work on lands managed by multiple parties, as well as response actions involving a release or sole source of release on private lands (i.e., not managed by BLM or USFS). In addition, since the site is on the NPL, pursuant to CERCLA and Executive Order 12580 Section 9(i) and Section 2(c)(1), the EPA is delegated authority to address emergency removals and to select long-term remedial actions with respect to the release concerned on lands under jurisdiction, custody or control of BLM or USFS.

EPA is responsible for ensuring all work is consistent with CERCLA, EPA regulations, guidance and policy and both sharing information and receiving feedback from the Stakeholders listed in Section 2.4 of this document.

For those private portions of the site where a responsible party is not under an enforceable agreement to conduct response actions, EPA is responsible for implementing all characterization, design, and construction activities. Where a responsible party is under an enforceable agreement to conduct response actions on private lands, EPA is responsible for overseeing the response actions to ensure they are done consistent with CERCLA and the relevant enforcement agreement. As appropriate and in accordance with the governing MOUs and the NCP, EPA will collaborate with CDPHE, BLM, and USFS as needed to

ensure all verified, validated data is shared and available and, appropriate, ensure all relevant documents are reviewed by each agency.

The Federal Land Management Agencies have the authority to conduct response actions involving a release or sole source of release on lands under jurisdiction, custody or control of BLM or USFS. Accordingly, the USFS and/or BLM may exercise its authority under Executive Order 12580 Section 9(i), to carry out removal actions. EPA is delegated CERCLA authority to make long-term remedial action decisions on these lands. As such, pursuant to the MOUs, EPA will closely coordinate with USFS and BLM when these agencies are planning for and executing response actions to ensure that proposed removal actions, to the extent practicable, contribute to the efficient performance of any anticipated long-term remedial action with respect to the release concerned.

In accordance with the NCP, EPA is responsible for providing oversight of CDPHE work and ensuring operation and maintenance (O&M) is being done consistent with the selected remedy and operation and maintenance (O&M) plans.

To manage this workload and implement the site strategy, EPA uses a team of Remedial Project Managers (RPMs) supported by engineers, scientists, legal and technical enforcement staff, and specialists for communications, coordination, and outreach. EPA's BPMD team consists of six Work Groups as illustrated in **Figure ##**, each managed by an RPM with leadership and cross-workgroup coordination provided by a lead RPM. The six Work Groups and their general roles are listed below:

- Data Management and Access Workgroup. This workgroup is responsible for manage all field, laboratory, and digital data for BPMD site and managing the process for gaining access to private land for purposes of CERCLA response actions.
- Cultural Resources Workgroup. This workgroup is responsible for ensuring compliance with National Historic Preservation Act (NHPA) requirements as described in EPA's NHPA Standard operating procedure and coordinating cultural resource data sharing with other agency stakeholders.
- Communications Workgroup. This workgroup is responsible for routinely engaging and informing stakeholders and general public of BPMD activities, planning for and coordinating communications with agency partners, coordinating updates to congressional staff and local elected officials, and coordinating responses to media inquiries as needed
- Response Action Workgroup. This workgroup is responsible for planning, implementing, and coordinating IWTP operations and remedial design/remedial action activities (e.g., the 2019 IROD activities) at the BPMD site.
- Characterization Workgroup. This workgroup is responsible for planning, implementing and coordinating EPA-lead RI/FS work at the site (e.g., the OU3 RI/FS). In addition, this workgroup is responsible for developing and coordinating all EPA long-term monitoring and conceptual site model (CSM) efforts.
- OU2 & Repository Workgroup. This work group is responsible for oversight of PRP-lead Mayflower Tailing impoundment Facility RI/FS and completing a CERCLA decision document for the mine waste repository on this property.

### **2.1.2 Bureau of Land Management**

BLM has the authority to conduct response actions involving a release or sole source of release on lands under their jurisdiction, custody, or control. Accordingly, BLM may exercise its authority, under Executive Order 12580 Section 9(i), to carry out removal actions. At the BPMD site, this includes lands

in the both the Upper Animas River and Cement Creek drainages. EPA is delegated CERCLA authority to make long-term remedial action decisions on these lands. As such, pursuant to the MOU, BLM will coordinate with EPA when planning for and executing response actions to ensure that proposed removal actions, including operation and maintenance of these removal actions, to the extent practicable, contribute to the efficient performance of anticipated long-term remedial action with respect to the release concerned.

For work being conducted by the EPA on private portions of the site, BLM will be consulted on CERCLA activities in accordance with the MOU. Similarly, BLM will be consulted on CERCLA O&M activities being conducted by CDPHE. BLM will collaborate with EPA, CDPHE, and USFS as needed to ensure all verified, validated data is shared and available and, appropriate, ensure all relevant documents are reviewed by each agency.

### **2.1.3 U.S. Forest Service**

USFS has the authority to conduct response actions involving a release or sole source of release on lands under their jurisdiction, custody, or control. Accordingly, USFS may exercise its authority, under Executive Order 12580 Section 9(i), to carry out removal actions. At the BPMD site, this includes lands in the both the Mineral Creek Watershed and Animas River Canyon below Silverton. EPA is delegated CERCLA authority to make long-term remedial action decisions on these lands. As such, pursuant to the MOU, USFS will coordinate with EPA when planning for and executing response actions to ensure that proposed removal actions, to the extent practicable, contribute to the efficient performance of anticipated long-term remedial action with respect to the release concerned.

For work being conducted by the EPA on private portions of the site, USFS will be consulted on CERCLA activities in accordance with the MOU. Similarly, USFS will be consulted on CERCLA O&M activities being conducted by CDPHE. USFS will collaborate with EPA, CDPHE, and BLM as needed to ensure all verified, validated data is shared and available and, appropriate, ensure all relevant documents are reviewed by each agency.

## **2.2 STATE AGENCIES**

### **2.2.1 Colorado Department of Public Health and Environment**

CDPHE will provide input to EPA, BLM, and/or USFS on investigation and cleanup activities, have the opportunity to comment on documents prior to release to the public, and participate in planning meetings.

For private portions of the site where work is conducted by EPA, CDPHE will assume responsibility for O&M activities at these portions of the site in accordance with CERCLA. For O&M activities, CDPHE will be responsible for executing the activities and coordinating with EPA when assessing remedy performance.

In addition, pursuant to CERCLA, EPA may enter into cooperative agreements with CDPHE to carry out EPA-financed response actions. It is anticipated that these agreements may be used for the implementation of EPA-selected remedial actions. In these instances, CDPHE will be considered the lead for those response actions and will be responsible for coordinating with EPA, USFS, and BLM on CERCLA action planning and execution.

## **2.3 POTENTIALLY RESPONSIBLE PARTIES**

EPA operates under an enforcement first policy at Superfund sites. In accordance with this policy, EPA will seek to have Potentially Responsible Parties (PRPs) conduct response actions, where appropriate, pursuant to an enforcement document (i.e. Administrative Order on Consent, Unilateral Administrative Order, Consent Decree). This policy promotes the polluter pays principle in which those that cause contamination at a site are responsible for investigation and cleanup. This preserves taxpayer dollars and agency resources to address truly abandoned and orphaned sites. EPA is conducting PRP searches at the site to identify PRPs that may be able to conduct response actions or pay for EPA's costs in conducting response actions at the Site.

EPA entered into an Administrative Settlement Agreement and Order on Consent with Sunnyside Gold Corporation (SGC) under which SGC is conducting a remedial investigation of the Mayflower Tailings. In addition, EPA issued a Unilateral Administrative Order to SGC for remedial investigation of the Bonita Peak Groundwater System (OU3). Finally, EPA also entered into an Administrative Settlement Agreement and Order on Consent with Eureka Gulch Properties LLC and Ryan Bennett covering a PRP-lead removal action at the Ben Franklin Mine source area in the Upper Animas drainage area of the Site, which was completed in 2019.

## **2.4 PRIMARY STAKEHOLDERS**

BPMD has a multitude of stakeholders. The list included below represents the current stakeholders for the BPMD Superfund Site. Stakeholders may have additional roles and responsibilities outside the scope of the CERCLA process, but those roles and responsibilities are not discussed in this document.

### **2.1.1 BPMD Silverton Planning Group**

The BPMD Silverton Planning Group (SPG) is designated by the Town of Silverton and San Juan County, Colorado to represent their jurisdiction when interacting with the Federal and State Agencies. The SPG is comprised of local officials and other representatives of the community and provides the local community a mechanism for providing project-related input and feedback.

The SPG is a long-term advisory group who will attend in-person and teleconference coordination calls with the Federal and State Agencies to discuss planned and current site work, issues specific to San Juan County. In accordance with the decision-making logic in Section 4.0 and the CIP, formal input and feedback will be requested by EPA in accordance with planning efforts, proposed remedies, five-year reviews, and other key documents.

### **2.1.2 Community Advisory Group**

A Community Advisory Group (CAG), is an independent group that serves as an informational conduit between diverse community interests and U.S. EPA and State and other Federal partners. This group is designed to serve as the focal point for information exchange among the local community and EPA, the State regulatory agency, and other Federal agencies involved in CERCLA process at the BPMD. Its purpose is to provide a public forum for community members to present and discuss their needs and concerns related to the Superfund decision-making process. CAGs can assist EPA in making better decisions on how to clean up a site and offer EPA a unique insight to community preferences for cleanup and remediation. While a CAG is strictly an advisory group, it serves as an official, long-term mechanism for local citizens to engage with the EPA and its partnering agencies.

The BPMD CAG was formed ~~at the beginning of 2019~~~~in the summer of 2018~~ and includes representatives from citizen organizations from the Animas River basin. The BPMD CAG is Colorado-based and focuses on CERCLA activities impacting the Animas River within the state. A primary

objective of the CAG is to disseminate information about activities at the BPMD site to the community and to provide input to EPA, USFS, BLM, and CDPHE on site activities. The BPMD CAG utilizes local expertise in reviewing and commenting on technical documents associated with the site. The CAG maintains a website with additional information at <https://www.bonitapeakcag.org/>.

The CAG will attend planning meetings or ad-hoc meetings, as deemed necessary, with the Federal and State Agencies to discuss progress and status of response actions at the site. In accordance with the decision-making logic in Section 4.0 and the Community Involvement Plan (CIP), format input and feedback will be requested by EPA in accordance with annual and five year planning efforts, proposed remedies, five-year reviews, and other key documents.

### **2.1.3 Southern Ute Indian Tribe**

The Southern Ute Tribe is a sovereign nation is located on the Southern Ute Indian Reservation in Southwest Colorado. The reservation covers 1,059 square miles in three counties (La Plata, Archuleta, and Montezuma). The Southern Ute Tribe are stakeholders for BPMD investigation and cleanup and have both historic and contemporary interests and uses in the BPMD area.

EPA is committed to effective consultation with the Tribe. The Southern Ute Indian Tribe is informed and consulted on site investigation and cleanup activities at BPMD. To support continued information sharing, EPA has developed a Communications Plan to facilitate effective communication, input, feedback, and information sharing (EPA 2019).

### **2.1.4 Ute Mountain Ute Tribe**

The Ute Mountain Ute Tribe is a sovereign nation is located in Colorado, New Mexico, and Utah. The Ute Mountain Ute Reservation comprises 597,288 acres of allotted and deeded lands. In Colorado, the reservation is primarily in Montezuma County, which is adjacent to La Plata County. The Ute Mountain Ute Tribe are stakeholders for BPMD investigation and cleanup and have both historic and contemporary interests and uses in the BPMD area.

EPA is committed to effective consultation with the Tribe. The Ute Mountain Ute Tribe is informed and consulted on site investigation and cleanup activities at BPMD.

### **2.1.5 Community Stakeholders**

Residents of the Animas Watershed and interested organizations are stakeholders and may obtain information about the remediation via the EPA updates and reports, ~~quarterly~~ SPG/CAG meetings, or related sources by reviewing the EPA website for these documents. Community input is welcome and encouraged. The CIP provides a list of stakeholder organizations and information regarding how citizens may be involved (CDM Smith 2017).

## **2.2 COMMUNICATIONS**

EPA will be the primary coordinator of communications regarding the CERCLA remediation activities at BPMD. EPA will coordinate meetings and related outreach events. The EPA RPMs will be the primary points of contact.

EPA's primary methods for broad communications will be updates provided to ~~the~~ SPG and CAG ~~quarterly~~ meetings, EPA's Monthly Updates, EPA Fact Sheets, and EPA's BPMD website: [www.epa.gov/superfund/bonita-peak](http://www.epa.gov/superfund/bonita-peak). Communications will be conducted in general accordance with the CIP (CDM Smith 2017).



Communications specific to decision making are outlined in Section 4.0.

## 4.0 ADAPTIVE MANAGEMENT DECISION MAKING

This section presents the framework for Adaptive Management (AM) decision making utilized by EPA at the BPMD Site. The process involves four main steps (Figure 4.1):

- Planning and Prioritization;
- Activity Execution;
- Monitoring and Assessment; and
- Knowledge Integration.



The AM decision making process is intended to be iterative, such that results of previous actions are incorporated into the planning phase of future actions.

Figure 4.1: AM Decision Making Process

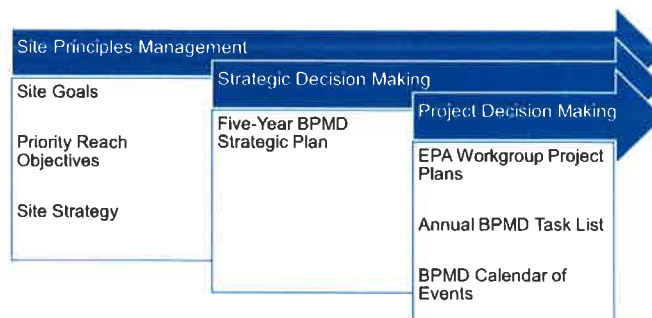
Application of AM at BPMD requires multiple levels of AM decision making. Multiple levels of AM decision making provides the Site team strategic direction, focuses implementation on key milestones and results, and helps manage change. At BPMD, three levels of AM decision making will be used:

- *Site Principles Management*: Site level goals; priority reach objectives; and site strategy
- *Strategic Decision Making*: Five-year strategic development of site/project milestones, high level activities, and schedules for each component of the site strategy
- *Project Decision Making*: Continuous management of activities and schedules for each component of the site strategy

As appropriate, the discussion for each Step will discuss how each level of AM decision making is considered.

