

**SAN JUAN COUNTY, COLORADO BOARD OF COMMISSIONERS
TOWN OF SILVERTON BOARD OF TRUSTEES
MEETING AGENDA**

June 22, 2022

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

CALL TO ORDER: 6:30 P.M.
BOCC Meeting Minutes for June 8, 2022

APPOINTMENTS

6:35 P.M. Jeff Johnson, Durango and Silverton Narrow Gauge Railroad
7:00 P.M. Juliane Roberts, President Silverton Community Radio
7:30 P.M. Resolution 2022-05 Implementing A Stage II Fire Ban

Correspondence:
Bonita Peak Mining District Newsletter

Amendment-Town of Silverton-San Juan County Governmental Services Agreement
MOU -Colorado Department of Human Services
Sales Tax Update
Public Comment
Commissioner and Staff Reports
Other

Adjourn

**Times listed above are approximate.
Discussion of an agenda item may occur before or after the assigned time.**

Next Regular Meeting – July 13, 2022 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 8, 2022
AT 8:30 A.M.

Call to Order: The meeting was called to order by Chairman Scott Fetchenhier. Present were Commissioner Ernie Kuhlman and Administrator William Tookey.

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

Minutes: Commissioner Kuhlman moved to approve the minutes of May 25, 2022 as presented. Commissioner Kuhlman seconded the motion. The motion passed unanimously

Public Health Director Becky Joyce and P.I.O. DeAnne Gallegos provided the Commissioners with a COVID 19 update. Director Joyce also informed the Commissioners that San Juan Basin Health had reached an agreement with the state to provide restaurant health inspections. Director Joyce had requested that the state continue the inspections. It was suggested that San Juan Basin Health be put on the agenda of a future commissioner's meeting.

Social Service Director Martha Johnson was present to provide the Commissioners with an update.

The Commissioners reviewed Social Services financials. Commissioner Kuhlman moved to approve Transmittal #4 in the amount of \$7,985.07. Commissioner Fetchenhier seconded the motion. The motion passed unanimously.

A Memorandum of Understanding with the Colorado Department of Early Childhood was presented to the Commissioners for their review. Commissioner Kuhlman moved to approve the MOU with the Colorado Department of Early Childhood as presented. Commissioner Fetchenhier seconded the motion. The motion passed unanimously.

Joe Jepson was present to discuss the need for a sign on CR 22a to prohibit motorize use where the road enters his property. He also objected to the lack of enforcement concerning signage. He also noted that the minutes of June 24, 2020 had incorrectly stated that Mr. Jepson had requested slower speed limits. Upon review of the minutes of June 24, 2020 it states that the Commissioners had requested several actions to take place concerning county roads including lowering the speed limits. The Commissioners directed the administrator to inform the Road and Bridge Supervisor to post a sign on CR 22a to prohibit motorized traffic but allow non-motorized traffic where the road enters Mr. Jepson's property. The Commissioners also instructed the County Administrator to notify the Code Enforcement Officer to enforce the sign code.

The Fire Authority submitted a request to allow them to use \$9500 in funding from the Emergency Services Sales Tax previously authorized to provide the firemen with a stipend for responding to a call to use it for payment to firefighters for completing training. It was the consensus of the Commissioners to allow this change.

Having no further business, the meeting was adjourned at 9:55 A.M.

Scott Fetchenhier, Chairman

Ladonna L. Jaramillo, County Clerk

SAN JUAN COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING WEDNESDAY, JUNE 24, 2020
AT 6:30 P.M

Call to Order: The meeting was called to order by Chairman Peter McKay. Present were Commissioners Ernest Kuhlman, Scott Fetchenhier, County Attorney Dennis Golbright and Administrator William Tooky. The meeting was held via Zoom video conferencing.

Commissioner Fetchenhier moved to approve the minutes of June 10, 2020 as submitted. Commissioner Kuhlman seconded the motion. The motion passed unanimous.

Public Health Director Becky Joyce, Emergency Manager Jim Donovan and Public Information Officer DeAnne Gallegos were present to provide the Commissioners with an update on the COVID 19 emergency. Director Joyce stated that the Face Mask Advisory was not working as well as hoped for and that a mandatory health order requiring the wearing of face mask would be necessary to achieve greater compliance. Commissioner Fetchenhier moved on behalf of both the County Commissioners and the San Juan County Board of Health that Public Health Director Joyce be directed to issue a Public Health Order requiring the mandatory use of face masks. Commissioner McKay seconded the motion. The motion passed with Fetchenhier and McKay voting yes and Commissioner Kuhlman voting no.

Emergency Manager Jim Donovan informed the Commissioners that he was working on a variance to allow for the Kendall Mountain Run and the Silverton Alpine Marathon. The variance request would allow the maximum participants to increase from 175 to 250. Chairman Kuhlman moved to authorize a letter of support for the variance request and to authorize letters of support for future variance requests. Commissioner Fetchenhier seconded the motion. The motion passed unanimous.

A public hearing was held to receive comment concerning Kevin Farmer, San Juan Cultivation LLC, CannaFarmer for an Annual License Renewal for a Retail Marijuana Cultivation Facility. Upon completion of the public hearing Commissioner Fetchenhier moved to approve the license renewal and to waive the license fee due to the hardship of Covid 19. Commissioner Kuhlman seconded the motion. The motion passed unanimous.

A public hearing was held to receive comment concerning the improvement permit application from Grizzly Peaks Sales and Distribution LLC, for a Water Treatment Building at Cascade Village. Upon the completion of the public hearing Commissioner Fetchenhier moved to approve the improvement permit application for sketch, preliminary and final with the conditions as recommended by staff. Commissioner Kuhlman seconded the motion. The motion passed unanimous.

David Singer and Loren Lew were present to provide the Commissioners with an update on the Hospital Building Renovation. Loren noted that tree roots were causing problems to the sewer line and that a treatment should be added to the drains twice a year.

Terry Morris was present to update the Commissioners on the CAG. The CAG is sending a letter to the HPA expressing their concerns that they should be involved earlier in the planning process. It was the consensus of the Commissioners to send a letter to the EPA expressing similar concerns. There was also a consensus of the Commissioners to send a letter to the BLM expressing concerns of the impact grazing sheep may have on remediated sites.

The Commissioners discussed county roads. They instructed the County Administrator to notify the Road Department to place a barrier on CR 22A near the Jepson Property line and to post a sign that states no motorized traffic beyond this point-non motorized allowed. Also, to remove the no OHV sign on CR 22A. They asked that the boulders on CR 22 be moved to prevent dirt bikes from driving through them. They also asked that the 35 mph signs be replaced with 20 mph signs. It was also a consensus to not apply any dust control product at this time.

A plat for the consolidation of MS 16993 Wild Cat Lode and MS 19018 Hidden Treasure Lode was presented to the Commissioners for review. Commissioner Fetchenhier moved to approve the consolidation of the two claims as present on the plat. Commissioner Kuhlman seconded the motion. The motion passed unanimous.

The proposed Amended Anvil Mountain Replat was presented to the Commissioners. Commissioner Fetchenhier moved to approve the Anvil Mountain Amended Plat as presented. Commissioner Kuhlman seconded the motion. The motion passed unanimous.

A proposed Covid 19 Memorandum of Understanding with the Town of Silverton was presented to the Commissioners for their consideration. Commissioner Fetchenhier moved to approve the MOU as submitted. Commissioner Kuhlman seconded the motion. The motion passed unanimous.

Having no further business, the meeting adjourned at 9:40 P.M.



Durango Interagency Dispatch Center
Fire Danger Pocket Card for:
Fuel Model Z - Slash/Blowdown

6/14/2022
Observed

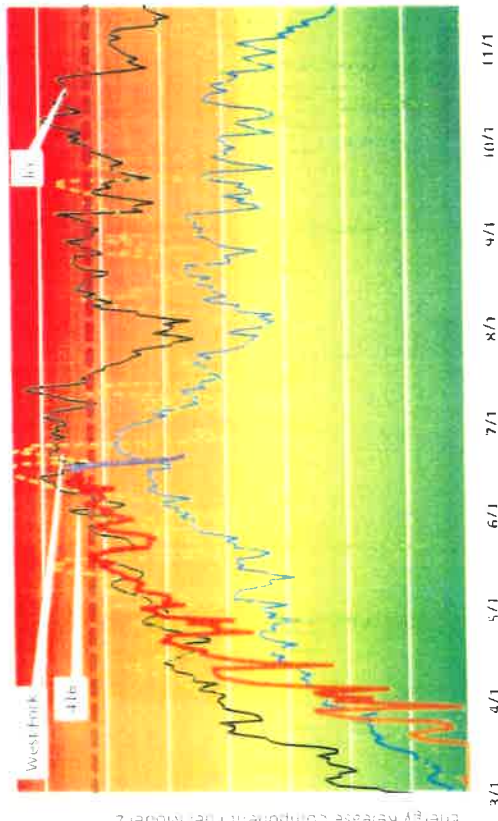
All DRG NDRS calculations are displayed as percentiles, not as raw values. A percentile simply shows how frequently a value occurs, which is shown as being between 0 and 100. A 50th percentile value occurs exactly in the midpoint of a range. A 97th percentile value means only 3% of all days have had a higher value. Windspeed, relative humidity, and maximum temperature are all absolute values - the ones shown here are what you would measure in the field.