### 4.1 STEP 1: PLANNING AND PRIORITIZATION

The purpose of Step 1 is to use standardized planning tools to align priorities and resources to determine and prioritize what work will be done at the Site. A summary of the multiple levels of AM decision making and the associated planning tools are presented in Figure 4.2 and discussed in more detail below.



#### Site Principles Management

Figure 4.2: AM Decision Making Planning Tools

The initial Site Principles (refer to Section 1.5) were collaboratively developed by EPA and the Site stakeholders outlining the EPA’s high-level goals, priority reach objectives, and an initial strategy for prioritizing work and conducting response

activities at portions of the Site. These Site Principles are the fundamental basis for all strategic decision making and project decision making conducted at the Site.

Development of Site Principles will be led by EPA and done in accordance with the process outlined in Figure 4.3. This process includes input and review from a broad group of stakeholders on both development of the Site Principles, include a range of site strategy options, as well as a review of the draft Site Principles selected by EPA. This process will be used until the site remediation work is complete.

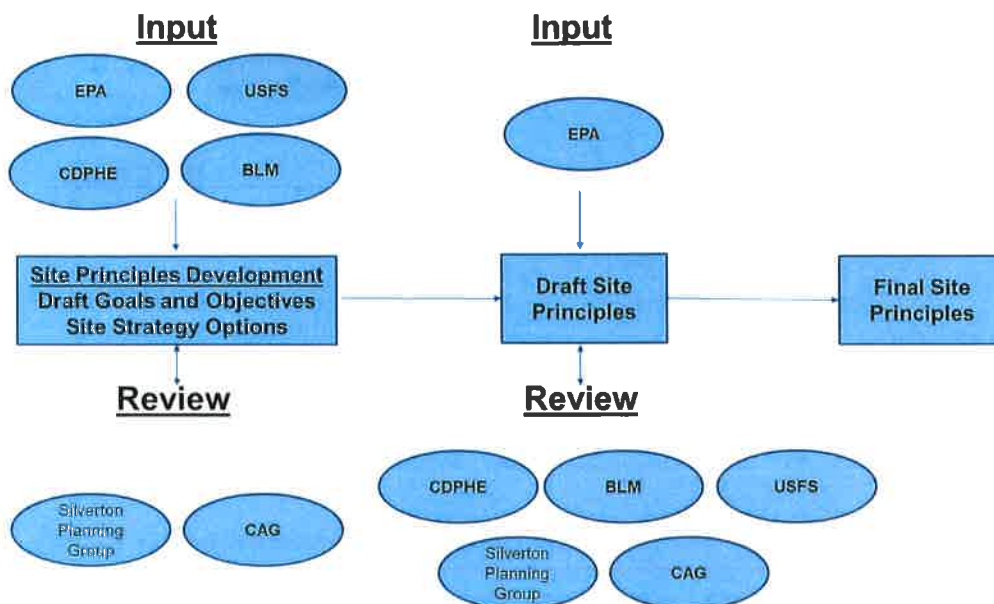


Figure 4.3: Site Principles Development Process

### Strategic Decision Making

Strategic Planning efforts will be conducted at the Bonita Peak Superfund Site on a five-year basis and will be documented through a Five-Year BPMD Strategic Plan. The purpose of the strategic plan is to:

- Establish five year milestones (e.g., water quality, biological improvements, or CERCLA process milestones such as deletions) and describe how those milestones will make progress towards site goals and priority reach objectives; and
- Identify the types of work the Agencies intends to complete during the five year timeframe for each component of the site strategy (e.g., OU3 RI/FS, IWTP operation, repository work) and describe how each type of activity will support achieving the five-year milestone(s)

To allow for the application of adaptive site management, the Five-Year BPMD Strategic Plan will not provide detailed actions and schedules; instead, it will be used to guide project planning ensuring that the actions taken are the most effective in making progress towards the five-year milestones. A detailed outline of the Five-Year BPMD Strategic Plan is presented in Chapter 5.



Figure 4.4: Five-Year BPMD Strategic Plan Development Process

Development of each Five-Year BPMD Strategic Plan will be led by EPA in accordance with the process outlined in Figure 4.4. To develop each Five-Year BPMD Strategic Plan, the EPA lead RPM will consult EPA workgroups to develop a high-level list of activities, schedules, and milestones for each major component of the site strategy. EPA will request similar information from the other federal Agencies and the State of Colorado specific to their projects. Once the information is assembled, EPA, the other federal Agencies, and the State will review each other's list of activities, schedules, and milestones and evaluate potential opportunities to leverage resources, align work priorities, and ensure

milestones are realistic given Agency budgets.

The draft Five-Year BPMD Strategic Plan will be sent to the Silverton Planning Group (SPG) and Community Advisory Group (CAG) for review and feedback. After feedback is received, the Five-Year BPMD Strategic Plan will be finalized and shared publicly on the BPMD website.

### Project Decision Making

The site strategy includes a set of key CERCLA activities that will be implemented to progress towards Site goals. For each of these activities, EPA will define a project or set of projects necessary to complete the work. For CERCLA activities conducted by BLM, USFS, or the State or Colorado, they will define a project or set of projects depending on the scope of activities they are implementing. Each project will be made up of a series of tasks necessary to complete the project. Project Planning will be conducted by the State and federal Agencies at the Site on a continuous basis for their lead-project efforts. Project Planning will be conducted by each Agency using internal Agency planning tools and plans will be documented in the Annual BPMD task list and the Calendar and Events.

#### *Agency Internal Project Planning Process*

Each Agency will conduct project planning using their Agency's defined project planning process for projects that they are the lead. For each component of the EPA site strategy, EPA will develop workgroup project plans (WGPPs). For example, the Site Characterization workgroup will develop the WGPP for the OU3 RI/FS project in consultation with the EPA BPMD team. Each EPA WGPP will be developed in accordance with the Site Principles and the Five-Year BPMD Strategic Plan. For EPA WGPP that includes sitewide activities, EPA will coordinate, as appropriate, with the other Agencies on these sitewide activities. The EPA WGPP will identify:

- Applicable site goals and priority reach objectives;
- Project definition (scope, measurement of completion);
- Key milestones (including milestones from the Five-Year BPMD Strategic Plan and any outyear milestones to support project completion);

- Response activities and planned schedule focused on the next five years;
- Contracting and budget information and needs;
- Ongoing or planned enforcement actions; and
- Key project needs specific to data management, access, cultural resources, and communications will be captured in consultation with the other BPMD EPA workgroups.

These documents are internal to each agency since they include funding, acquisition, and enforcement information.

Since the WGPP is a new tool, EPA will focus FY 2020 efforts on completing and populating the initial versions of these plans. The WGPP will be living documents and will be updated periodically to ensure milestones are realistic and that the planned actions are optimal options for progress towards Site goals. Section 4.4. provides additional information on how these plans are updated.

### *Project Planning Documentation*

In March of each year, EPA will issue an Annual BPMD Task List that specifies the tasks planned for that year (the first Task List will be completed in January 2021). The Annual BPMD Task List will include:

- A list of sitewide activities and planned implementation schedule;
- For each State and federal Agency project or component of the site strategy:
  - A list of activities; and
  - Planned implementation schedule
- To the extent that it is possible, a summary of any anticipated coordination or outreach activities that will be conducted during the year.

Additional information regarding the Task List document contents is presented in Chapter 5.

Development of each Annual BPMD Task List will be led by EPA in accordance with the process outlined in Figure 4.5. For EPA-lead activities, the EPA lead RPM will review each WGPP and, in consultation with the project team, generate a prioritized list of activities and proposed schedule for the given FY. The USFS, BLM, and CDPHE, using their own planning processes, will generate a prioritized list of activities and proposed schedule for each of their projects. Other Agency lists will be requested using a template to ensure format and level of detail is consistent among Agencies. The EPA, considering other Agency efforts as well as EPA planned budgets for that FY, available



Figure 4.5: Annual BPMD Task List Development Process

resources, and the current Five-Year BPMD Strategic Plan, will determine what activities can be accomplished. The Annual BPMD Task List will be finalized and shared publicly on the BPMD website. The Annual BPMD Task List, once posted, will include a status field, updated routinely, to show which activities are planned, in progress, or completed.

#### *BPMD Site Calendar*

An additional planning tool available to the public is the BPMD site calendar located on the EPA BPMD website. This calendar will be regularly updated by EPA, USFS, BLM, and CDPHE to share information about sampling, investigations, cleanup activities, and public participation opportunities at the BPMD Site. This calendar will help serve as a public source for information related to field work.

### **4.2 STEP 2: ACTIVITY EXECUTION**

After the Annual BPMD Task List has been completed and shared, EPA and the other Agencies will implement and execute the activities. During the process, EPA, State, and other federal Agencies will conduct any necessary federal, state, or local coordination to implement the activity. In accordance with the NCP, MOUs, and the CIP, EPA will conduct all necessary community involvement and outreach through the most appropriate method including monthly updates, community outreach events, proposed plans and/or fact sheet updates.

### **4.3 STEP 3: MONITOR AND ASSESS**

A key element of Adaptive Management is monitoring and assessment of both project actions and progress towards project milestones, priority reach objectives, and site goals. Monitoring and assessment provides the ability to test hypotheses, evaluate progress made toward remedial action objectives, evaluate efficacy of innovative technologies, update decision making tools, and inform future actions. To support this analysis, EPA will develop a Site Wide Monitoring Plan and project-specific monitoring plans that present a comprehensive approach to sampling and monitoring at BPMD to assist in evaluating performance and make decisions at all three planning levels.

The Sitewide Monitoring Plan (discussed in Chapter 3) will be developed to assist EPA in evaluating water quality improvements, a Site Goal. The data collected in accordance with this plan will allow EPA to assess progress towards the site goal, priority reach water quality objectives(s), and any water quality-driven five-year milestones. This plan and the data collected will also be used during Step 4 to assist in developing or modifying Site Principles and future Five-Year BPMD Strategic Plans.

As discussed in Step 4, the Agencies will use project monitoring and assessment to determine progress towards the five-year milestones, and to determine prioritization and scope of future project actions. To ensure success in Step 4, the lead Agency will develop data quality objectives (DQOs) for any environmental data to be collected during a CERCLA response action and will document the DQOs in a field sampling plan (FSP). These FSPs will reference, and be consistent with, the sitewide quality assurance project plan (QAPP) and data management plan (DMP). These plans will document the objective of data collection, what questions the data is expected to answer, what data will be collected, a schedule for collection, expected outcomes of any performance data, and what project tool(s) will be updated by the data collected during this project. The monitoring activities for each project will be documented in the Annual BPMD Task List. For EPA-lead activities, these monitoring activities will also be included in the WGPP.

EPA will coordinate regularly with state, other federal agencies, and local community groups, identified in Section 2.4, to provide routine updates on monitoring and assessment activities.

#### **4.4 STEP 4: KNOWLEDGE INTEGRATION**

The final step in the iterative AM decision making process is Knowledge Integration. Like Step 3, knowledge integration impacts all levels of planning executed in Step 1.

##### **Project Decision Making**

The foundation of Knowledge Integration is the update of site tools including the Conceptual Site Model (CSM), loading tool, and risk register to assist in the process of re-evaluating and re-prioritizing future actions-. Annually, after the field season has been completed and in advance of Annual BPMD Task List development (winter timeframe), EPA, in consultation with CDPHE, USFS, and BLM will review data collected and documents generated during the year. Data collected will be used to update the site tools as mentioned above. In addition to updating these empirical tools, the Agencies will also review and provide input on the status of each project and task as well as any Strategic Plan memorandums to identify project risks that are impacting schedule, scope of budget, analyze the root cause of these risks, and discuss mitigation strategies to address these risks, updating the risk register accordingly. Last, EPA will review feedback from the CAG and SPG to determine if the format of the Annual BPMD Task List requires updates. If updated, the outline provided in Chapter 5 of this AM SMP will be updated accordingly. Conducting this activity collaboratively will ensure all Agencies have access to the data collected for the year, ensure all team members understand the updates to the tools, and that community interests that may impact how future planning and prioritization activities are conducted or communicated.

After the Site tools have been updated, each Agency will review their project plans and provide the necessary updates. For EPA, this will involve updating each WGPP. At a minimum, updates will include outyear planning to ensure the WGPP has activities and schedule for the next five years of work. In addition, EPA will assess the planned activities and determine if and how timing of activities need to be modified, scope or budget for specific activities need to be modified, or if additional activities need to be added.

##### **Strategic Decision Making**

Since the EPA WGPPs contain outyear planning, these plans will be used to inform the development of milestones, high-level activities, and schedules. In addition, EPA will conduct a critical assessment of the successes and challenges with meeting milestones and adhering to schedules in the previous Five-Year BPMD Strategic Plan. This analysis will be documented in the Five-Year BPMD Strategic Plan and help develop milestones and schedules that are realistic, measurable, and can be reasonably met. Additionally, like project knowledge integration, EPA will review feedback from the CAG and SPG to determine if the Five-Year BPMD Strategic Plan process requires updates. If updated, the process diagram in this Chapter and the outline provided in Chapter 5 of this AM SMP will be revised accordingly.

Annually, as EPA develops the Annual BPMD task list, a review of the Five-Year BPMD Strategic Plan will be conducted. If this review indicates that delays in project-specific activities may impact high level schedules or impact the ability to achieve milestones, the current Five-Year BPMD Strategic Plan will not be updated. Instead, a Strategic Plan memorandum will be developed documenting the reasons for these delays (e.g., to lower-than anticipated funding, unexpected/unplanned release, or other unforeseen circumstances). To address the delays, the Agencies will evaluate mitigation strategies that may include re-prioritizing or re-aligning budgets for the following year's work. In addition to assisting with annual work prioritization, the Strategic Plan memorandums will assist in the iterative process of analyzing the success of each Five-Year BPMD Strategic Plan, identify areas for improvement, and assist in the development of the subsequent Five-Year BPMD Strategic Plan.