Upper FDRA Local (Critical) Thresholds & Forecasts: Any of these factors will significantly increase the risk for extreme fire behavior. The more factors present, the greater the risk. (Orange highlighted fields in forecast days below). The Severe Fire Danger Index compares ERC and BI percentiles per day and assigns an adjective. Severe conditions only occur when both the ERC and BI are above the 97th percentile for that day. Nearly all large fire days occur under Severe SFDI ratings.

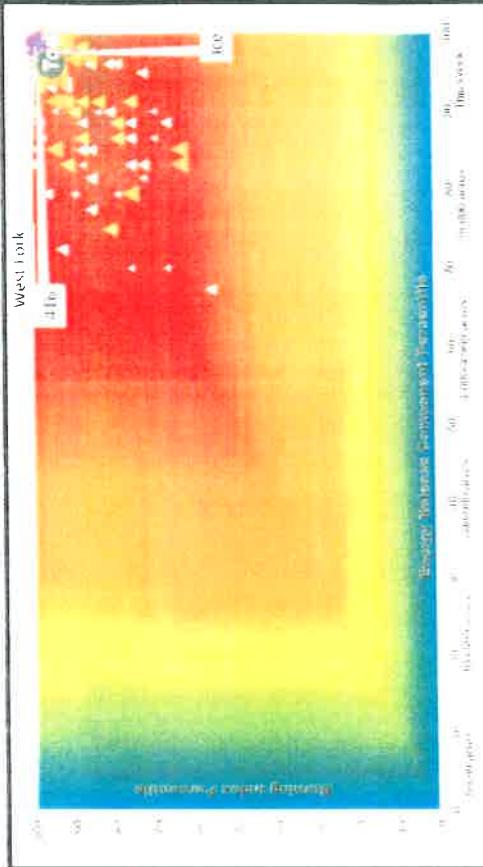
| Indicator | Critical Value | 6/14 | 6/15 | 6/16 | 6/17 | 6/18 | 6/19 | 6/20 |
|-------------------------------------|----------------|-----------|------|-----------|------|----------|------|----------|
| 20-ft wind (mph) | 7 | 22 | 16 | 15 | 17 | 17 | 15 | 10 |
| Min RH (%) | 11 | 28 | 28 | 7 | 7 | 22 | 30 | 28 |
| Max Temp (°F) | 80 | 86 | 84 | 93 | 83 | 87 | 81 | 78 |
| 100% ac ERC-Z | 95 | 111 | 96 | 80 | 83 | 80 | 70 | 67 |
| 100% ac BI-Z | 93 | 111 | 96 | 116 | 100 | 91 | 79 | 79 |
| Severe Fire Danger Index (forecast) | | Very High | | Very High | | Moderate | | Moderate |

| Fire | Date | Size (ac) | ERC | BI | RH (%) | Temp (°F) | 20' wind | SFDI |
|-----------|------------|-----------|-----|----|--------|-----------|----------|-----------|
| West Fork | 6/20/2013 | 17,056 | 98 | 99 | 5 | 81 | 10 | Severe |
| 416 | 6/17/2018 | 1,573 | 97 | 98 | 5 | 79 | 10 | Very High |
| 100 | 10/18/2020 | 342 | 98 | 95 | 12 | 71 | 9 | Very High |

Fire spotted over the continental divide and ran 7 miles in one hour period.
Ignited in dense WUI along US550 and burned for over a month in exceptional drought conditions.
Very high elevation, very late season fire in a year when the intermountain had no rain.



Vegetation across the Upper FDRA ranges from pinyon-juniper woodlands transitioning to ponderosa pine forests, continuing as elevation increases into warmdry mixed conifer, aspen, coolmoist mixed conifer, and finally spruce/fir forests. Somewhat unique to this FDRA is significant Gambel oak, both in mountain shrublands as well as an understory component within ponderosa pine stands with daily fire growth, with over 65% of all acres burned in this FDRA occurring when both ERC and BI are above the 97th percentile -- just 68 days in the last ten years.



This chart shows the relationship of ERC and BI (Severe Fire Danger Index) percentiles with ten years of fire history in the Upper FDRA. The forecast or observed ERC and BI percentile of today shows up as the large circle, giving a cross reference of fire danger to historic fire growth days. Severe SFDI conditions only occur when both the ERC and BI are above the 97th percentile for the day and represent the most extreme burning conditions observed. As indices approach the upper right quadrant, fires are more likely to show extreme behavior and more significant hazard to your safety.

| Upper FDRA Special Interest Group Information | | | | | | |
|---|--------|-----------|------------|-----|-------------------|------------|
| RAWS (in SIG) | Number | Elevation | Data Years | FWZ | Station Weighting | Fuel Model |
| Sullivan* | 55205 | 8,186 | 2010-2020 | 284 | 14% | 16Z |
| Log Chute* | 55808 | 8,254 | 2010-2020 | 285 | 29% | 16Z |
| Deer Mt* | 55901 | 7,880 | 2010-2020 | 285 | 29% | 16Z |
| Sandoval Mesa* | 55902 | 8,310 | 2010-2020 | 285 | 28% | 16Z |

***FIRE STATIONS WITH NWS/CDC WEATHER STATION INFORMATION FROM 2010-2021**



FireFamily Plus analysis by Clay Mendenhall, CO-SJF
 Pocket Card Design & Creation by Brad Pankucha, CO-SJF
 (Rev 5.0 build 11/1/2019)



Durango Interagency Dispatch Center
Fire Danger Pocket Card for:
Fuel Model X - Brush

6/14/2022
Observed

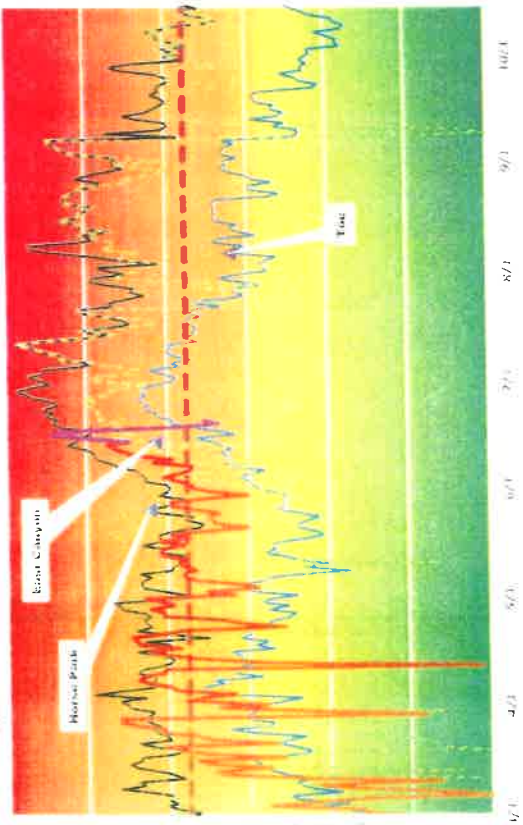
All DRC MFRS calculations are displayed as percentiles, not as raw values. A percentile simply shows how frequently a value occurs, which is shown as being between 0 and 100. A 50th percentile value occurs exactly in the midpoint of a range. A 97th percentile value means only 3% of all days have had a higher value. Windspeed, relative humidity, and maximum temperature are all absolute values - the ones shown here are what you would measure in the field.

Lower FDRA (Critical) Thresholds & Forecasts: A number of firefighter entrapments and near misses have occurred in this FDRA due to the light, flashy nature of the fuels. Slight changes in wind speed or direction can cause significant changes in fire behavior. Any of the factors shown below can significantly increase the risk for extreme fire behavior. The more factors present, the greater the risk. (Orange highlighted fields in forecast days below)

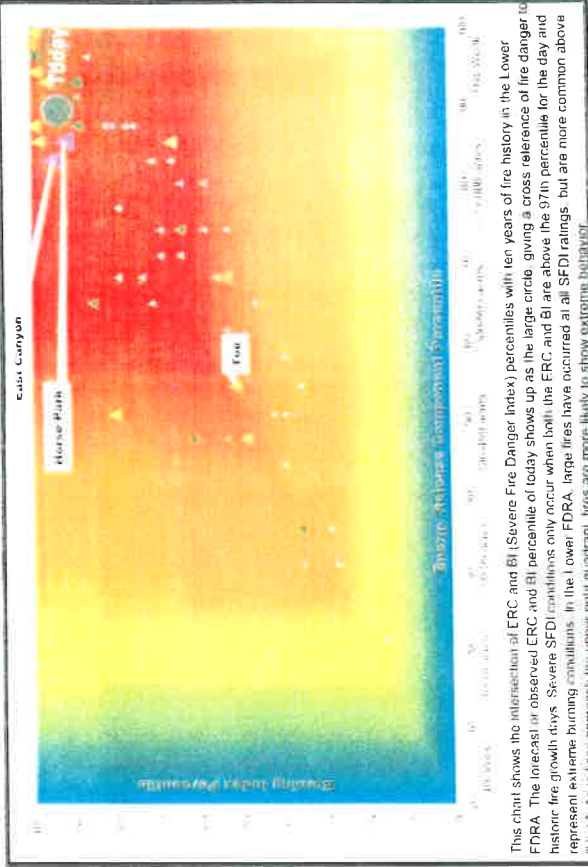
| Indicator | Critical Value | 6/14 | 6/15 | 6/16 | 6/17 | 6/18 | 6/19 | 6/20 |
|------------------|----------------|------|------|------|------|------|------|------|
| 20-ft wind (mph) | 9 | 10 | 10 | 10 | 10 | 10 | 10 | 17 |
| Min RH (%) | 9 | 6 | 6 | 6 | 6 | 18 | 26 | 22 |
| Max Temp (°F) | 84 | 80 | 80 | 87 | 80 | 80 | 80 | 82 |
| 100+ ac FRC-X | 80 | 53 | 28 | 29 | 37 | 74 | 58 | 65 |
| 100+ ac BLX | 84 | 81 | 90 | 81 | 55 | 59 | 83 | 87 |

| Fire | Date | Size (ac.) | ERC | BI | RH (%) | Temp (°F) | 20' wind | SFDI |
|-------------|-----------|------------|-----|----|--------|-----------|----------|------|
| East Canyon | 6/14/2020 | 2,500+ | 83 | 95 | 7 | 86 | 13 | High |
| Horse Park | 5/26/2018 | 1,221 | 85 | 92 | 4 | 84 | 13 | High |
| Tec | 8/6/2015 | 339 | 54 | 52 | 11 | 90 | 9 | Low |

Aggressive fire behavior (bracketed WUI and US 160) on the first burn permit. Several near misses occurred on a drought year. High-leap fire. Wind and spike alert in an otherwise cool and wet year.



Vegetation across the Lower FDRA ranges from arid desert scrublands, transitioning to sagebrush and piñon-juniper as elevation increases. Burning index correlates very well with fire growth, with values above the 84th percentile yielding the largest fires across this FDRA. There are three peaks to fire season in the Lower FDRA: a spring pre-green peak in early April, then the highest fire danger of the year occurs in late June, and finally can be followed by a post-curing fall season that peaks in early November. Fires are possible any time of the year, especially if limited snow cover exists. Fire season is typically greatly moderated by the Southwest Monsoon, but before the atmosphere saturates, significant lightning activity can occur, often leading to multiple ignitions during the peak of the season.



Lower FDRA Special Interest Group Information

| RAWS (in SIG) | Number | Elevation | Data Years | FWZ | Station Weighting | Fuel Model |
|----------------|--------|-----------|------------|-----|-------------------|------------|
| North* | 5,007 | 5,860 | 2010-2020 | 200 | 29% | 16X |
| Chaparral* | 5,574 | 7,126 | 2010-2020 | 207 | 28% | 16X |
| Mesquitebrush* | 5,574 | 5,420 | 2010-2020 | 207 | 28% | 16X |
| Mesa Mountain* | 5,605 | 7,380 | 2010-2020 | 207 | 14% | 16X |

*High-RAWS indicates approach to the upper rainfall quadrant. Fires are more likely to show extreme behavior.

Fuel-Safety Plus analysis by Cary Newman, CS-CJF
 Report Produced by Ryan Patischer, CS-CJF
 Report Date: 11/1/2020



Durango Dispatch Fire Business Calculator - 2021

Station: Nucleo (055204), Chapin (055204), John Kinghorn (055210), Mesa Mountain (055404)



DRC LOWER Fire Danger Rating Area - Forecast Weather & NFDRS2016 Fire Danger

| | June 14 | June 15 | June 16 | June 17 | June 18 | June 19 | June 20 |
|-------------------------------|-----------|-----------|-----------|-----------|----------|----------|----------|
| Station | 89 | 89 | 93 | 97 | 92 | 85 | 82 |
| From Predicted | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Max Temp (F) | 90 | 85 | 94 | 97 | 92 | 85 | 82 |
| Minimum RH (%) | 7 | 7 | 6 | 6 | 18 | 26 | 22 |
| Max Dewpoint (F) | 63 | 34 | 38 | 44 | 52 | 51 | 48 |
| Min Temp (F) | 59 | 50 | 53 | 63 | 60 | 57 | 55 |
| Max RH (%) | 40 | 24 | 22 | 38 | 62 | 70 | 67 |
| Windspeed (20' -mph) | 15 | 15 | 21 | 18 | 20 | 18 | 17 |
| Wind Direction (deg) | 264 | 274 | 206 | 174 | 180 | 187 | 209 |
| Lightning Activity Level | W | W | SSW | S | S | S | SSW |
| 1-hr (%) | 1 | 1 | 1 | 1 | 3 | 3 | 3 |
| 10-hr (%) | 4.7 | 4.5 | 3.9 | 5.0 | 7.6 | 8.9 | 8.4 |
| 100-hr (%) | 16.1 | 6.0 | 5.3 | 6.5 | 9.1 | 10.3 | 10.1 |
| 1000-hr (%) | 16.1 | 6.1 | 6.1 | 6.1 | 6.7 | 8.4 | 9.6 |
| 1000-hr (%) | 7.0 | 7.0 | 7.0 | 7.0 | 7.0 | 7.0 | 7.1 |
| ERC-X Percentile | 89 | 98 | 99 | 99 | 74 | 58 | 65 |
| BL-X Percentile | 93 | 96 | 99 | 99 | 94 | 86 | 87 |
| Staffing Level | 3 | 3 | 3 | 3 | 4 | 4 | 3 |
| Response Level | 3 | 3 | 3 | 3 | 4 | 3 | 3 |
| Adjective Fire Danger | Very High | Very High | Extreme | Extreme | High | Moderate | Moderate |
| Recommended Fire Restrictions | Stage II | Stage I | Stage I | Stage I | Stage I | None | None |
| Severe Fire Danger Index | High | Very High | Very High | Very High | Moderate | Low | Moderate |
| FWZ 207 Fuels Critical? | No | No | No | No | No | No | No |
| FWZ 207 Red Flag Likely? | No | No | No | No | No | No | No |

Local Preparedness Level

IV

Preparedness and Fire Restrictions Questions

Are resource shortages occurring or is DRC supporting ongoing T1, T2, or T3 fires?

NO

All DRC NFDRS calculations are displayed as percentile, not as raw values. A percentile simply shows how frequently a value occurs, which is shown as being between 0 and 100. A 50th percentile value occurs exactly in the midpoint of a range, a 97th percentile value means only 3% of all days have had a higher value.