## **Site Principles Management**

When planning efforts indicate that the Site Principles require modification or update, EPA will, in coordination with the State, USFS, and BLM, initiate efforts to develop the next iteration of Site Principles (Step 1). For example, information collected to date and/or changing stakeholder views may warrant adjustments to the Site Principles. To assist in this effort, EPA will conduct a comprehensive review of the existing goals and determine if each goal is still relevant, requires modification, or if Site information indicates the need for a new goal. Additionally, EPA will review the status of the current site strategy with meeting or making progress towards the Priority reach objectives. In consultation with other Agencies and primary stakeholders, EPA will take a comprehensive look at the site and determine if identified reaches are still priorities, if additional reaches need to be included, and if the objectives are realistic or require modification. EPA will solicit feedback from the CAG and SPG to receive stakeholder input on any recommended modification. EPA's analysis and the communities' input will be documented and used to update the Site Principles in accordance with Step 1. The timing of the Site Principles review will be dependent upon the progress of Site activities. Results and impacts of Site activities may require several years to several decades to observe and confirm. Therefore each Five-Year BPMD Strategic Plan will include a discussion regarding the need for and timing of a Site Principles review.





# Bonita Peak Mining District Update

June 2020



COLORADO  
Department of Public  
Health & Environment



<http://www.epa.gov/superfund/bonita-peak>

## Site Updates

Beginning in mid-July 2020, EPA will start the Red and Bonita Mine bulkhead test. The Red and Bonita bulkhead was constructed in 2015 by Mining & Environmental Services to control the adit drainage from the mine workings behind the bulkhead. Running through the bulkhead is an 8-inch diameter pipe that has been kept open since the construction. This allows for controlled mine drainage discharge out of the mine portal and into Cement Creek.

The primary purpose of the Red and Bonita bulkhead test is to evaluate the performance of the bulkhead when water is impounded behind it. Secondly, this will allow EPA to evaluate the effect of closing the bulkhead, such as potential changes in flows from adits and increased groundwater seepage from surrounding structures. To better understand the connections between mines, EPA will monitor the nearby mine portal discharges and pressures. Sampling of the seeps and springs along Cement Creek will also be conducted during the test.



*Red and Bonita Portal entrance*

For the test, the pressure behind the Red and Bonita bulkhead will initially be raised to about 50 feet. Gradually, pressure behind the bulkhead will be increased to 100 feet, then 150 feet, and finally to 200 feet. It is estimated that it will take a month to reach 200. During this time, the bulkhead and surrounding structures will be monitored regularly.



*Red and Bonita Bulkhead with flow-through pipe and valve*

At the end of the test, the water drawn down will be fully controlled at the bulkhead valve and be treated at the Interim Water Treatment Plan (IWTP) before being discharged into Cement Creek. In order to minimize the effects of draining and ensure no water quality impacts, the water level will be drawn down slowly. The draw-down activity will be coordinated with the IWTP operators so that they are ready to accommodate extra flow. Treatment of all Red and Bonita bulkhead water will continue until the mine pool has been drained. After the test is completed, the discharge from Red and Bonita mine will return

to flowing into Cement Creek, as is the pre-test condition.

## New on the Web

- [Bonita Peak Mining District Update, April 2020 \(PDF\)](https://semspub.epa.gov/src/document/08/100007645) (3 pp, 1.15 MB)  
<https://semspub.epa.gov/src/document/08/100007645>
- [2016-2018 Seeps, Springs, and Draining Mines Characterization Report \(PDF\)](https://semspub.epa.gov/src/document/08/100007694)(481 pp, 15.2 MB)  
<https://semspub.epa.gov/src/document/08/100007694>
- [Digging Deeper: 2019 Year in Review and 2020 Site Planning Presentation \(PDF\)](https://semspub.epa.gov/src/document/08/100007684)(46 pp, 4.3 MB)  
<https://semspub.epa.gov/src/document/08/100007684>



Town of  
**Silverton**

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



**SAN JUAN COUNTY**

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

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into this 24<sup>th</sup> day of June, 2020, by and between the Board of County Commissioners of San Juan County, Colorado, a body politic, hereinafter referred to as “San Juan County” and The Town of Silverton, a statutory municipal corporation, hereinafter referred to as “Town of Silverton”.

**WHEREAS**, through the Coronavirus Relief Fund, the CARES act provides for payments to State, Local and Tribal governments navigating the impact of the COVID 19 Pandemic; and

**WHEREAS**, San Juan County and the Town of Silverton may receive funds from the United States Treasury’s Coronavirus Relief Fund; and

**WHEREAS**, this agreement is to provide an understanding on the manner in which San Juan County and the Town of Silverton allocates the \$62,453.00 in funding; and

**WHEREAS**, the Town of Silverton and San Juan County agree on how to appropriate these funds for the good of the community; and

**WHEREAS**, the Town of Silverton and San Juan County recognize that it is in the best interest of the community to work cooperatively to ensure that all of the allocated funding is applied to the benefit of residents rather than allowing the funds to remain unspent and revert to the state-wide reserve fund pool for reallocation elsewhere in the state

**NOW THEREFORE**, San Juan County and the Town of Silverton agrees to the following:

1. All committed or expended funds are subject to and conditioned on the receipt of the CARES Act funds, which:
  - a. Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
  - b. Were not accounted for in the budget most recently approved as of March 27, 2020; and
  - c. Were incurred during the period that begins March 1, 2020 and ends on December 30, 2020 (collectively, “Eligible Expenses”).
2. San Juan County agrees to be the single grant recipient and to further distribute funds to the Town of Silverton as listed below:
  - a. The Town of Silverton will be reimbursed for qualified COVID 19 expenditures not to exceed \$20,000.00.

- b. The Town of Silverton will provide to San Juan County all necessary documentation to ensure that the reimbursements are for COVID 19 qualified expenditures.
  - c. San Juan County will be reimbursed for qualified COVID 19 expenditures not to exceed \$20,000.00.
  - d. The remaining \$22,453.00 shall be used for qualified COVID 19 expenditures that is mutually beneficial to both the Town of Silverton and San Juan County.
  - e. If the Town of Silverton does not fully utilize the \$20,000 allocated for qualified reimbursement by November 30, 2020, then any remaining funds shall be reallocated a) to San Juan County for qualified reimbursement or b) to the mutual benefit fund.
  - f. If San Juan County does not fully utilize the \$20,000 allocated for qualified reimbursement by November 30, 2020, then any remaining funds shall be reallocated i) to the Town of Silverton for qualified reimbursement or ii) to the mutual benefit fund.
3. Each Party assumes responsibility for ensuring the funds are only used for eligible expenses as determined by DOLA under the CARES act criteria. Neither party shall be liable to the other for any ineligible expenditures.
  4. Each Party will keep an appropriate accounting of the expenditure of funds sufficient to meet the needs of DOLA and their own accounting practices.

**IN WITNESS WHEREOF**, the parties hereto have executed the Memorandum of Understanding on the day and year first above written:

---

Peter C. McKay, Chairman  
San Juan County Commissioners

---

Shane Fuhrman, Mayor  
Town of Silverton



Willy Tookey &lt;admin@sanjuancolorado.us&gt;

**FW: Sheep Grazing in Eureka Gulch**

1 message

**Ryan T. Bennett** <rtbenn@comcast.net>

Sun, Jun 21, 2020 at 6:10 PM

To: sfetchenhier@aol.com

Cc: admin@sanjuancolorado.us, sjcom.fetch@gmail.com, commckay@hotmail.com, solkepler@gmail.com

Scott,

Not surprising, but I have had no response from the BLM regarding this matter. Maybe they have yet to figure out that they are not immune to this issue given the work that they are doing on sites located on public lands. Nevertheless, I have been doing some thinking. You will recall that the county needs to adopt an ordinance (I am looking at 2019-01, which appears to be draft) for the regulation of environmental remediation matters within the Bonita Peak Superfund Site. This ordinance is obviously designed to protect and preserve remedial work done at each of the sites. Could the county not include a provision which prohibited grazing on these sites? Now I know that Colorado has antiquated and impractical grazing laws (which the BLM likes to hide behind), but I would like to think that this is not a matter of grazing law. We also all know that it is utterly impossible to erect a fence in the San Juan County alpine environment (tried that 25 years ago at the Ben Franklin and it didn't last a year). Thus the only way to manage this issue is to make it illegal to knowingly graze on privately owned CERCLA sites.

I also reference an article from the Durango newspaper which is quite interesting. <https://durangoherald.com/articles/72717>. In essence "There is a second section to the fence statute (CRS 35-46-102). The second part says that a landowner can get trespass damages if the livestock owner grazes animals where he knows he has no permission to do so, even in the absence of a fence." The case it refers to occurred in Archuleta County. A worthwhile read.

Obviously we don't want to have sheep destroy the good work that is occurring in the BPMD. I am happy to chat about. Time is of the essence as I am told that the sheep (and accompanying flies) are likely to arrive around July 6.

Regards,

Ryan

**From:** Ryan T. Bennett <rtbenn@comcast.net>**Sent:** Thursday, June 11, 2020 11:05 AM**To:** tdevaloi@blm.gov; ewaters@blm.gov; jlovelac@blm.gov**Cc:** 'Richardson, Lisa D' <lmerrill@blm.gov>; 'Brown - DNR, Kirstin' <kirstin.brown@state.co.us>; mmedina@blm.gov; kdoebble@blm.gov**Subject:** Sheep Grazing in Eureka Gulch

Dear Tara,

By way of introduction my name is Ryan Bennett and I am the Manager of San Juan Land Holding Company, LLC ("SJLHC"). SJLHC owns roughly 3,200 acres of patented mining claims in San Juan County through a number of wholly

owned subsidiaries. These claims are held for the purpose of historic and alpine tundra preservation.

As you may be aware, a number of mines have been identified as part of EPA's Bonita Peak Mining District CERCLA site. One of these sites is known as the Ben Franklin Mine in Eureka Gulch. The owner, Eureka Gulch Properties LLC, a subsidiary of SJLHC has entered into an administrative agreement and order on consent ("ASAOC") with the EPA. As part of the ASAOC and in conjunction with CDRMS, certain reclamation activities occurred on this site last year (I had notified Andy Welsh of this at the time and I believe he communicated that back to the Gunnison office). A key activity included the revegetation of the site. Given that sheep grazing season is once again approaching, I want to make sure that you are aware of this and that Mr. Etchart respects the work that has been done on this site, keeping his sheep well away from the Ben Franklin mine, if he is grazing Eureka Gulch. I think that you can agree that we do not need the vegetation destroyed in this fragile environment.

I note that in the "Environmental Impact Statement for Domestic Sheep Grazing Permit Renewals" DOI-BLM-CO-S060-2014-0001-EIS dated December 2019 page 4, permit renewals will be considered for Picayne-Mineral Point and Eureka allotments in 2020. Being a significant landowner in these allotments, SJLHC would like to know what will be taken into consideration in their renewals and what input will be sought from stakeholders (on that note, please register SJLHC as an interested party)? SJLHC would also like to know what analysis has been done to understand the potential release of heavy metals into the environment as the result of sheep grazing in naturally heavily mineralized alpine environments?

Regards,

Ryan T. Bennett

Manager

San Juan Land Holding Company, LLC

Mobile – 720-319-1240





Town of  
**Silverton**

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



**SAN JUAN COUNTY**

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

Date: June 21, 2020.

For: June 24 County Commissioners Meeting.

From: Town/County Planning Director.

Regarding: Two Week Update on Town & County Planning Projects.

Here are some of the projects passing through the Town/County Planning Department during the past two weeks.

County Projects

- The County Commissioners will hold a Public Hearing to consider a Proposed Water Treatment Building at Cascade Village.
- The County Commissioners will hold a Public Hearing to consider an annual license renewal for CannaFarmer.
- A County Land Use Permit was issued to the Cascade Village Homeowners Association, for foundation drain repair, stormwater system improvements, and associated utility work (LUP approval letter is attached).
- The Lot 4 Cole Ranch owner requested assistance with options regarding an Improvement Permit Application, the recently rejected Proposed Plat Amendment, and County regulations regarding the County appeals board.
- The Lot 1 Cole Ranch land owner was assisted with the process of a submitting a Proposed Plat Amendment and/or Improvement Permit Application, and inquiry regarding possible ongoing BLM work adjacent to Lot 1.
- A meeting occurred with a septic designer, currently designing three engineered septic systems in this County.
- Brief meeting with Fire Chief, regarding CannaFarmer, as well as general backcountry fire mitigation issues.
- Email and phone coordination with several owners of mining claims on CRs 20 & 20A, including the Dick Bland, Manhattan & General Sherman Revised Lodes, the Tarpon Lode, the First Chance Revised Lode, the Blair Mountain & Panic Lodes, the Slide Rockless & Tiptop Lodes.
- Email coordination with three owners of mining claims near Minnesota Gulch, including the Tungsten, Anglo Saxons, and the Prodigal Son.
- Email and phone coordination with County Administrator, Building Inspector, realtor, and buyer of the previously permitted, vacant, Log Cabin Lode, near Red Mountain Pass.
- Email and phone coordination with the Building Inspector, seller, and two buyers of claims on Highway 550, informing the seller and two buyers that there is no "Use By Right" for structures/residential use on mining claims, and describing our Improvement Permit Application process.
- Coordination with the owner of a vacant lot in the Know Your Neighbor Subdivision, and the Building Inspector, regarding Improvement Permit Applications, Certificates of Occupancy, and septic systems.
- Assistance to Applicants proposing a mixed use structure on a Powerhouse Subdivision lot, regarding the County's previous Subdivision requirements, floodplain issues, and application submittal requirements.
- The Improvement Permit Application process, and a previously approved permit, was described for a buyer, regarding the vacant Gold Finch Lode, located above Chattanooga.
- Coordination with a traffic control plan designer, the County Administrator, and Building Inspector, regarding potential traffic control/closure on CR 14, for a Forest Service investigation of ponds (possibly the Brooklyn).
- Coordination with owner and Building Inspector regarding a permit and septic on one of the Forest Queens.
- Coordination with owner and Building Inspector regarding a foundation on the Kruger Lode in Henrietta.
- Other miscellaneous ongoing County projects.

Town Projects

- The Town Board of Trustees has created a new Form to fill out, for Town Staff Reports, which is below.



- Planning Director, and the weekly Town Code Committee (Town Administrator and Building Inspector), have been working on revisions to the Town's Accessory Dwelling Unit (ADU) regulations, and the Town's Vacation Rental (VR) regulations. Proposed revisions to the Town's ADU and VR regulations are intended to increase the availability of long-term rental housing for local workers.
- Four new proposed windows on the second story of the Outdoor World Building on Greene Street were approved by the Planning Commission, in their official capacity as the Town Historic Review Committee.
- A Town Use Subject to Review Application was received, for a proposed mixed-use commercial/residential structure, within the blue zone of the Town's Avalanche Hazard Overlay District, 12<sup>th</sup> & Mineral.
- A Town Vacation Rental application was processed by the Planning & Building Departments, for a change in ownership of an existing vacation rental, 921 Greene.
- A Town Vacation Rental application was received by the Planning & Building Departments, 902 Empire.
- Two separate non-conforming Town parcels, changing ownership, which are only 50x50 square feet each, were investigated by the Building & Planning Departments.
- During the past two weeks, Planning Director attended weekly Town Staff meetings, a monthly Town Personnel & Ordinance Committee meeting, Town Board of Trustees meetings, Planning Commission meeting.
- Two Town marijuana facility licenses were worked on this past week, one recently approved, one proposed.
- Coordination with Town Staff, regarding Molas Lake Campground occupancy and septic system.
- Building/Planning Depts. worked on permitting for two proposed structures in the Town's southern ED zone.
- A Vacation Rental (VR) inquiry was received for a townhome in the BA zone, where VRs are not permitted.
- Other miscellaneous ongoing Town projects.
- Below is the Planning Department Staff Report, for the June 22 Town Board Meeting, using the new Form.

**Town of Silverton  
Staff Report**

**Purpose and Intent:**

- Based on trust & limited to 1 page
- Relevant information
- Supports trustees' decision making process

**Department:** Town and County Planning Department.

**Head of Department:** Lisa Adair.

**Date of Trustee meeting:** June 22, 2020.

**For immediate Trustee consideration:**

N/A.

**Regular Meetings & Communication:**

**\*This is a place for staff to complete in their own template so that it is faster to use before each meeting\***

Town Board, County Commissioners, Planning Commission, Town Code Committee, Town Staff Meetings.

**Top on the TO DO list:**

Processing of Submitted Town and County Applications which are Deemed Complete.

**Grants (applications, updates, awards):**

**\*This is a place for staff to complete in their own template so that it is faster to use before each meeting\***

N/A.

**Upcoming Issues:**

Upcoming Town and County Applications About to Be Submitted.

**Notable completed tasks:**

Notable completed tasks include several Town and County applications which were recently presented to the Planning Commission and County Commissioners.

**Ongoing Project Update:**

**\*This is a place for staff to complete in their own template so that it is faster to use before each meeting\***

Ongoing Town Applications and Projects, Updating of Town Codes, Updating the Joint Master Plan, Town Website Documents.

\*County Projects – N/A, Separate County Staff Report is available upon request.

**Learning/ Professional Development**

Town Historic Overlay District Regulations.

Town Builder's Handbook: A Guide to Silverton's Historic Style.

Town Architectural Design Standards for Historic Districts.

Town Avalanche Overlay District Application Requirements.

**COVID related**

Assisting applicants and meeting participants with Zoom.

This Staff Report was prepared by the Town & County Planning Director Lisa Adair PE, for the County Commissioners, who will meet on June 24. The County Commissioners can contact the Planning Director for more information on these Town & County projects, at 387-0500 or 946-9408.



## SAN JUAN COUNTY COLORADO

1557 Greene Street

P.O. Box 466

Silverton, Colorado 81433

June 15, 2020

To County Staff and Owners/Applicants.  
From Planning Director L. Adair.  
Regarding County Land Use Permit (LUP) 2020-02.

The Planning Department of San Juan County Colorado hereby approves **County Land Use Permit 2020-02** for the following project:

**Project:** Proposed Foundation Drain, Stormwater Pipe, Stormwater Inlet Structure, Associated Utility Work, Grading, Asphalt Paving, Concrete Curbs, Boulder Wall (up to 3.8 Feet Tall), Landscaping, Traffic Control; Located on the Uphill Side of the Existing Needles Condo Building, on Commonly-Owned Land, Cascade Village PUD, Highway 550, San Juan County, Colorado. The purpose of the work is to correct the failure of the existing exterior foundation drain, and to address existing drainage issues which are causing intermittent flooding in the interior of the existing Needles Condo Building.

**Owners/Applicants:** Cascade Village Community Association (“HOA”), HOA President Gregory Erwin, Facility Manager Charlie Tyack (phone 214-218-3077), and Contractor Daison Shockley of Neil’s Excavation (phone 970-442-1827).

**Submittal Documents:** Plans Prepared by Goff Engineering Stamped by T. Engel PE on 12/23/19 (submitted May 14), Email & Letter from G. Erwin President of Cascade Village Community Association (submitted May 20), Land Use Permit Application Form from D. Shockley of Neil’s Excavation (submitted May 20), LUP Application Fee of \$350 (check from Cascade HOA received by County Treasurer on June 2).

**Review:** The County Land Use Permit Application is considered complete as of June 2. The Application was posted on the County website for public review. The County Commissioners briefly discussed this project and permitted an administrative review on May 27, to be completed by the Town & County Planning Director and Building Inspector. The Planning Director has reviewed the Application in comparison to the County Zoning & Land Use Regulations and the Master Plan. This project appears to comply with the master Plan and the applicable County regulations.

**Approval and Conditions of Approval:** The Planning Director is hereby granting approval of this project, with the contingencies listed below, referred to as the Conditions of Approval, or the Conditions. The Owners/Applicants shall carefully review these Conditions, shall indicate

agreement to these Conditions by signing in the presence of a Notary Public and causing this signed document to be filed at the San Juan County Colorado Courthouse (for filing information contact County Clerk Ladonna Jaramillo at phone 970-387-5671). The construction work described herein may immediately commence after the document has been filed, and upon all Conditions of Approval being in compliance. The following Conditions of Approval apply to this County Land Use Permit 2020-02:

**ACKNOWLEDGEMENT OF CONDITIONS**

**LAND USE PERMIT 2020-02 Proposed Foundation Drain, Stormwater Infrastructure, and Associated Improvements, Needles Condo Building at Cascade Village, Highway 550, San Juan County, CO.**

In consideration of San Juan County Land Use Permit No. 2020-02, the Owners/Applicants Cascade Village Community Association, President G. Erwin, Facility Manager C. Tyack, and Contractor D. Shockley, hereby agree to the following Conditions of Approval.

1. Approval: This approval is for the following work: Proposed Foundation Drain, Stormwater Pipe, Stormwater Inlet Structure, Associated Utility Work, Grading, Asphalt Paving, Concrete Curbs, Boulder Wall (up to 3.8 Feet Tall), Landscaping, Traffic Control; Located on the Uphill Side of the Existing Needles Condo Building. Any other proposed work not described herein requires a separate permit from San Juan County, and is hereby not approved as part of this permit.
2. Wetlands: Any possible proposed wetlands disturbance, or discharge into wetlands, requires the Applicants to contact the Army Corps of Engineers for permitting, prior to any grading.
3. UNCC: Prior to any grading, the Owners/Applicants shall contact the Utility Notification Center of Colorado for utility locates. The utility locates shall include understandable marking of all known existing utilities, which shall be completed before any excavation or grading occurs.
4. SWMP Permit: The Applicants shall obtain any required Stormwater Management Permit that may be required by CDPHE, State and/or Federal laws. Stormwater management permit/ plan (SWMP) shall be submitted to the State and/or kept inside the heavy equipment on site during construction, dependent on the currently unknown acreage of proposed disturbance. The County hereby requires that the local water quality shall be protected, from construction-related and silt runoff, through the use of Best Management Practices (BMPs) where needed. The contractor shall install and maintain BMPs as needed to protect any nearby local waterways and below grade/above grade drainages during construction, such as silt fence, hay bales, etc. Concrete trucks shall not wash out in existing drainages or vegetation.
5. Public and Worker Safety: Consideration of public safety is required through the use of Traffic Control (placement of flaggers, signs, cones, barricades, fencing, overnight trench covers, sheeting, bracing, protection, etc.) as necessary to protect children, pedestrians, and drivers. Worker Safety is required through adherence to all applicable State and Federal laws such as the regulations of MSHA and OSHA (which may include the use of trench boxes, proper worker training, and safety

equipment to be provided by the Contractor).

6. Notifications: Prior to commencement of the work, the Contractor shall notify the Cascade Community Association of the date and time that the work will commence. Prior to any scheduled potable water line shut off, the affected individual condominium residents shall be notified 24 hours in advance, by the Contractor's placement of a water shutoff paper notice posted on the residents' condo doors.

7. Nighttime Work: To limit noise and light impacts to the residents, no nighttime construction work, and no temporary construction lighting shall be permitted, between the overnight hours of 7 pm to 7 am, except in the event of a public safety emergency.

8. County Regulations: The project shall comply with the San Juan County Colorado "Zoning and Land Use Regulation" which can be found on the County governmental website. Any violation of the County Regulations shall void this County Land Use Permit.

9. State & Federal Laws: The project shall comply with all required State and Federal regulations. If the Federal, State, and County regulations differ, then the most stringent shall apply. Any violation of the applicable State or Federal laws shall cause this County permit to be rescinded.

10. Burning: Due to the current fire danger, and the current adopted County Fire Ban Resolution, the burning of any vegetation or trash at this site is hereby prohibited. If burning is proposed, then the Owners/Applicants shall contact the County Sheriff and County Staff prior to any controlled burn, for a re-consideration of this Condition of Approval.

11. Water for Fire: Cutting and grinding of existing metal pipes is anticipated; the use of cutting torches, welding, grinders, and equipment/power tools which may cause sparks, shall be accompanied by several buckets of water located directly adjacent to the work, in case of fire. Please consult the current adopted County Fire Ban Resolution on the County website, the local Silverton/Durango Fire Departments, San Juan County Sheriff (phone 970-387-5531), for additional fire precaution information.

12. Storm Drain: Storm inlet grate shall immediately be attached to the storm inlet manhole as shown on the plans, and the excavated ends of installed stormwater pipes shall not be left open at any time, in order to protect resident children and animals from entering the storm drain system.

13. Existing Utilities: The Contractor shall investigate, mark, protect, and maintain all existing utilities. Prior to any excavation, the Contractor shall contact UNCC, as well as the Cascade Village Grizzly Peaks Water System Operator Dave Marsa (phone 970-759-1609).

14. Emergency Services: Permit Owners/Applicants in San Juan County Colorado are required to acknowledge that emergency services in San Juan County Colorado, including ambulance, fire, police, search and rescue, emergency services, may not be available in a timely manner, and may not be available at all. In the case of an emergency during this project, the Owners/Applicants would be advised to first contact the emergency services of La Plata County Colorado (phone 911) due to the site location.

15. Building Department: The Owners/Applicants shall comply with all requirements from the San Juan County/Town of Silverton Building Department, Building Inspector, Fire Inspector, Code Enforcement Officer: Bill MacDougall (phone 970-946-9031). Building Inspector may visit the site of the work at any time, and/or may make reasonable written and/or verbal requirements in accordance with Local, State, and Federal laws, and Owners/Applicants shall comply with those requirements.

16. Document On-Site: The Contractor and workers at the site are required to read this list of Conditions of Approval, and a copy of this document shall be kept on site subject to inspection at any time by County Staff. Owners/Applicants are responsible for informing workers at the site of the requirements contained within this document including but not limited to: public safety, covering of trenches, and buckets of water directly adjacent to any spark causing equipment.

17. Owners/Applicants and their contractors, workers, engineers, all on-site personnel, shall follow Best Practices for Covid 19 health/safety. For up to date information on construction site guidelines, please refer to the San Juan County Colorado website for the State and County Covid 19 public health orders and requirements, and/or contact Building Inspector (phone 970-946-9031).

18. Filed Conditions: This document shall be signed by the Owners/Applicants in the presence of a Notary Public and filed at the County Clerk and Recorder Office. Signature indicates that the Owners/Applicants agree to the Conditions of Approval. The signed and notarized document shall be filed in the San Juan County Courthouse Clerk and Recorder Office prior to commencement of the approved work.

Signed By (Print Name) \_\_\_\_\_

Signing on Behalf of the Owners/Applicants: The Cascade Village Community Association HOA, The HOA President, The Facility Manager, and the Contractor.

Signature: \_\_\_\_\_

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_,

2020, by \_\_\_\_\_; Witness my hand and official seal.

\_\_\_\_\_

Notary Public

My commission expires: \_\_\_\_\_.

This document was prepared by Town & County Planning Director Lisa M. Adair PE, June 15, 2020.



## Economic Recovery Team Meeting

06/09/2020 at 10-11AM

### 1. Short Term Economic Recovery:

- a. Scott points out that it is happening with the opening of shops and restaurants in town, which are bringing in summer visitors.
- b. Willy points out the Governor's EO allows each community to set their own variance and rules for the train. La Plata is looking at drafting their guidelines at their next meeting. Deanne and Scott agree that San Juan County should get on ours right away to bring the train to Silverton as soon as possible.
  - i. It's possible that the Train will run its diesel part-way and back from Silverton. Some ideas are for short runs to Elk Park and the Colorado Trail. John R will call Jim Harper and brainstorm ideas. Willy agrees to stimulate backcountry visitor's we need to move quickly.

### 2. We're Open:

- a. Deanne updates, Ads on Social Media and free TV Ads are running, and a video made with Jen Brill and Jason Ebelheiser is in the works too. She stresses that there are less questions at the Visitor's Center about our status, so word is getting out.
  - i. John says there is a 78% mask usage through town.
  - ii. Deanne mentions that Keri Metzler is documenting statistics for this year to use in contrast with a normal year. Big Kudos to Keri for all of her hard work across the community this year.
  - iii. Deanne says there are funds available now for print advertising and target the outdoor recreation markets.

### 3. Billboards:

- a. Lisa and Deanne say the banner at the entrance to town is going up and they are working on getting signage on the Billboards. They are also running a campaign out in the community to see what kind of Billboards everyone wants to use as a base before beginning the revitalization. Lisa also says they are looking for consistent signage for the entrances to town and the train parking area on 12<sup>th</sup>.
- b. Willy and others agree that a quick fix is a better idea on the Billboards this year, so we get it done, and revisit the monument idea in a few years.