DRC UPPER Fire Danger Rating Area - Forecast Weather & NFDRS2016 Fire Danger

Station: Nucleo (055204), Fred Hill (055201), Sandhill (055903), Log Lake (055200)



DRC UPPER Fire Danger Rating Area - Forecast Weather & NFDRS2016 Fire Danger

| | June 14 | June 15 | June 16 | June 17 | June 18 | June 19 | June 20 |
|----------------------------------|-----------|-----------|-----------|-----------|----------|----------|----------|
| Station | 96 | 95 | 95 | 93 | 87 | 81 | 78 |
| From Predicted | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| Max Temp (F) | 86 | 84 | 91 | 93 | 87 | 81 | 78 |
| Minimum RH (%) | 9 | 8 | 7 | 7 | 22 | 30 | 28 |
| Max Dewpoint (F) | 47 | 37 | 39 | 49 | 54 | 52 | 50 |
| Min Temp (F) | 46 | 45 | 49 | 55 | 54 | 52 | 50 |
| Max RH (%) | 45 | 32 | 29 | 36 | 76 | 81 | 80 |
| Windspeed (20' -mph) | 22 | 16 | 15 | 16 | 17 | 15 | 16 |
| Wind Direction (deg) | 248 | 244 | 196 | 180 | 180 | 180 | 216 |
| Lightning Activity Level | WSSW | WSSW | SSW | S | S | S | SSW |
| 1-hr (%) | 1 | 1 | 1 | 1 | 3 | 3 | 3 |
| 10-hr (%) | 5.0 | 5.4 | 4.8 | 6.5 | 9.1 | 10.4 | 10.0 |
| 100-hr (%) | 16.7 | 6.9 | 6.3 | 8.4 | 11.2 | 12.1 | 12.0 |
| 1000-hr (%) | 7.1 | 7.1 | 7.1 | 7.4 | 7.4 | 10.1 | 11.9 |
| 1000-hr (%) | 8.1 | 8.1 | 8.1 | 8.1 | 8.1 | 8.1 | 8.7 |
| ERC-Z Percentile | 96 | 96 | 98 | 93 | 80 | 70 | 67 |
| BL-Z Percentile | 95 | 99 | 100 | 99 | 91 | 79 | 79 |
| Staffing Level | 3 | 3 | 3 | 3 | 4 | 4 | 4 |
| Response Level | 3 | 3 | 3 | 3 | 4 | 3 | 3 |
| Adjective Fire Danger | Very High | Very High | Extreme | Extreme | High | Moderate | Moderate |
| Recommended Fire Restrictions | Stage II | Stage I | Stage I | Stage I | Stage I | None | None |
| Industrial Fire Precaution Level | High | Very High | Very High | Very High | Moderate | Moderate | Moderate |
| Severe Fire Danger Index | Very High | Very High | Very High | Very High | Moderate | Moderate | Moderate |
| FWZ 294/295 Fuels Critical? | No | No | No | No | No | No | No |
| FWZ 294/295 Red Flag Likely? | No | No | No | No | No | No | No |

RESOLUTION 2022-05

A RESOLUTION OF THE SAN JUAN COUNTY BOARD OF COUNTY COMMISSIONERS IMPLEMENTING AN IMMEDIATE STAGE TWO FIRE BAN

WHEREAS, the Board of County Commissioners of San Juan County is empowered under C.R.S. 30-11-107 (1) (e), to provide for the management of the business and concerns of the County; and

WHEREAS, pursuant to C.R.S. 30-15-401 (n.5), the Board of County Commissioners of San Juan County has the power to adopt an ordinance to ban open fires to a degree and in a manner that is deemed necessary to reduce the danger of wildfires; and

WHEREAS, the Board of County Commissioners of San Juan county has received competent evidence that there exists within the unincorporated areas of San Juan County a high danger of forest of grass fires; and

WHEREAS, the criteria for a Stage II Fire Restriction is set forth in the "2021 Southwest Annual Operating Plan"; and,

WHEREAS, the Board of County Commissioners of San Juan County have received a request from the San Juan County Sheriff acting as the Fire Marshall to impose a county-wide fire ban; and

WHEREAS, the enactment of this Resolution is necessary for the immediate preservation of the public health, safety and welfare.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY, COLORADO;

1. That a fire ban is necessary to reduce the danger of wildfires within all private land in the unincorporated areas of San Juan County.
2. That a fire ban prohibiting open burning within all private land in the unincorporated areas of San Juan County and within all land owned by San Juan County is hereby enacted.
3. That the fire ban is hereby proclaimed to be implemented on June 22, 2022 Stage II Fire Restrictions to prohibit the follow acts:
 - I. Building, maintaining, attending an open flame, including campfire, stove fire, charcoal grills and barbeques, coal and wood burning stoves, open flame propane fire pits and devices using liquid fuel such as white gas or kerosene. Propane grills and stoves are allowed.
 - II. Smoking. Except: Within in an enclosed vehicle, trailer. or building.

- III. Welding or operating acetylene or other torch with an open flame except within an enclosed building.
- IV. Using an explosive. This includes but is not limited to fuses or blasting caps, fireworks, rockets, exploding targets, and tracers or incendiary ammunition.
- V. Operating or using any internal combustion engine including but not limited to chainsaws, generators, or OHVs, without a spark arresting device properly installed, maintained and in effective working order meeting USDA Forest service or SAE approval.
- VI. Operating a Chainsaw without an approved spark arresting device, a chemical pressurized fire extinguisher, and a round point shovel with an overall length of at least 35 inches readily available for use, or outside the restricted hours of 5 am to 1 pm.
- VII. Discharging a firearm, air rifle, or gas gun.
- VIII. Possessing or using a motor vehicle off established roads, motorized trails or established parking areas, except when parking in an area devoid of vegetation within 10 feet of the vehicle.

4. That the fire ban shall remain in effect until the following occurs:

The Sheriff, acting as Fire Marshall, or the Fire Chiefs of the affected districts shall request in writing that the fire ban be removed from all or part of their various jurisdictions.

READ, PASSED AND ADOPTED this 22nd day of June, 2022 by the Board of Commissioners of San Juan County, Colorado.

Scott Fetchenhier, Chair

Attest:

Ernest F. Kuhlman

Ladonna L. Jaramillo
Clerk and Recorder

Austin Lashley



Forest Service News Release

Media Contact:

Scott Owen / (970) 422-2671

scott.owen@usda.gov

Stage 2 Fire Restrictions Effective June 15th

San Juan National Forest and partners implement fire restrictions due to critical conditions

Durango, Colo., June 14, 2022— Based on recent wildfire activity and persistent severe fire weather conditions, the San Juan National Forest (SJNF) will implement forest-wide Stage 2 fire restrictions at 12:01 a.m. June 15, per Forest Order SJNF-2022-08, to reduce the risk of human-caused wildfires. Stage 1 fire restrictions went into effect on May 20, 2022.

Forest managers use several criteria to determine when to implement restrictions, including current and predicted weather, fuel moisture, fire activity levels and available firefighting resources. Stage 2 fire restrictions prohibit the following activities on the SJNF:

- 1) Igniting, building, maintaining, attending or using a fire, including fires in **developed recreation sites (campgrounds and picnic areas)**, charcoal grills and barbecues, coal and wood burning stoves, and sheepherder's stoves. 36 CFR § 261.52(a).
- 2) Smoking, except within an enclosed vehicle, trailer, or building. 36 CFR § 261.52(c).
- 3) Blasting, welding, or operating acetylene or other torch with open flame. 36 CFR § 261.52(i).
- 4) Operating or using any internal combustion engine without an effective and properly installed USDA- or Society of Automotive Engineers (SAE)- approved spark arrestor. 36 CFR § 261.52(j).
- 5) Operating a chainsaw without an effective and properly installed USDA- or SAE- approved spark arrestor, a chemical pressurized fire extinguisher (with a minimum of 8 oz. capacity and rating of 2A) kept with the operator and a round point shovel with an overall length of at least 35 inches readily available for use. 36 CFR § 261.52(h).
- 6) Using an explosive. This includes but is not limited to fuses, blasting caps, fireworks, rockets, exploding targets, tracers, and incendiary ammunition. 36 CFR § 261.52(b).
- 7) Possessing or using a motor vehicle off established roads, motorized trails or established parking areas, except when parking in an area devoid of vegetation within 10 feet of the vehicle. 36 CFR § 261.56.

Visitors may use stoves, grills and lanterns fueled by propane or other liquid petroleum gas (LPG) fuels that meet manufacturer's safety specifications. If you plan to visit the forest, be sure to practice One Less Spark vehicle safety [guidelines](#) by securing chains, checking tire pressure and properly maintaining your brakes.

Stage 2 fire restrictions are a proactive way to reduce the risk of human-caused wildfires, protect natural and cultural resources, and enhance public and firefighter safety. Forest visitors are asked to use extreme caution when fire restrictions are in place. Violations are punishable as a Class B misdemeanor by a fine of not more than \$5,000

for individuals and \$10,000 for organizations and/or by imprisonment for not more than six months. The fire restrictions are in place until Dec. 31, 2022, unless rescinded earlier.