### 4. Playgrounds & Restrooms:

- a. John R. says they are looking to hire an employee as a cleaner for the restrooms and playgrounds. They are also looking at what is the best way to sanitize the playground, frequency, supplies, and hours. They may place sanitizer and wipes for users at the playground but there's concern about users not complying.
  - i. Kim updates that some locals like the climbing wall are impossible to keep sanitized properly, so those areas won't be opened for the kids to use in the Summer program. The school will be putting up signs and sanitizing multiple times a week. She also wants to work with the Town to stay in line with them. John, Kim, and Todd will coordinate.

5. Long Term:

- a. Willy reminds that the Tourism Board will meet later this month. Those funds do stem from the lodging tax, so with the hit to lodging during COVID, there may be less available next year.
- b. Anthony says we need to focus some on the winter economy. If we start now, we can prepare to boost that time of year, assisting the people who can't survive a difficult summer followed by a rough winter.
  - i. Scott wants to verify that Silverton Mountain will be able to open to full capacity.
  - ii. Andy confirms that is their plan. If the governor puts restrictions on Ski Areas, Silverton Mountain can work around many of them, by moving tickets out of the tent and cutting happy hour. Any of the times that put people in close proximity to one another.

6. Community Visioning:

- a. Willy stresses that we should start the Visioning process and the Master Plan to move forward with the resiliency plan. With community involvement this group will work as the task force for creating this.
- b. Anthony explains he and Willy worked on this some last year and there are funds available in the upcoming years from Community Builders.

7. Other:

- a. Kim is looking at getting a satellite on the school roof to reach more families in town.
- b. Laura says SWCOG & San Miguel Power project is moving forward.
- c. Scott asks what percentage of the community works remotely?
  - i. Laura can look into identifying remote/commuters who live in our community.
- d. Lisa mentions a grant program available to businesses to help new employees relocate for work.
- e. Kudos on the Facebook page Gina and Darlene worked on.

## MEMORANDUM

June 23, 2020

TO: Economic Recovery Team  
FR: William A. Tookey  
RE: Economic Recovery Plan

San Juan County is subject to the Governor's Public Health Order. The Governor has moved from Stay at Home to Safer at Home to Protect Our Neighbors.

### I. Construction

The issuance of new permits is allowed. Both local and out of town contractors can work on construction site.

Contractors must follow guidelines implemented by state order.

Building Inspector/Code Enforcement Officer Bill MacDougall will monitor work sites to make sure best practices are being implemented.

### II. Tourist Economy

A. Railroad – Scenic Railroads may run at 50% of capacity subject to local health department approval. A variance from the state would be required for occupancy to exceed 50%. The Railroad will begin service from Rockwood to Cascade Canyon beginning June 23rd. Service to Silverton will not begin prior to August 15<sup>th</sup>. The bridge at Elk Creek has been damaged and will require repairs before service to Silverton can begin.

B. Restaurants/Food service – The Governor has provided guidance to allow restaurants to provide on premise dining at 50% of capacity or 50 people whichever is less, in addition to take out and curbside service. The Town has installed picnic tables in the business district to provide outdoor seating for restaurant customers. Bars may begin service at 25% of capacity or 50 people whichever is less, and following social distancing guidelines.

### C. Lodging

1. Hotel/Motels – Hotels and Motels are currently allowed to operate to provide lodging for travelers doing essential business.

2. RV Parks and Campgrounds – Effective May 25<sup>th</sup> private campsites are open.

3. Vacation Rentals – Vacation rentals are now allowed to operate.

D. Gift Shops – Retail businesses are allowed to operate provided they meet the Governor's Public Health Order.

### III. Back Country

A. Jeep/ATV Tours



- B. Motorized use of the backcountry
- C. Non-Motorized use of the backcountry
  - 1. Hiking
  - 2. Biking
  - 3. Fishing
  - 4. Camping
  - 5. Hunting

Non-guided outdoor recreation of any kind can occur in groups up to 10, and must follow local policies.

Non-guided equipment rentals should follow retail guidelines.

Guided services for fishing, hiking, biking, horseback riding, canoeing, kayaking, stand up paddle boarding, ATV tours, and climbing can occur in groups up to 10, and must follow local policies.

River outfitters, rafting, or Jeep Tours can occur if parties in boats and Jeeps are limited to groups of household members only, and must follow local policies.

San Juan County has authorized the opening of the backcountry roads and South Mineral. Currently most of the backcountry roads are open and the County Road Crew continue to work on those that are not.

The Road and Bridge Department will continue to work on the passes.

San Juan County has enacted a Stage 1 fire ban which is similar to the San Juan National Forest's Fire Ban.

The Forest Service currently have implemented the following fire restrictions:

1. Igniting, building, maintaining, attending or using a fire, including charcoal grills and barbecues, coal and wood burning stoves, and shepherd's stoves. 36 CFR §261.52(a).
2. Smoking, except within an enclosed vehicle, trailer, or building. 36 CFR § 261.52(c).

The San Juan National Forest has opened their developed campgrounds in San Juan County.

Colorado Parks and Wildlife have reopened State Park Campgrounds by reservation only. BLM and Forest Service have installed Covid-19 signs.

Molas Lake and Eureka Campgrounds are open.

The Governor amended his Executive Order to state: Travel to within their local community or as necessary to access outdoor recreation areas. If travelling outside their community, Coloradans are urged to honor all restrictions in place at their destination and avoid travel to counties or municipalities that issue travel restrictions.

- IV. Special Events
  - A. Outdoor Activities - Races etc.  
Hardrock 100 cancelled
  - B. Indoor Activities – Concerts etc.  
Brass Band Festival cancelled
  - C. Public and Private Facilities

1. Receptions, events, concerts, indoor markets, indoor malls, non-critical auctions, theaters, trade shows, or other indoor venues not covered in other guidance documents.
  - a. Indoor Events - Limit capacity depending on venue size accounting for usable square footage with a maximum of 100 people per room.
  - b. Outdoor Events – Limit capacity depending on venue size accounting for usable square footage with a maximum of 175 people per event.

- V. Winter Activity
  - A. Ski Areas
  - B. Motorized winter activities
  - C. Non-Motorized winter activities

Ski resorts can now work with local authorities to develop a plan on how to open as safely as possible, and secure local approval.

- VI. Marketing
- VII. Other Businesses
- VIII. Long Term Economic Recovery
  - A. Workforce Mobility
  - B. Remote Workforce

## **SILVERTON/SAN JUAN COUNTY RESILIENCY PLAN**

Developing a resiliency roadmap can provide a path to building a common understanding of what resiliency is, establishing a community's baseline existing conditions; analyzing vulnerabilities a community may face; and a vision for what a more-resilient community can look like, with goal and strategies to achieve this vision.

A roadmap establishes a clear, actionable path towards developing and implementing a Resiliency Plan, gaining public and stakeholder input and support, measuring success, and updating the plan as needed.

Vulnerabilities are often described in terms of shocks and stresses. Shocks are direct vulnerabilities; they are intense, acute events that can disrupt communities. They include flash floods, wildfires, avalanche and mudslides, draught, widespread loss of infrastructure including water, sewer, road closures, electrical power or internet and public health crises. Shocks can lead to significant damage to infrastructure, as well as injuries and deaths. Communities use hazard mitigation as a means to reducing vulnerability by reducing exposure to shocks.

Stresses are underlying long-term economic, social, and environmental conditions that can negatively impact a community's environmental, social, and economic health; they are indirect vulnerabilities. Stresses can also limit a community's ability to address and recover from a shock. Stresses can include aging infrastructure, an economic downturn, long-term high rates of unemployment, and a lack of affordable housing. Communities use resiliency planning as a way to reduce their indirect vulnerability by addressing and improving the underlying conditions that expose them to hazards and developing a capacity to adapt to changing conditions.

Stresses have the potential to intensify the impacts of shocks. For example, aging, weakened infrastructure may not be able to withstand a major flood event, which can impact emergency services, access to goods and jobs, etc. Shocks have the potential to intensify the community stresses. For example, a wildfire may require additional funding that had been previously committed to address community stress. It may also have an adverse impact on the generation of tax revenues.

## COMMUNITY VISION

1. **Vision Statement:** The community's vision statement defines what the community wants to become and establishes the means to get there. Identify key community values and what it means to be a part of the community. What is your community known for, and more importantly, what would you like your community to be known for?
  - A. **Master Plan:** Does the Silverton/San Juan County Master Plan support the Community Vision and Vision Statement?
  - B. **Zoning and Land Use Regulations:** Does Silverton and San Juan County's Zoning and Land Use Regulations reflect the guidance of the Master Plan?
  - C. **Other Regulations:** Identify other Town and County Regulations and Policies that need to be adopted, modified or eliminated to support the Community Vision.
  
2. **Goals:** Goals establish observable and measurable end results that will help shape the overall vision the community foresees.
  
3. **Strategies:** Strategies form plans and methods to reach the community's specified goals and align with the overall vision. Strategies are a good way to link the five resiliency sectors to project ideas. Creating implementable strategies may require revisions and further stakeholder engagement.
  - A. **Community Strategy:** Create innovative development that integrates housing, employment and education to create a diversity of options.
  
  - B. **Economic Strategy:** Encourage businesses to participate in resiliency planning that results in continuity plans to withstand shocks and stresses associated with natural and human-caused hazards.
  
  - C. **Health and Social Strategy:** Increase individual and community preparedness by enhancing training and education opportunities for emergency preparedness and resilience education, identifying vulnerable populations, empowering local leaders, and promoting resiliency conversations with the public.
  
  - D. **Housing Strategy:** Ensure that future affordable housing projects are located in areas that are least susceptible to future shocks, and design housing developments and individual units to withstand shocks.
  
  - E. **Infrastructure Strategy:** Leverage technological advances to continuously update databases of asset inventories and their vulnerabilities, and accept updated information from a variety of sources to ensure that databases are comprehensive.

**4. Develop Actionable Project Ideas:** Once strategies are identified, it is time to begin to develop and implement projects. Projects come in a myriad of shapes, from recreation, to education, to affordable housing to infrastructure. Projects can be low-cost and volunteer-heavy, or multi-million dollar projects requiring dedicated staff.

- A. Identify Project Champions:** Who will take the lead to sell this project to the local governments and to the general public.
- B. Identify Project Resources:** What resources available both financially and in manpower to implement this project.
- C. Project owners' capabilities:** Is the project something that the organization normally does? What people/expertise can be leveraged to ensure successful project outcomes? Specific sector or project expertise helps to identify which organization is most appropriate to lead implementation of the project.
- D. Capacity:** Do physical or capital constraints exist? A project owner requires the manpower to implement a project, and access to funding streams that will make the project long-lasting.
- E. Feasibility:** Does the project have the support necessary from the lead implementing organization, the public, elected officials, and framework stakeholders? Is there a realizable opportunity for funding? A project can be successful because of its opportunity for being implemented, and it is important to identify potential issues early on in the framework process.
- F. Funding and Technical Assistance:** In addition, projects need funding sources to get off the ground. Technical assistance can help to ensure the plan sets realistic community goals. Meanwhile, capital assistance provides communities with access to funding projects.
- G. Resiliency Prioritization Criteria:** Establishes criteria to evaluate and prioritize project ideas. When developing strategies and projects, the amount of work needed to be done becomes clear, and it can be overwhelming trying to figure out where to start. Prioritization takes into consideration the impacts of actions and weighs them against immediate and future needs, allowing for a focused approach that uses limited resources in a manner that provides the best returns to the entire community. Not all projects need to meet all prioritization

criteria. However, they provide a lens that can aid in decision making and selection of projects.

- 5. Build Community Support:** A resiliency framework should reflect the values and priorities of the broader community. This can be achieved through a thorough and transparent engagement process. While all aspects of a framework may not be universally held or agreed upon it is important to actively seek public input and comment to garner support for the framework and its strategies and projects, leading ultimately to meaningful changes.
  
- 6. Present the Findings:** It is important to have transparency throughout the process with opportunities and time for stakeholders and members of the public to review and comment to inform the framework. These efforts can take many forms depending on the need for additional public engagement.





# COLORADO REOPENING

Colorado recorded its first case of COVID-19 on March 5, 2020. In the few short months since, we have lost over 1,300 Coloradans and confirmed that over 29,000 have been infected with the virus.

On March 27, Governor Polis enacted a statewide Stay at Home order to suppress the virus. At that point, cases were doubling every 2 days and the capacity to treat COVID-19 patients in Intensive Care Units (ICUs) was becoming depleted. After 4 difficult weeks, we entered into a new phase -- Safer at Home, and later, Safer at Home and in the Vast, Great Outdoors.

These extraordinary measures worked to suppress the virus -- but at a significant economic and personal cost. Now, we need to navigate a path forward that balances the need to control this novel and unprecedented virus until there is a vaccine or treatment -- with the urgency of promoting economic stability, to prevent a secondary crisis.

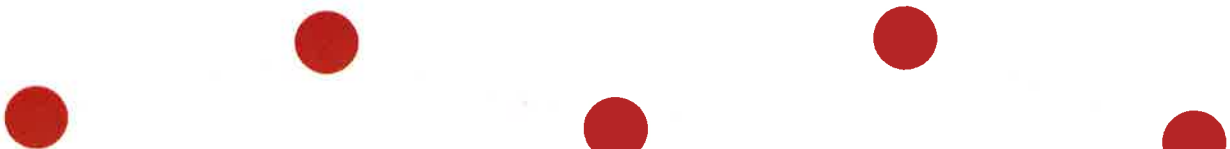
If we go too fast and the virus starts to spread quickly again, we may have no choice but to go back enact strict social distancing measures and closures, which would add further pressure to our already impacted economy. If we go too slow, it could prolong the personal and economic pain we are all shouldering.

That's why we are announcing the next phase of our framework, Protect Our Neighbors, which will give Colorado communities a path to further reopen. Moving forward, communities that can demonstrate strong public health and health care systems -- paired with low virus levels -- can take on more control over their reopening plans.

The introduction of the new phase means that different parts of the state will often be at different phases of reopening, based on local conditions and capabilities. Underlying virus levels, public health capacity, health care capacity to respond to cases and outbreaks, and local enforcement abilities will determine whether a community will be at Stay at Home, Safer at Home, or Protect Our Neighbors.

The additional flexibility is important because if a local public health agency can scale its ability to do things like site closures, testing, case investigation, and contact tracing now, they will be successful in controlling the outbreak locally, instead of having to rely on controlling the virus through extreme state-wide shut downs.

**In other words, strong local public health and health care systems are the key to reopening the economy.**





As we anticipate a potentially larger second wave of COVID-19 infections in the fall -- as occurred in past pandemics such as the Spanish influenza in 1918 and H1N1 influenza in 2009 -- we know we will be presented with a double threat: COVID-19 and seasonal influenza. Seasonal influenza varies every year with different levels of severity, and we won't know how severe this flu season will be until we are weeks or months into the season.

**Influenza and COVID-19 patients alike may need hospital and ICU beds.** We are going to have to stretch our resources even further to combat both at the same time. If we continue to build strong systems -- and if Coloradans continue to social distance, stay home when they are sick, and wear masks -- then local public health and health care systems will be able to expand to contain the spread. Statewide orders would then be the last resort if they are absolutely necessary to prevent a significant loss of Coloradan lives.

This draft framework describes what it could mean to be at Stay at Home, Safer at Home, or Protect Our Neighbors, as well as how we are developing evidence based, scientific measures to define how a community qualifies for each level.

We invite public comment until June 18 through an online survey at [covid19.colorado.gov](https://covid19.colorado.gov).

Community feedback will help us create the uniquely Colorado solution that communities across our state deserve. As we accept public comments on the framework, we also have a committee of scientists developing evidence-based thresholds to define how communities can qualify for the different levels of Stay at Home, Safer at Home, and Protect Our Neighbors.

The final framework will be released and go into effect at the end of June.

## »» *THE LEVELS* »»



**STAY AT HOME**



**SAFER AT HOME**



**PROTECT OUR NEIGHBORS**





## STAY AT HOME

**Stay at Home is required when there is exponential community spread of COVID-19, we are nearing our hospital and critical care capacity, and we are on the cusp of significant loss of Colorado lives that could be saved with medical treatment.**

Stay at Home aims to stop exponential growth in the number of cases, prevent mass fatalities, and prevent the need to implement clinical crisis standards of care. This phase buys needed time to build hospital and public health capacity so we can reduce the number of hospitalizations and deaths.

All non-critical establishments are closed under this phase and people are required to stay at home unless they work at an essential business.



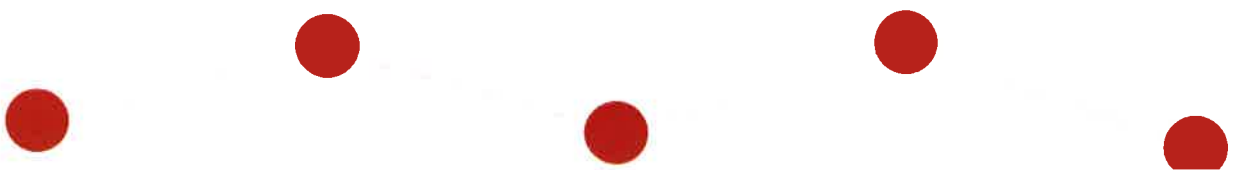
## SAFER AT HOME

**Safer at Home is required when COVID-19 is spreading in limited clusters and outbreaks but is not community-wide.**

Hospitals and local public health agencies are in the process of scaling their capabilities, like testing and contact tracing, to prevent and respond to outbreaks so extra precautions must still be taken to prevent overwhelming those systems.

This is important because if we can empower our local public health agencies, then we can rely on these tools for future outbreaks instead of extreme social distancing orders. In this phase, large gatherings are not allowed, while the public health systems are still being scaled.

While there is a stable or decreasing number of cases, we must continue to support and provide protections for those who are most at risk of severe outcomes from COVID-19 who need to continue to stay at home, including people with underlying conditions, pregnant women, and those over the age of 65, who need to maintain a higher level of distance.



Most establishments can reopen at limited capacity (between 25-50 percent of pre-pandemic capacity), with an overall cap on the size of gatherings for different activities.

These guidelines are based on different levels of risk of exposure while doing different activities, and in line with the state's strategy of maintaining a social distance level above about 60 percent throughout the duration of the pandemic.

## What is 60% social distancing?

Outside of a pandemic, we all social distance at 0%. We interact with other people in-person without any restrictions.

The opposite end of the spectrum is self-isolation or quarantine, when we social distance at or near 100%. We try not to spread or catch the virus by staying away from others entirely.

60% is in between. It means limiting the number of people you interact with in-person. We can achieve 60% social distancing by going to fewer gatherings, combining grocery store trips, and working remotely if at all possible.

Importantly, the gathering size caps are not necessarily about the capacity of the facility to maintain a six-foot separation between each person, but about the capacity of public health and health care systems to respond to and contain outbreaks of certain sizes if exposures do occur.

**Again, this phase is about building and scaling our ability to manage the spread of the virus -- the ability to do that is the key to handling outbreaks and avoiding future shutdowns.**

This phase allows for local variances, recognizing that the virus burden varies among different communities across the state.

## LOCAL VARIANCES

Here are the approximate increase capacities a variance may be approved for:

- 25 or fewer cases per 100,000 AND stable/declining hospitalizations for 14 days, they are eligible for variances up to 175 people indoors and 250 people outdoors
- 50 or fewer cases per 100,000 AND stable/declining hospitalizations for 14 days, they are eligible for variances up to 100 people indoors and 175 people outdoors
- 50-100 or fewer cases per 100,000 AND stable/declining hospitalizations for 14 days, they are eligible for variances up to 50 people indoors and 125 people outdoors

**A community can only receive a limited number of variances before having to qualify for Protect Our Neighbors instead.**



# PROTECT OUR NEIGHBORS

**During Protect Our Neighbors, viral transmission is low, the number of outbreaks is small and able to be managed, and local public health and health care capabilities are scaled to a level that can respond effectively to current and future surges in disease transmission.**

In this phase, local public health agencies must meet certain performance measures including containing current levels of disease and future surges in cases through the following functions: assurance of community testing, case investigation, contact tracing, isolation, quarantine, outbreak response including site-specific closures, and targeted public health orders. There continues to be a social distance level above about 60 percent throughout the pandemic.

During Protect Our Neighbors, we must continue to support and provide protections for those who are most at risk of severe outcomes from COVID-19, including people with underlying medical conditions, pregnant women, and those over the age of 65.

## What defines a community?

Should Local Public Health Agencies be able to apply for Protect Our Neighbors for their regions?

Should regions be larger, since people may live in work in more than one community?

Should Local Public Health Agencies be able to choose to band together to form regions?

To enter Protect Our Neighbors, communities must qualify by meeting scientifically established thresholds of:

- Low disease transmission levels,
- Local public health agency capacity for testing, case investigation, contact tracing, and outbreak response,
- Hospital ability to meet the needs of all patients and handle the surge in demand for intensive hospital care.

Communities in Protect Our Neighbors will have strong underlying public health and health care capacity that can respond to larger outbreaks, will have strong compliance to the standards, and will have the ability to ensure guidelines and public health orders are enforced.

This will allow them to permit all activities to occur at 50 percent of pre-pandemic capacity, with at least 6 feet between non-household members and no more than 500 people in one setting at a time. Local or regional agencies will have more flexibility within this broad statewide framework on how to continue to prevent virus transmission.

Over time, the 50 percent threshold may be increased up to even 60 percent or 75 percent if a region holds their transmission levels steady and continues to demonstrate they are capable of meeting the performance metrics of treatment, testing, case investigation, contact tracing, and outbreak response.







## STAY AT HOME

Wide scale closures, except for critical functions, to reduce hospitalizations and deaths

Gatherings prohibited



## SAFER AT HOME

Partial reopening, around 25%-50% with capacity caps, to give public health and health care systems ability to scale their testing, tracing and treatment capabilities.

Small gatherings are okay, but large gatherings are prohibited



## PROTECT OUR NEIGHBORS

Expanded reopening, around 50% without caps, as local outbreaks are managed by strong local systems.

Larger gatherings are okay, but mass gatherings are prohibited until there is a treatment or vaccine.



# » WHAT CAN I DO AT THESE LEVELS? »

	STAY AT HOME	SAFER AT HOME AND IN THE VAST, GREAT OUTDOORS	PROTECT OUR NEIGHBORS
Critical Business and Services	All activities except for critical businesses and services are closed		
Retail, Offices		50% capacity, with at least 6 feet between parties.	
Personal Services, Non-Critical Manufacturing		50% or up to 50 people, whatever is fewer per room, with at least 6 feet between parties.	
Houses of Worship, Life Rites, Restaurants		50% or up to 50 people, with at least 6 feet between parties.  At least 6 feet between parties, up to local limits outdoors.	
Field Services and Real Estate		10 or fewer in a room.	
Indoor Events, Bars		25% or up to 50 people, ensuring at least 6 feet between parties.  At least 6 feet between parties, up to local limits outdoors.	
Outdoor Events		50% or up to 50 people, at least 6 feet between parties.	
Youth Day Camps and Overnight Camps		Groups of up to 10 children indoors, and 25 children outdoors, excluding teachers.	
Personal Recreation		25% up to 50 people, at least 6 feet between parties. Groups of 25 players for organized sports (excluding coaches).	
Outdoor Recreation		Groups of 10 (excluding guides).	
All Activities			50% capacity, ensuring at least 6 feet between groups, up to 500 people.

# » **WHAT LEVEL AM I AT?** »

A team of scientists that involves state leaders, academic experts, and local public health directors, and epidemiologists is developing a set of measures to help us understand how to move between the phases.

They are considering the key questions below, to determine how to set objective, scientific thresholds that will determine what phase a community can operate at. This way, we will have confidence that the level of reopening is proportional to the underlying capacity of our public health and health care systems.

They are considering key questions like:

## **Transmission:**

- What is the level of transmission in the community?
- What percentage of tests are positive for COVID-19?

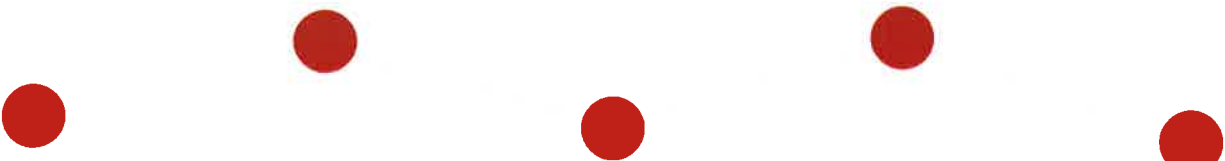
## **Treatment:**

- Are hospitalization trends for COVID-19 increasing or decreasing?
- Do hospitals have the surge capacity (staff, beds, equipment, supplies) to provide critical care for an increased number of people?
- Do hospitals have sufficient protective equipment (PPE) to continue to provide care for an increased number of patients?

## **Test and Trace:**

- What percentage of cases are contacted and isolated within 24 hours of a positive test result?
- What percentage of people exposed to an individual who tests positive are notified within 48 hours?
- What is the surge capacity to be able to do contact tracing, if a large number of people are exposed?
- What is the level of testing in a community?
- Is everyone exposed in an outbreak able to get a test?

**The committee will establish these scientific thresholds on how communities qualify for these different phases, we will receive stakeholder feedback, and the completed framework will go into effect at the end of June.**



The Honorable Cory Gardner  
354 Russell Senate Office Building  
Washington, D.C. 20510  
[jennifer\\_loraine@gardner.senate.gov](mailto:jennifer_loraine@gardner.senate.gov)  
[dustin\\_sherer@gardner.senate.gov](mailto:dustin_sherer@gardner.senate.gov)

June 16, 2020

Dear Senator Gardner,

We want to start by taking this opportunity to thank you for your efforts to bring much needed resources to the State and local governments of Colorado as we all struggle to respond to the COVID pandemic. We appreciate your leadership and responsiveness in a time of unprecedented need on so many levels.

As we look at all the options we have to help our communities respond to and recover from this challenge, we would like to address our long-standing support for the Colorado Outdoor Recreation and Economy Act (“CORE Act”). Two major packages of public lands bills have passed the Senate in as many years with neither of them having significant public lands designations for Colorado. The CORE Act has passed the House of Representatives, but, along with its Senate companion introduced by Senator Bennet, sits idle in your committee on Energy and Natural Resources. Colorado has a long and admirable bipartisan tradition of working together to protect our cherished public lands and the bedrock of our outdoor recreation economy. We would like to ask you again to join in that tradition and support Senator Bennet’s efforts to gain more Wilderness and other important public land designations for Colorado. You would join the long and proud list of Colorado senators who have sponsored or co-sponsored a successful wilderness bill since 1964, the year the Wilderness Act was enacted. Wilderness and our public lands are a uniquely American ideal, and these lands are treasured by people from all walks of life and political affiliations.

The CORE Act honors the legacy of the 10<sup>th</sup> Mountain Division at Camp Hale; protects the ranches, rural agriculture, and wildlife of the Thompson Divide; improves management, conservation, and recreation at the Curecanti National Recreation Area; protects the iconic scenery, recreation, and water supply in the San Juan Mountains; and secures the hunting, fishing, and other outdoor recreation economies of many towns across the state. It is supported by the State, counties, local governments, hunters, ranchers, miners, small businesses, ski resorts—the list goes on for pages. It has been thoughtfully and collaboratively developed, built on well-established legislative models from Colorado and around the country.

As part of the effort to bring the Outdoor Retailer Show to Colorado, you promised to work on bipartisan legislation to designate public lands for protection. You promised San Miguel County residents that you would support the San Juan Mountains legislation. We have met with you personally and repeatedly to convey the importance of the CORE Act to Colorado and to share the overwhelming support in our counties and around the State. Honestly, we felt rebuked when you chose to introduce a wilderness bill on the Rio Grande National Forest after very little vetting. Although we support the efforts of those who worked diligently on that bill, it hardly had



the citizen and business support that the CORE Act has accumulated over its decade of collaborative development. The disappointment of CORE Act supporters extends far beyond our counties.

We respect and appreciate your hard work on the Land and Water Conservation Fund and share the enthusiasm of many as the Great American Outdoors Act moves through Congress. We appreciate your support for Senators from other states in their work to protect public lands across the West. It is Colorado's turn. And the CORE Act is what Colorado needs and deserves. As Colorado's sole Senator on the committee of jurisdiction, your leadership will be the final push to move the CORE Act into law.