Federal, state and local officers and members of an organized rescue team or firefighting force are exempt from the closure order.

Neighboring federal, state, and local fire managers have also entered fire restrictions. We work closely with our partners in fire prevention to reduce the risk of human-caused wildfires across the landscape. Visit the Rocky Mountain Area Coordination Center [fire restrictions page](#) and know before you go.

Almost 90% of all wildfires on public lands are started by humans. It is every forest visitor's responsibility to [recreate responsibly](#) and follow best practices. To report a fire call 9-1-1.

For information on current fire restrictions, conditions, and recreation opportunities on the San Juan National Forest, call (970) 247-4874, visit the [forest website](#), or follow us on social media ([Twitter](#) and [Facebook](#)).

-USDA-

USDA is an equal opportunity provider, employer, and lender.

FOREST ORDER

**USDA FOREST SERVICE
SAN JUAN NATIONAL FOREST
STAGE 2 FIRE RESTRICTIONS**

Pursuant to 16 U.S.C. § 551 and 36 CFR § 261.50 (a) and (b), the following acts are prohibited on all National Forest System lands within the San Juan National Forest located within Archuleta, Conejos, Dolores, Hinsdale, La Plata, Mineral, Montezuma, Rio Grande, and San Juan Counties, State of Colorado, and on all roads and trails located with the Restricted Area as shown on the attached map incorporated into this Order as Exhibit A.

The purpose of this Order is to protect public health, safety, and natural resources by preventing wildfires.

PROHIBITIONS: The following acts are prohibited in the Restricted Area and on the Restricted Roads and Trails:

- 1) Igniting, building, maintaining, attending or using a fire, including fires in **developed recreation sites (campgrounds and picnic areas)**, charcoal grills and barbecues, coal and wood burning stoves, and sheepherder's stoves. 36 CFR § 261.52(a).
- 2) Smoking, except within an enclosed vehicle, trailer, or building. 36 CFR § 261.52(c).
- 3) Blasting, welding, or operating acetylene or other torch with open flame. 36 CFR § 261.52(i).
- 4) Operating or using any internal combustion engine without an effective and properly installed USDA- or Society of Automotive Engineers (SAE)- approved spark arrestor. 36 CFR § 261.52(j).
- 5) Operating a chainsaw without an effective and properly installed USDA- or SAE- approved spark arrestor, a chemical pressurized fire extinguisher (with a minimum of 8 oz. capacity and rating of 2A) kept with the operator and a round point shovel with an overall length of at least 35 inches readily available for use. 36 CFR § 261.52(h).
- 6) Using an explosive. This includes but is not limited to fuses, blasting caps, fireworks, rockets, exploding targets, tracers, and incendiary ammunition. 36 CFR § 261.52(b).
- 7) Possessing or using a motor vehicle off established roads, motorized trails or established parking areas, except when parking in an area devoid of vegetation within 10 feet of the vehicle. 36 CFR § 261.56.

EXEMPTIONS:

Pursuant to 36 CFR § 261.50(e), the following persons are exempt from the prohibitions specified below:

- 1) Persons with the following authorizations are exempt from Prohibitions #1, #3, #4, #5, #6 and #7: (i) a valid Forest Service permit or contract specifically authorizing Prohibitions #1, #3, #4, #5, #6 and #7 in the Restricted Area or on the Restricted Roads and Trails in their physical possession and (ii) a written exemption with an appropriate mitigation plan authorized in writing by the appropriate Forest Service official.
- 2) Any Federal, State or local officer or member of an organized rescue or firefighting force in the performance of an official duty is exempt from Prohibitions #1, #3, #4, #5, #6, and #7.
- 3) Persons using pressurized liquid or gas devices (stoves, grills or lanterns) with shut-off valves in an area at least three feet from any flammable materials are exempt from Prohibition #1.
- 4) Residents, owners or lessees within the Restricted Area, who are using a fire in a permanent dwelling with an effective and properly installed USDA- or SAE- approved spark arrestor, are exempt from Prohibition #1.

Notice regarding Exemptions: The persons exempted above are on notice that they are responsible for conducting activities subject to these exemptions in a safe and prudent manner using extra precautions and are electing to proceed at their own risk. An exemption does not absolve an individual or organization from liability or responsibility for damage, injury or loss to the United States for any fire started while undertaking the exempted activity.

This Order supersedes, rescinds, and replaces Order #SJ-2022-06, issued the 20th day of May 2020

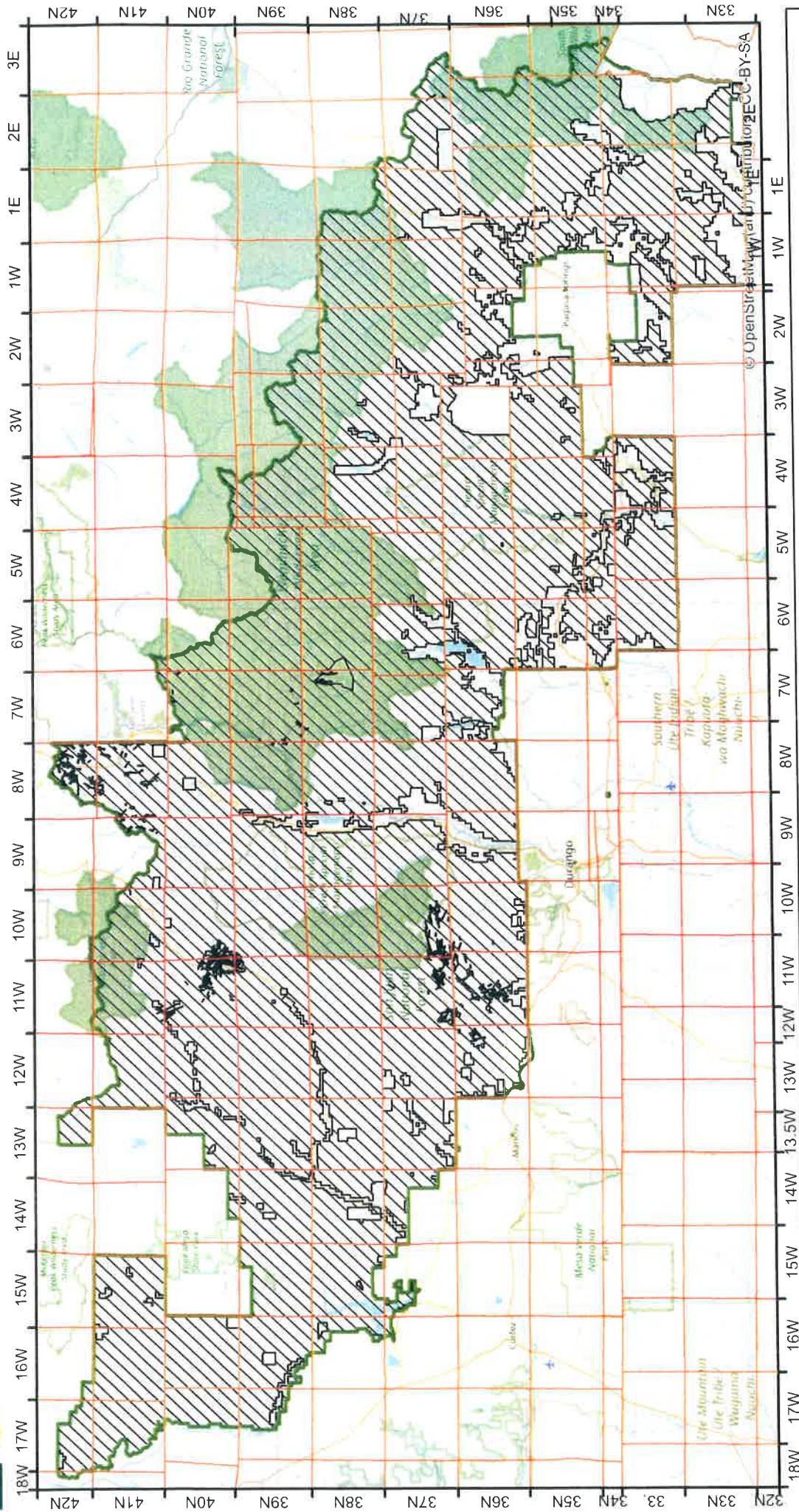
This Order will be in effect from 12:01 am on June 15, 2022, and will remain in force until December 31, 2022, or until rescinded, whichever event occurs first.