As time runs out on this Congress, please stand up in support of the CORE Act and all the Coloradans who support and depend on it to move our economies forward and to protect the public lands that are such a critical part of our way of life.

Sincerely,

Kathy Chandler-Henry, Eagle County Commissioner

Hilary Cooper, San Miguel County Commissioner

Jonathan Houck, Gunnison County Commissioner

Pete McKay, San Juan County Commissioner

Karn Stiegelmeier, Summit County Commissioner

Ben Tisdell, Ouray County Commissioner

**Dust Control we can do a modified mag-chloride application. We can do dust control in spot application from Eureka to the pavement in several areas in 0.3 mile spot applications**

---

- 1. east of the Eureka bridge past the campground for 0.32 miles.**
- 2. East of Minne Gulch to the Minnie Gulch culvert or to Jepson driveway for 0.32 miles**
- 3. East of Maggie intersection past Jack Clarks driveway .0.31 miles.**
- 4. The flume at the Pride mill to west of the Animas River bridge 0.41 miles.**
- 5. Boot hill past the Annie Lode house, 0.2 miles.**
- 6. East of the Mayflower Mill to the pavement 0.21 miles.**
- 7. The road and parking lot at the Mine tour, 0.15 miles.**
- 8. Truck bypass CR-2 to CR-110 about 0.42 miles.**

**Order enough mag-chloride to do 3.0 miles under  $\frac{1}{2}$  of what usually do is over 7 miles.**

**The cost of the Mag- Chloride this year is 0.79 cents per gallon at a  $\frac{1}{4}$  gallon or 3.0 tenths of a gallon per square yard and around 11,000 to 12,000 gallons at a cost of \$9,480.00 or less not including a water truck rental!**

---

6/18/20



**SAN JUAN COUNTY ROAD DEPARTMENT**

**Monthly Road Maintenance Report**

**APRIL 2020**

**County road #2, to Eureka, snow removal, blading. Rock removal and road patrols etc.**

**#1-772G grader/plow, 12 hours.**

**#2-772G grader/plow, 6 hours.**

**936 loader, 5 hours.**

**Pickup trucks, 40 hours.**

---

**County road #110 Gladstone, snow removal, grading, rock removal and ditch work. Road patrols etc.**

**#1-772G grader/plow, 12 hours.**

**#2-772g grader/plow, 19 hours.**

**936 loader, 6 hours.**

**Pickup trucks, 44 hours.**

---

**County road #4-4A Cunningham Gulch/Loop, Snow removal and repairs, Rock removal etc. Opened on 4-9-20.**

**D6T tractor, 7 hours.**

**#2-772G grader/plow., 5 hours.**

**Pickups 1 hour.**

---

**County road #21 Arrastra Gulch, snow removal.**

**D6T tractor, 4 hours.**

**#1- 772G grader/plow, 1 hour.**

**Peterbilt truck, 1 hour, haul tractor.**



**County road #1 Lime Creek, snow removal, push back snow banks and widen road to let dry out.**

**#2-772G grader/plow, 8 hours.**

**Pickup, 1 hour.**

---

**Anvil Mt. snow removal etc.**

**936 loader, 3 hours.**

**772G graders/plows, 3 hours.**

**Pickups, 2 hours,**

---

**County road #6 Shrine road, snow removal, opened on 4/6/20.**

**#2-772G grader/plow, 2 hours.**

---

**County road #31 Pittsburg, snow removal.**

**#1-772G grader/plow, 2 hours.**

---

**Equipment and shop maintenance and repairs etc. 100 hours.**



## **SAN JUAN COUNTY ROAD DEPARTMENT**

### **Monthly Road Maintenance Report**

**MAY 2020**

**County road #110 Gladstone, grading and road repairs, rock removal, clean ditches and culvert. Road patrols etc. Slow and low maintenance hours for covid and budget!**

**#1-772G grader, 6 hours.**

**#2 772G grader, 9 hours.**

**936 loader, 4 hours.**

**Pickup trucks, 26 hours.**

---

**County road #2 to Eureka, grading, road repairs, rock removal and road patrols etc. Tram and spread 30 tons gravel with the loader.**

**#1-772G grader, 5 hours.**

**#2-772G grader, 6 hours.**

**936 loader, 4 hours.**

**Pickup trucks, 21 hours.**

---

**County road #2 to Animas Forks and Engineer Pass, Opened road to Hinsdale county line and Ouray county. Snow removal, rock removal and some small avalanches along the way. Opened to Animas Forks on 5/15/20. Top of Engineer Pass on 5/21/20 before Hinsdale county. Not much snow out there. Rock and tree removal and clean culvert to Animas Forks. Had to cut the Grouse Gulch slide to get back the road it is sloid ice and tree removal which is ongoing.**

**D6T tractor, 18 hours to the Forks and around.**

**D6T tractor, 11 hours in Ouray county!**

**936 loader, 3 hours.**

**Pickup truck, 6 hours.**





**County road #5 Cinnamon Pass, snow removal and water control. Opened to the top on 5/18/20. Not much snow way below average.**

**D6T tractor, 6 hours.**

**Pickup, 2 hours.**

---

**County road #8 Ophir Pass, snow and tree removal. Meet with San Miguel County they bring their tractor over to our side and go down hill on there side it is a lot faster and safer for them. Snow on top about 8' deep way below average! Open to the top 5/28/20.**

**D6N tractor, 8 hours.**

**Pickup trucks, 3 hours.**

**Peterbilt truck-trailer, 2 hours.**

---

**County road #9 Picyune/ Placer Gulch Loop. Snow removal and road repairs and water management. Opened to Animas Forks on 6/2/20.**

**D6T tractor, 9 hours in May.**

**Pickup truck, 2 hours.**

---

**County road #17 Mineral Creek-Lower Engineer to Ouray, Snow removal to county line. Opened to Ouray on 5/26/20.**

**D6T reactor, 13 hours.**

---

**County road #51-51A Minnehaha Basin and Blackhawk mine, snow removal. Opened 5/18/20.**

**D6N tractor, 7 hours.**

**Peterbilt truck, 2 hours haul tractor.**

---

**Equipment Maintenance and repairs, 50 hours.**



**County road #10-11 Corkscrew Pass, snow removal and road repairs. Opened to the top on 5/20/20. When down the Ouray county side and meet up with them just above the restroom. Opened on 5/21/20.**

**D6N tractor, 13 hours.**

**D6N tractor, 6 hours in Ouray county.**

**Pickups, 3 hours.**

---

**County road #24 Minnie Gulch, rock, tree and slough removal. Fill and repair road and culvert below the Caldonia Mill.**

**D6T tractor, 6 hours.**

**936 2 hours.**

**Pickups, 1 hour.**

---

**County road #23 Maggie Gulch, clean rocks and trees and snow.**

**936 loader, 2 hours.**

---

**County road #25 Eureka Gulch, snow removal, rock and tree removal. Backfill culverts etc.**

**936 loader, 4 hours.**

**Pickup, 1 hour.**

---

**County road #7 South Mineral, open road and divert water the creek is on the road in several places from beaver activity! Need to replace two culverts.**

**#1-772g grader, 3 hours.**

**936 Loader, 1 hour.**

**Pickups, 2 hours.**





# SAN JUAN COUNTY COLORADO

1557 GREENE STREET  
P.O. BOX 466  
SILVERTON, COLORADO 81433  
PHONE/FAX 970-387-5766 [sanjuancounty@frontier.net](mailto:sanjuancounty@frontier.net)

June 24, 2020

RE: Support for 2 endurance running events in San Juan County CO July 2020

To: County Variances, Office of the Governor of Colorado, Jared Polis

The San Juan Board of County Commissioners strongly support the requested variance to allow Aravaipa Running to operate 2 running events in Silverton CO in July 2020. The events are the Kendall Mountain Run and the Silverton Alpine Marathon. The plans have been reviewed and accepted by our Public Health Director Becky Joyce and our Emergency Manager Jim Donovan.

The variance is specifically requesting to increase the event capacities to 250. This would be an increase in 75 persons from the designated 175 in the Public Health Order. San Juan County has documented 1 case of COVID19 on 4/3/2020. San Juan County has been an established community testing site and has the capability to manage a reasonable number of reported cases. San Juan County has letters of support from our regional hospitals Mercy Medical Center, Durango and Montrose Memorial, Montrose, CO. SJCPH supports and encourages organized outdoor activities with the supporting modified operating plans for COVID19 and see great public health benefits that such events can promote.

Outdoor events are a critical component of the San Juan County experience and economy. We strongly urge you to approve the variance.

Thank you for your consideration.

Sincerely,

Peter McKay, Chairman  
San Juan County Commissioners

# Consolidation Map

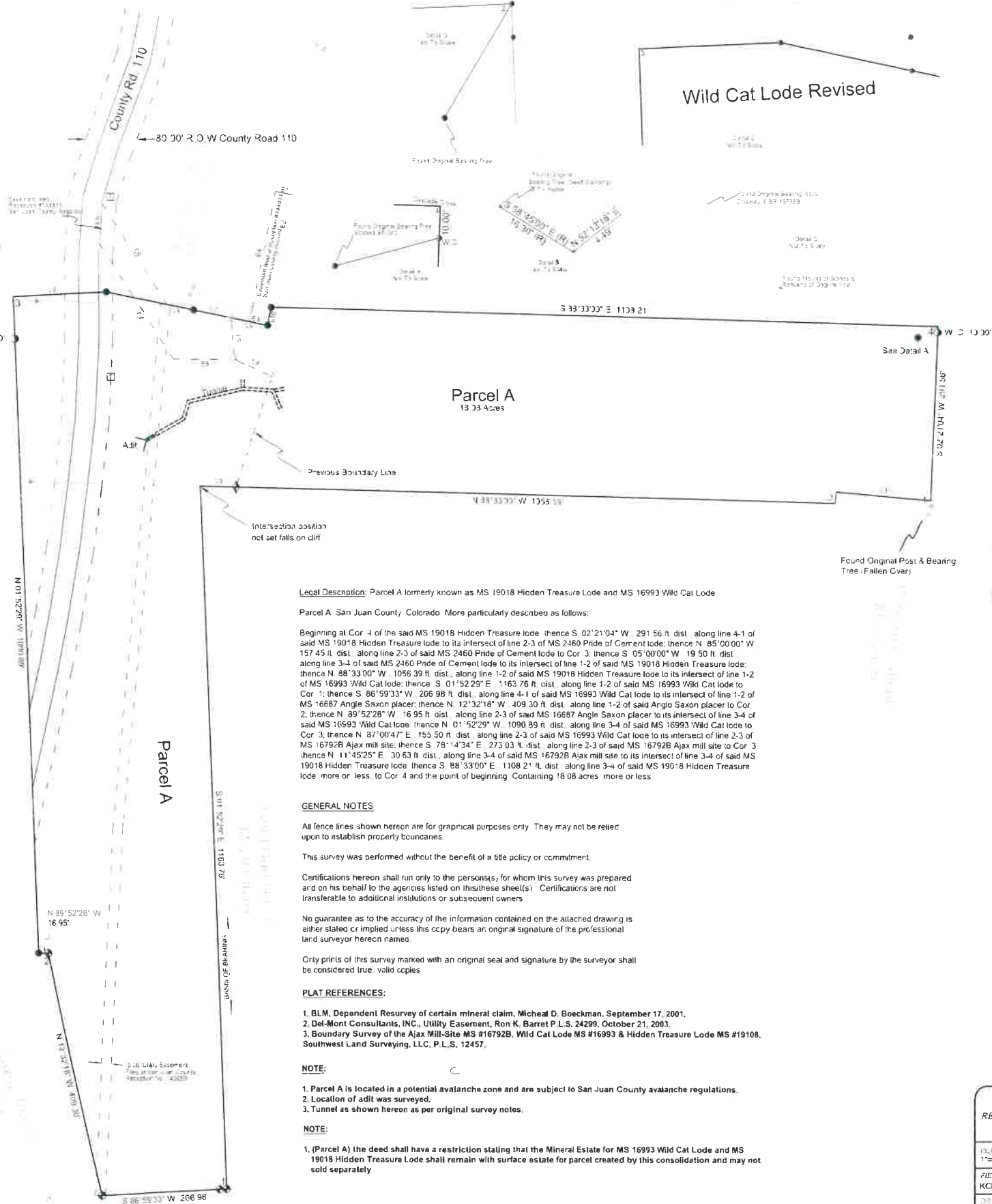
MS 16993 Wild Cat Lode and MS 19018 Hidden Treasure Lode  
B.L.M.

Vicinity Map N. T. S.



B.L.M.

See Detail C



BEARING	DISTANCE
N 73°14'35" W	30.00'
S 11°45'25" W	229.26'
N 79°14'34" W	30.00'
S 11°45'25" W	229.26'
S 34°25'37" W	68.49'
N 32°32'21" W	198.35'
S 32°32'21" E	227.20'
N 53°57'31" W	100.52'

BEARING	DISTANCE
S 35°00'00" E	157.45'
S 35°00'00" W	19.57'
S 88°33'00" E	59.83'
N 65°31'37" W	65.99'
S 04°09'18" E	68.82'
N 78°14'34" W	61.45'
S 78°14'34" E	63.25'
N 78°14'34" W	148.32'
S 87°00'47" W	155.50'
N 11°45'25" E	30.63'



SCALE: 1"=30' U.S. Survey Feet

**BASIS OF BEARING:**  
Line 1-2 of the Wild Cat Lode MS #16993 is assumed to bear N 01°52'29" W and is monumented as shown hereon. All other bearings are relative thereto.

**LEGEND**

- Found 2-1/2" alum. cap #6 rebar - LS 38114
- Found 3-1/4" alum. cap - BLM
- Found 2-1/2" alum. cap #6 rebar - LS 12457
- Found 2-1/2" alum. cap #6 rebar as W.C. - LS 12457
- Found No. 4 Rebar
- Telephone Box/Phone Pad
- Original Bearing Rock
- Original Bearing Tree
- N.T.S. Not To Scale
- W.C. Witness Corner
- (R) Record Information
- Boundary Line
- Easements - as noted
- Area dedicated to San Juan County

**Legal Description:** Parcel A formerly known as MS 19018 Hidden Treasure Lode and MS 16993 Wild Cat Lode

Parcel A San Juan County, Colorado. More particularly described as follows:

Beginning at Cor. 4 of the said MS 19018 Hidden Treasure lode; thence S 02°21'04" W, 291.56 ft. dist. along line 4-1 of said MS 19018 Hidden Treasure lode to its intersect of line 2-3 of MS 2460 Pride of Cement lode; thence N 85°00'00" W, 157.45 ft. dist. along line 2-3 of said MS 2460 Pride of Cement lode to Cor. 3; thence S 05°00'00" W, 19.50 ft. dist. along line 3-4 of said MS 2460 Pride of Cement lode to its intersect of line 1-2 of said MS 19018 Hidden Treasure lode; thence N 88°33'00" W, 1056.39 ft. dist. along line 1-2 of said MS 19018 Hidden Treasure lode to its intersect of line 1-2 of MS 16993 Wild Cat lode; thence S 01°52'29" E, 1163.76 ft. dist. along line 1-2 of said MS 16993 Wild Cat lode to Cor. 1; thence S 86°59'33" W, 206.98 ft. dist. along line 4-1 of said MS 16993 Wild Cat lode to its intersect of line 1-2 of MS 16687 Angle Saxon placer; thence N 12°32'18" W, 409.30 ft. dist. along line 1-2 of said Angle Saxon placer to Cor. 2; thence N 89°52'28" W, 16.95 ft. dist. along line 2-3 of said MS 16687 Angle Saxon placer to its intersect of line 3-4 of said MS 16993 Wild Cat lode; thence N 01°52'29" W, 1090.89 ft. dist. along line 3-4 of said MS 16993 Wild Cat lode to Cor. 3; thence N 87°00'47" E, 155.50 ft. dist. along line 2-3 of said MS 16993 Wild Cat lode to its intersect of line 2-3 of MS 16752B Ajax mill site; thence S 78°14'34" E, 273.03 ft. dist. along line 2-3 of said MS 16752B Ajax mill site to Cor. 3; thence N 11°45'25" E, 30.63 ft. dist. along line 3-4 of said MS 16752B Ajax mill site to its intersect of line 3-4 of said MS 19018 Hidden Treasure lode; thence S 88°33'00" E, 1108.21 ft. dist. along line 3-4 of said MS 19018 Hidden Treasure lode more or less to Cor. 4 and the point of beginning. Containing 18.08 acres more or less.

**GENERAL NOTES**

All fence lines shown hereon are for graphical purposes only. They may not be relied upon to establish property boundaries.

This survey was performed without the benefit of a title policy or commitment.

Certifications hereon shall run only to the person(s) for whom this survey was prepared and on his behalf to the agencies listed on this/these sheet(s). Certifications are not transferable to additional institutions or subsequent owners.

No guarantee as to the accuracy of the information contained on the attached drawing is either stated or implied unless this copy bears an original signature of the professional land surveyor hereon named.

Only prints of this survey marked with an original seal and signature by the surveyor shall be considered true, valid copies.

**PLAT REFERENCES:**

1. BLM, Dependent Resurvey of certain mineral claim, Michael D. Boeckman, September 17, 2001.
2. Del-Mont Consultants, INC., Utility Easement, Ron K. Barret P.L.S., 24299, October 21, 2003.
3. Boundary Survey of the Ajax Mill-Site MS #16792B, Wild Cat Lode MS #16993 & Hidden Treasure Lode MS #19108, Southwest Land Surveying, LLC, P.L.S., 12457.

**NOTE:**

1. Parcel A is located in a potential avalanche zone and are subject to San Juan County avalanche regulations.
2. Location of adit was surveyed.
3. Tunnel as shown hereon as per original survey notes.

**NOTE:**

1. (Parcel A) the deed shall have a restriction stating that the Mineral Estate for MS 16993 Wild Cat Lode and MS 19018 Hidden Treasure Lode shall remain with surface estate for parcel created by this consolidation and may not sold separately.

Wild Cat Lode Revised

Parcel A  
13.33 Acres

**Certificate of Ownership:**

C & G ALPINE PARTNERS LLC, being the owner of the land described as follows:

MS 16993 Wild Cat Lode and MS 19018 Hidden Treasure Lode located in San Juan County, Colorado.

Under the name Consolidation Map, MS 16993 Wild Cat Lode and MS 19018 Hidden Treasure Lode located in San Juan County, Colorado, have laid out and platted as shown on this plat and do hereby consolidate MS 16993 Wild Cat Lode and MS 19018 Hidden Treasure Lode into Parcel A as shown hereon.

In witness whereof of Nick Croce partner in C & G ALPINE PARTNERS LLC, has subscribed his name this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2020

By:

Nick Croce

**SAN JUAN COUNTY BOARD OF COMMISSIONERS' APPROVAL:**

This plat was reviewed and approved by the San Juan County Board of Commissioners on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

By:

**CERTIFICATE OF SURVEY:**

I, Kenneth E. Schaal, a Registered Land Surveyor in the State of Colorado, do hereby certify that this plat accurately represents that the surveying services addressed herein have been performed by the professional land surveyor or under the professional land surveyor in charge. It is based upon the professional land surveyor's knowledge, information and belief in accordance with applicable standards of practice. It is not a warranty or warranty either expressed or implied. I further certify that the monuments shown hereon actually exist and that their positions are as shown.

Signature \_\_\_\_\_ Date \_\_\_\_\_ Seal \_\_\_\_\_  
PLS No. 38114

**RECORDER'S CERTIFICATE**

This plat was filed for record in the office of the Clerk and Recorder of San Juan County, Colorado, at \_\_\_\_\_ m. on the \_\_\_\_\_ day of \_\_\_\_\_, 2020. Reception Number \_\_\_\_\_

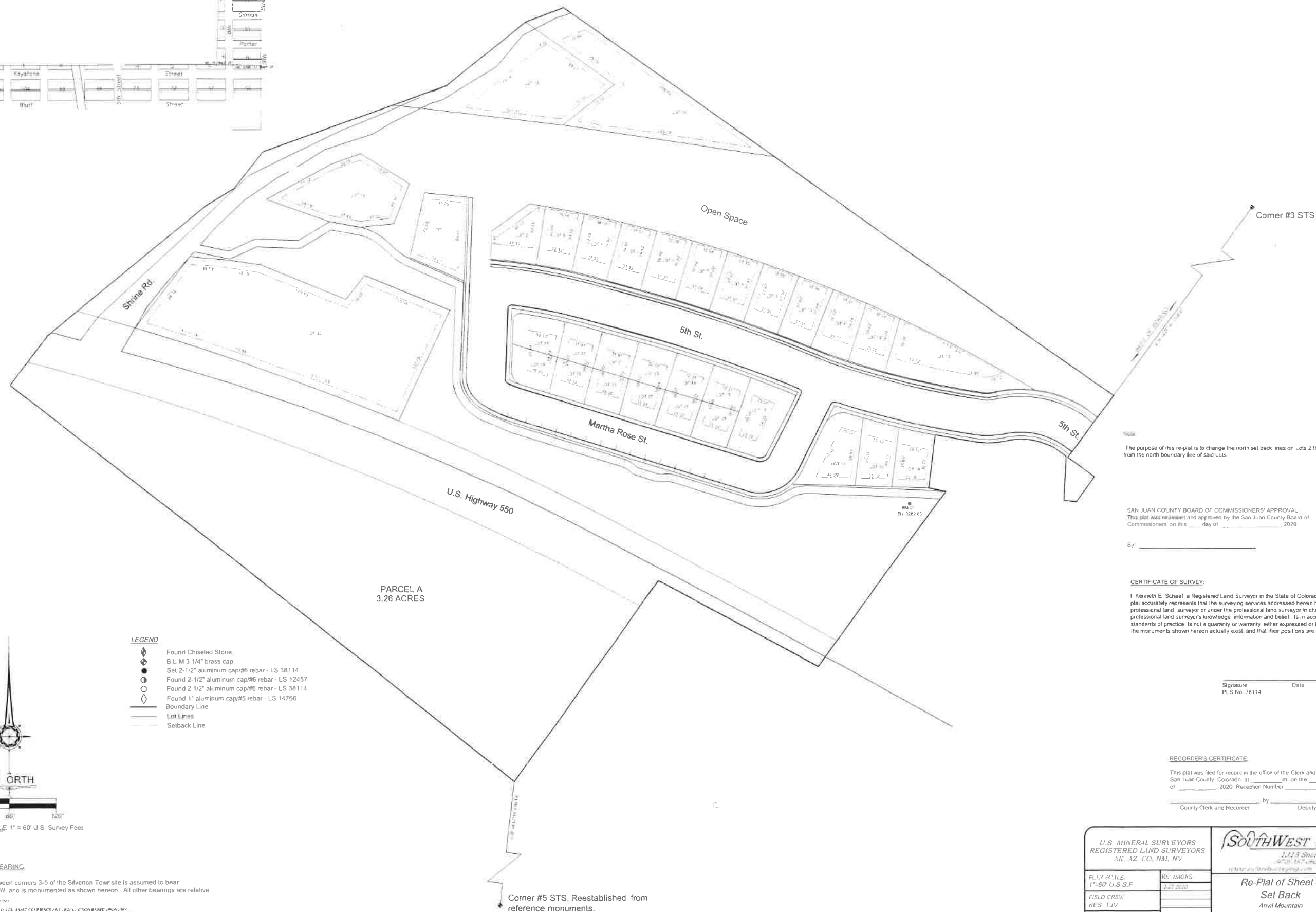
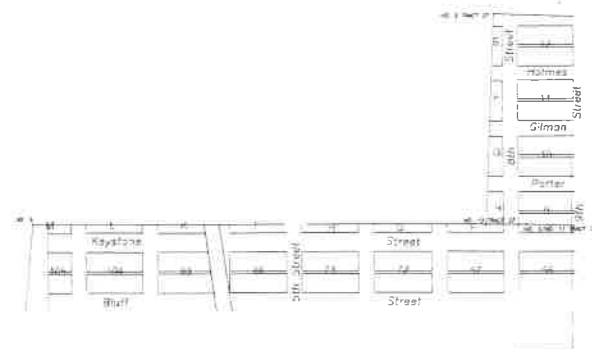
by \_\_\_\_\_  
County Clerk and Recorder Deputy

U.S. MINERAL SURVEYORS REGISTERED LAND SURVEYORS IN COLORADO		<b>SOUTHWEST LAND SURVEYING LLC</b> 1315 Snowden St., Silverton, CO 81433 (970) 387-0100 FAX: (970) 387-1850 EMAIL: kschaal@swlresources.us	
FIELD CREW KCH BDH	REVISIONS	Consolidation Map MS 16993 Wild Cat Lode and MS 19018 Hidden Treasure Lode Delta County, Colorado	C & G Alpine Partners P.C. Box 45 Silverton, CO 81433

# Re-plat of Sheet 4, Anvil Mountain Subdivision Set Backs

Suspended Section 18, Township 41 North, Range 7 West, of the New Mexico Meridian  
San Juan County, Colorado

VICINITY MAP



NOTES:  
The purpose of this re-plat is to change the north set back lines on Lots 2 through 13 to two (2) foot from the north boundary line of said Lots.

SAN JUAN COUNTY BOARD OF COMMISSIONERS' APPROVAL  
This plat was reviewed and approved by the San Juan County Board of Commissioners' on this \_\_\_\_ day of \_\_\_\_\_, 2020.

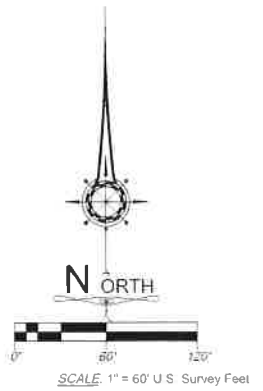
By: \_\_\_\_\_

**CERTIFICATE OF SURVEY:**  
I, Kenneth E. Schaal, a Registered Land Surveyor in the State of Colorado, do hereby certify that this plat accurately represents that the surveying services addressed herein have been performed by the professional land surveyor or under the professional land surveyor in charge. It is based upon the professional land surveyor's knowledge, information and belief. It is in accordance with applicable standards of practice. It is not a guaranty or warranty, either expressed or implied. I further certify that the monuments shown hereon actually exist, and that their positions are as shown.

Signature \_\_\_\_\_ Date \_\_\_\_\_ Seal \_\_\_\_\_  
PLS No. 38114

**RECORDER'S CERTIFICATE:**  
This plat was filed for record in the office of the Clerk and Recorder of San Juan County, Colorado, at \_\_\_\_\_ m on the \_\_\_\_\_ day of \_\_\_\_\_, 2020. Reception Number \_\_\_\_\_  
by \_\_\_\_\_ County Clerk and Recorder Deputy

- LEGEND**
- ◆ Found Chiseled Stone
  - B L M 3 1/4" brass cap
  - Set 2-1/2" aluminum cap/#6 rebar - LS 38114
  - Found 2-1/2" aluminum cap/#6 rebar - LS 12457
  - Found 2 1/2" aluminum cap/#6 rebar - LS 38114
  - Found 1" aluminum cap/#5 rebar - LS 14766
  - Boundary Line
  - Lot Lines
  - - - Setback Line



**BASIS OF BEARING:**  
The line between corners 3-5 of the Silverton Townsite is assumed to bear S 36° 16' 27" W and is monumented as shown hereon. All other bearings are relative to this line.

Corner #5 STS. Reestablished from reference monuments.

U.S. MINERAL SURVEYORS REGISTERED LAND SURVEYORS AK, AZ, CO, NM, NV		<b>SOUTHWEST LAND SURVEYING LLC</b> 2125 Shovelton St., Silverton, CO 81433 (970) 527-4943 • FAX (970) 527-2840 • E-MAIL: kschaal@swlandsurveying.com WWW.SWLANDSURVEYING.COM • (970) 527-4882 • FAX: E-MAIL: kschaal@swlandsurveying.com	
PLAT SCALE: 1"=60' U.S.S.F.	REVISIONS: 3/27/2020	Re-Plat of Sheet 4 Set Back Anvil Mountain Subdivision	
FIELD CREW: KES TJV	DRAWN BY: KES	San Juan County 507 Greene Street Silverton, Colorado 81430	