Executed in Durango, Colorado this 15th day of June 2022.

DAVID NEELY Digitally signed by DAVID NEELY
Date: 2022.06.14 09:14:38 -06'00'

David Neely, Acting Forest Supervisor

A violation of the prohibitions in this Order is punishable as a Class B misdemeanor by a fine of not more than \$5,000 for an individual or \$10,000 for an organization, or imprisonment for not more than 6 months, or both. (16 U.S.C. § 551 and 18 U.S.C §§ 3559 and 3571).



Forest Boundary
 Wilderness
 Stage 2 Fire Restrictions

San Juan National Forest
 Order SJNF-2022-08
 Exhibit A
 STAGE 2 FIRE RESTRICTIONS



Created Date: 6/13/2022

Map Disclaimer: This map is intended to depict physical features as they generally appear on the ground and may not be used to determine title, ownership, legal boundaries, legal jurisdiction, including jurisdiction over roads or trails, or access restrictions that may be in place on either public or private land. Obtain permission before entering private lands, and check with appropriate government offices for restrictions that may apply to public lands. Lands, roads and trails within the boundaries of the National Forest may be subject to restrictions on motor vehicle use. Obtain a Motor Vehicle Use Map or inquire at the local Forest Service Office for motor vehicle access information. Natural hazards may or may not be depicted on the map, and land users should exercise due caution. This map may not be suitable for navigation. For more information, contact the San Juan, Durango, CO. (970) 247-4874.





Fire Prevention Order COS06-22-01 Stage 1 Fire Restrictions

Gunnison Field Office

Due to dry conditions and high fire danger, under authority of the Federal Land Policy and Management Act of 1976 (Title 43, United States Code, Section 1701, et. seq.) pursuant to Title 43, Code of Federal Regulations (CFR) 9212.2(a), the Bureau of Land Management Gunnison Field Office is implementing fire restrictions for all BLM-administered public lands within the boundaries of Gunnison, San Juan, and portions of Saguache and Hinsdale counties beginning June 15, 2022.

Under Stage 1 Fire Restrictions the following acts are prohibited:

- Building, maintaining, attending or using a fire or campfire except within agency-provided fire grates at developed recreation sites. Devices using gas, jellied petroleum, or pressurized liquid fuel are permitted.
- Smoking, except in an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials.
- Operating a chainsaw without a USDA or SAE approved spark arrester properly installed and working, a chemical fire extinguisher of not less than 8 ounces capacity by weight, and one round point shovel with an overall length of at least 36 inches.
- Using a welder, either arc or gas, or operating acetylene or other torch with open flame, except in cleared areas of at least 10 feet in diameter with a chemical pressurized fire extinguisher of not less than 8 ounces capacity.
- Using exploding targets.

These fire restrictions are in addition to the year-round wildfire prevention restrictions on BLM-administered public lands in Colorado. These are:

- Leaving a fire unattended or unextinguished.
- Possession, discharge or use of any fireworks.
- Discharge of a firearm using incendiary or tracer ammunition.
- Burn, ignite or cause to burn any tire, wire, magnesium, or any other hazardous or explosive material.
- Operate any off-road vehicle on public lands unless the vehicle is equipped with a properly installed spark arrester pursuant to 43 CFR 8343.1 (c).

The following persons are exempt from this order:

1. Persons with a permit or letter of authorization specifically authorizing the prohibited act or omission.
2. Any Federal, State, or local officer or member of an organized rescue or firefighting force in the performance of an official duty.

Executed in Gunnison, Colorado this 15th day of June 2022.

Agency Administrator

Digitally signed by JON KAMINSKY
Date: 2022.06.10 18:16:11 -06 00'

Violation of this Fire Prevention Order is punishable by a fine of not more than \$100,000, or imprisonment of not more than 12 months, or both. (43 CFR 9212.4 and 18 U.S.C. 3571). Restitution for total suppression and damage costs incurred will be borne by the violator.



Fire Prevention Order COS05-22-01 Stage 1 Fire Restrictions

Uncompahgre Field Office

Due to dry conditions and high fire danger, under authority of the Federal Land Policy and Management Act of 1976 (Title 43, United States Code, Section 1701, et. seq.) pursuant to Title 43, Code of Federal Regulations (CFR) 9212.2(a), the Bureau of Land Management Uncompahgre Field Office, including the Gunnison Gorge and Dominguez-Escalante National Conservation Areas, is implementing fire restrictions for all BLM-administered public lands within the boundaries of Montrose, San Miguel, Ouray, Delta counties and a portion of Gunnison County beginning June 15, 2022.

Under Stage 1 Fire Restrictions the following acts are prohibited:

- Building, maintaining, attending or using a fire or campfire except within agency-provided fire grates at developed recreation sites. Devices using gas, jellied petroleum, or pressurized liquid fuel are permitted.
- Smoking, except in an enclosed vehicle or building, a developed recreation site, or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials.
- Operating a chainsaw without a USDA or SAE approved spark arrester properly installed and working, a chemical fire extinguisher of not less than 8 ounces capacity by weight, and one round point shovel with an overall length of at least 36 inches.
- Using a welder, either arc or gas, or operating acetylene or other torch with open flame, except in cleared areas of at least 10 feet in diameter with a chemical pressurized fire extinguisher of not less than 8 ounces capacity.
- Using exploding targets.

These fire restrictions are in addition to the year-round wildfire prevention restrictions on BLM-administered public lands in Colorado. These are:

- Leaving a fire unattended or unextinguished.
- Possession, discharge or use of any fireworks.
- Discharge of a firearm using incendiary or tracer ammunition.
- Burn, ignite or cause to burn any tire, wire, magnesium, or any other hazardous or explosive material.
- Operate any off-road vehicle on public lands unless the vehicle is equipped with a properly installed spark arrester pursuant to 43 CFR 8343.1 (c).

The following persons are exempt from this order:

1. Persons with a permit or letter of authorization specifically authorizing the prohibited act or omission.
2. Any Federal, State, or local officer or member of an organized rescue or firefighting force in the performance of an official duty.

Executed in Montrose, Colorado this 15th day of June 2022.

Agency Administrator SUZANNE COPPING
Digitally signed by SUZANNE COPPING
Date: 2022.06.13 09:15:11 -06'00'

Violation of this Fire Prevention Order is punishable by a fine of not more than \$100,000, or imprisonment of not more than 12 months, or both. (43 CFR 9212.4 and 18 U.S.C. 3571). Restitution for total suppression and damage costs incurred will be borne by the violator.



U.S. Department of the Interior
Bureau of Land Management

News Release

Gunnison & Uncompahgre Field Offices, Colorado

FOR IMMEDIATE RELEASE: June 14, 2022

Contact: Deana Harms, Fire Mitigation, Education, Prevention Specialist, 970-403-5576

BLM implements Stage 1 Fire Restrictions in Gunnison and Uncompahgre Field Offices

MONTROSE, Colo. – Stage 1 fire restrictions begin June 15 for all Bureau of Land Management (BLM) public lands administered by the Gunnison and Uncompahgre Field Offices within the boundaries of Delta, Gunnison, Montrose, Ouray, San Juan, San Miguel and portions of Hinsdale and Saguache counties, including Gunnison Gorge National Conservation Area, and the Uncompahgre Field Office side of Dominguez Escalante National Conservation Area. The restrictions align with local orders and guidelines to protect the public’s safety during high fire danger.

“The fire danger indices within the Southwest District are at very high to extreme, including high elevations” said acting Southwest District Fire Management Officer James Savage. “These restrictions are being put in place due to the persistent drought and weather conditions.”

Under Stage 1 Fire Restrictions:

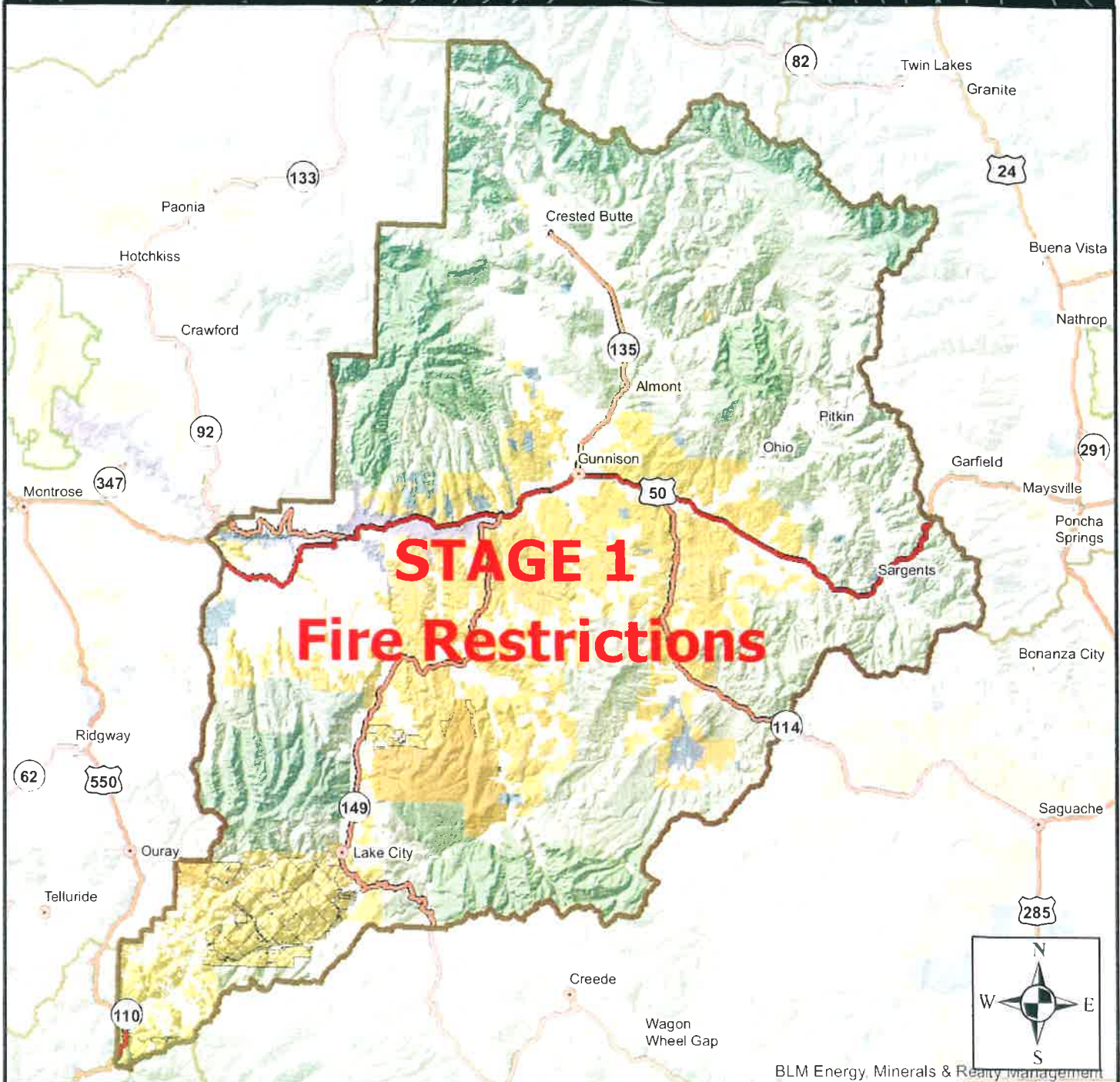
- Campfires are only allowed within designated fire grates in developed campgrounds (i.e. a metal, in-ground containment structure – fire pans and rock campfire rings are not acceptable)
- No fires of any type, including charcoal, outside of developed areas.
- No smoking except within an enclosed vehicle or building, a developed recreation site, or in a barren area free of vegetation
- No use of explosive materials, including explosive targets.
- No welding or operation of an acetylene or other similar torch with open flame except an area that has been cleared of vegetation.
- No operation of any internal combustion engine without a spark-arresting device properly installed and in working order.

Stage 1 fire restrictions on these lands will become effective at 12:01 a.m., MDT, June 15th, 2022, and will be in place until further notice. Violation of federal fire restrictions is punishable by a fine of not more than \$1,000 or imprisonment for not more than 12 months or both. In addition, those found responsible for starting wildfires will also face restitution costs of suppressing the fire.

Fireworks are always prohibited on public lands. More information about fire prevention is available at: <https://www.blm.gov/programs-public-safety-and-fire/fire-and-aviation/get-involved/fire-prevention>. For West Slope Fire Information visit <https://westslopefireinfo.com>.



Gunnison Field Office

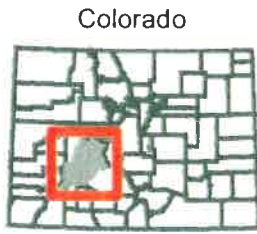


**STAGE 1
Fire Restrictions**

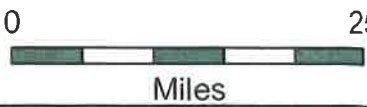
BLM Energy Minerals & Realty Management

Map produced by Bureau of Land Management, Uncompahgre Field Office, GIS Program
Projection: UTM, Zone 13; Datum: NAD 1983
May 19, 2022

No warranty is made on the accuracy, reliability and completeness of these data for individual use or aggregate use with other data. Spatial data may not meet National Map Accuracy Standards. This information may be updated without notification.



- | | | |
|---------------|----------------|----------------|
| BLM | State | WSA |
| BOR | Local Gov't | BLM Wilderness |
| NPS | Bankhead-Jones | NPS Wilderness |
| Other Federal | USFS | FS Wilderness |
| Private | | |



Miles



Stage 1 Fire Restrictions

Campfires and Cooking Fires

Prohibited: Building, maintaining, attending or using a fire, campfire or stove fire, including charcoal briquette fire.

Permitted: Gas equipment with shut-off switch or campfires and charcoal only in developed campgrounds with metal ring.



No Campfires



No Charcoal
No Fire Pans



Campfires & charcoal only in developed campground metal rings



Gas camping equipment with shutoff switch can be used

Smoking

Prohibited: Smoking in grass, brush or timber areas.

Permitted: Cleared areas at least 3 feet in diameter cleared of all flammable materials, in enclosed vehicles or buildings.



Smoking in enclosed vehicle or building



Smoking in area 3 feet diameter clear of vegetation



No smoking in grass, brush or timber areas

Prohibited on Public Lands

Prohibited: Fireworks (incendiary devices), explosives or exploding targets (including Tannerite), and tracer ammunition or sky lanterns always prohibited.



No Fireworks



No Explosives or exploding targets



No Tracer Rounds



No Sky Lanterns

Chainsaw and Welding

Prohibited: Using a chainsaw without an approved spark arrester

Permitted: Chainsaw must have approved spark arrester, a 2A rated pressurized fire extinguisher at least 8 oz capacity, and a round pointed shovel at least 36 inches available.



Read chainsaw permitted section

Prohibited: Welding or operating a torch in grass, brush or timber areas.

Permitted: Using welder or torch in a cleared area at least 10 feet in diameter and possess a 2A rated pressurized fire extinguisher at least 8 oz capacity.



Read welder or torch permitted section

2022 TOWN OF SILVERTON-SAN JUAN COUNTY

GOVERNMENTAL SERVICES AGREEMENT

AMMENDMENT LETTER

As of June 14th, 2022, the Town of Silverton and San Juan County will be responsible for their own planning costs.

By April 15th, 2023, the Town and County will calculate the shared cost of planning services in 2022 to be split 50:50 from January 1st, 2022 to June 14th, 2022 and from June 14th, 2022 to December 31st, 2022 the parties will be responsible for their own planning expenses.

COUNTY OF SAN JUAN

TOWN OF SILVERTON

Scott Fetchenhier, Chairman
Board of County Commissioners

Shane Fuhrman, Mayor
Town Board of Trustees

ATTEST:

ATTEST:

County Clerk and Recorder
SEAL

Town Clerk
SEAL



MEMORANDUM OF UNDERSTANDING

The State of Colorado Department of Human Services and the Board of County Commissioners or other elected governing body of San Juan County, Colorado.

This Memorandum of Understanding (MOU) is made this 1st day of July, 2022 between the State of Colorado Department of Human Services (CDHS) and the Board of the County Commissioners or other elected governing body of San Juan County, Colorado (the "County").

CDHS is the sole state agency with the responsibility to administer or supervise the administration of the human services programs listed in CRS 26-1-201.

The Colorado General Assembly enacted Senate Bill 97-120 in response to the passage of the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996" thereby adopting the Colorado Works Program ("Works Program") for the purposes of this MOU.

CRS 26-2-715 requires CDHS, and the County to enter into an annual performance contract that explains the County's duties and responsibilities in implementing the Works Program.

CDHS and the County understand and agree that the services and assistance outlined in this MOU are subject to available appropriations by the General Assembly, and the County. Neither party will be obligated to provide services or assistance if adequate appropriations have not been made.

The following terms are agreed to by CDHS and the County:

1) MOU MEETS PERFORMANCE CONTRACT REQUIREMENT

a) The parties agree that the provisions of this MOU constitute compliance with CRS 26-2-715.

2) TERM

a) The term of this MOU will be from July 1, 2022 through June 30, 2025. This MOU shall be reaffirmed annually through an amendment signed by both parties.

3) REQUIRED DUTIES OF THE COUNTY

a) The County will administer and implement the Works Program using fair and objective criteria, and in compliance with federal law, State Statute, and applicable program policy in 9 CCR 2503-6 (Works Program).

b) The County will not reduce the basic assistance grant administered according to CRS 26-2-709, except as otherwise outlined in 9 CCR 2503-6.

c) The County will not restrict eligibility or the provisions of services, nor will it impose sanctions that are inconsistent with State Statute or Federal law and applicable program policy, including the process and sanctions outlined in 9 CCR 2503-6.



COLORADO
Department of Human Services

d) For the term of this MOU, the County's negotiated Work Participation Rate (WPR) will be held accountable only to the adjusted WPR, after the caseload reduction credit is applied, with the elimination and removal of the Two-Parent rate. The County's agreement to meet the federally required participation rate is relevant to CDHS's anticipation that CDHS will, in turn, be able to meet any work participation rates imposed by the federal government.

e) The parties acknowledge that the WPR is, as of the signing of this MOU, the only federally mandated performance goal identified specifically in CRS 26-2-712 (4). The parties also acknowledge that in an effort to help individuals prepare for and enter the workforce, they are encouraged to adopt employment focused measures, as outlined under "OPTIONAL OUTCOME MEASURES" below.

f) The County will maintain sufficient records, and will permit CDHS or its duly designated agents and/or representatives of the federal government, to inspect the records and make such records available to CDHS as specified in CRS 26-2-717 for the Colorado Works Program. The County must also continue to report to CDHS as currently required by CRS 26-2-716 and 717 for the Colorado Works Program and must report to CDHS as required by law. In addition, Counties or county departments that are covered entities, or contracting parties to a Business Associate Agreement, pursuant to the Health Insurance Portability & Accountability Act of 1996 (HIPAA), must comply with HIPAA, as required by law.

g) As specified by rule and state statute, counties shall have flexibility in determining the approaches needed to achieve federal and State requirements. The County agrees to provide CDHS with its adopted policies and any updated written information when, or if, changes to these policies are made in these Programs. The County agrees to provide the information and policies specified in paragraph (h) herein, to CDHS for review and approval prior to adopting aforementioned policies.

h) Outside of what is required by statute or rule, the parties agree that information and policies provided by the County to CDHS, as described in paragraph (g) herein, are for informational purposes and are provided to assist CDHS in meeting its responsibilities, with respect to the Colorado Works Programs. Nothing in this MOU gives CDHS the authority to require any County policies beyond what is required by statute or rule. The County acknowledges CDHS's right to review, comment upon or request reasonable additional information or clarification of any County policies or records. Such requests will be made in writing and directed to the County Department of Human/Social Services Director.

i) The County will utilize the technical assistance, training and reporting or tracking resources offered by CDHS in order to administer the Programs, including those that support the four purposes of Temporary Assistance to Needy Families (TANF) and will meet the WPR.

j) The County will participate in formal expeditious vetting processes with CDHS to review, draft and recommend policies or rule changes that would have a positive impact on WPR and meet federal guidelines.

k) In order to maximize the caseload reduction credit for the State, the County will actively identify and report third party Maintenance of Effort (MOE) contributions, in accordance with the timelines and guidelines established by CDHS.

4) OPTIONAL OUTCOME MEASURES

a) Counties may submit a proposal as an attachment to this MOU, describing additional employment focused performance measures, specific to employment. Such proposals may be submitted either at the time of execution or at any time during the period of this MOU. The proposal is limited to issues



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regarding the pursuit of programs, strategies, and associated evaluation plans that focus on improving employment outcomes and contribute to the evidence base for effective programs. In addition, terms and conditions will require either interim targets for each performance measure or a framework for how interim goals will be set after the baseline measures are established. The terms and conditions will establish a review process for programs, strategies and metrics designed to achieve optimal outcomes.

b) Upon approval of the proposal by CDHS, the County or region will be subject to the performance measures, interim goals, and other conditions set forth in the MOU addendum, and negotiated WPR that consider employment focused outcome measures and anticipated statewide case-load credit reductions.

5) DUTIES OF CDHS

a) In consultation with the Counties, CDHS will oversee the statewide implementation of the Works Program, and will develop standardized forms that streamline the application process, the delivery of services, and the tracking of participants.

b) CDHS will monitor the County's provision of basic assistance grants and, if necessary, perform the duties outlined in CRS 26-2-712 (5).

c) CDHS exercises oversight of and responsibility for the development, implementation, maintenance, and enhancement of the State Benefit System and its application relative to the Works Program. Because the State Benefit System is a system that utilizes decision tables run by a rules engine for determining eligibility and amount of benefits to the extent allowed by law, the County will not be sanctioned or required to follow a remediation plan for erroneous decisions made by the State Benefit System. Without limitation, this applies to erroneous eligibility decisions, erroneous determination of amount of benefits, erroneous decisions resulting in overpayments and subsequent claims, and erroneous decisions resulting in underpayments and subsequent supplemental payments of restorative benefits.

(1) The State acknowledges that liability to third parties resulting from erroneous, inaccurate or inadequate State Benefits System notices to Works Program households, is properly the State's liability. CDHS will not take recovery action against the County for any claim, including a legal claim, that is defined in this paragraph as a State Benefit System caused error. This provision does not apply to any errors, claims or issues caused by the County's inaccurate data entry in the system, the County's failure to follow clear, reasonable, and lawful instruction, or failure to follow program rules formally adopted by the State Board of Human Services. This provision does apply to the State Benefit System training and data entry rules and/or any rules that are part of the State Benefit System rule engine.

d) CDHS will develop and provide training for Works Program staff, as required by CRS 26-2-712 (7).

e) CDHS will hold Contracted Agencies with cooperative agreements with the State Department responsible for providing reception and placement services for refugees, accountable to its own WPR and must not include refugees receiving Contracted Agency's services in the County's calculation of the WPR. The Contracted Agency's negotiated WPR will be held accountable only to the adjusted WPR after the case-load reduction credit is applied with the elimination and removal of the Two-Parent rate.

f) CDHS will use valid data from the State Benefit System and other sources, as necessary, to accurately calculate the County's WPR. Prior to submitting its calculation to the federal government, CDHS will provide the County the individual data variables and supporting information used in the



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Department of Human Services

calculations, so that the County may review the data to ensure the accuracy, validity and proper calculation of the WPR.

- g) CDHS will provide technical assistance and available resources to the Counties to help Counties meet WPR and Payment Accuracy Goals.
- h) CDHS will provide ongoing technical assistance, training, and reporting for tracking resources to help the County administer the program, in support of the four purposes of TANF and to meet WPR.
- i) CDHS will conduct formal expeditious collaborative processes with the County to review, draft and recommend policies or rule changes that would have a positive impact on work participation rate and meet federal guidelines.
- j) In order to maximize the caseload reduction credit for the State, CDHS agrees to actively identify and report third party Maintenance of Effort (MOE) contributions.
- k) The amount identified for a County's level of spending shall be identified annually in the Allocation Agency Letter as required in CRS 26-2-712.

6) JOINT STATE AND COUNTY DUTIES

- a) The State and Counties will work together in partnership to communicate performance expectations and results to jointly achieve federally required performance outcome measures related to the WPR.
- b) As needed, the State and Counties will convene meetings, workshops, focus groups, or other forums to share information, best process, or targeted strategies to achieve the spirit and intent of this MOU document and related federally required performance requirements.
- c) The State and the Counties will work together to ensure that the information entered and reported in the Colorado Benefits Management System is as accurate as possible. The State shall work to address any system issues in a timely manner, and Counties will enter accurate client and provider information in the systems.

7) REMEDIATION PLANS

The County, in consultation with CDHS may develop a remediation plan if, during the term of this MOU, the County engages in any of the following actions:

- a) Spending, federal or state, Works Program funds in a manner disallowed by Federal or State law, which could include receipts or recoveries that are not reported;
- b) Failing to meet the WPR, after the caseload reduction credit is applied, as contained in this MOU and/or failing to meet the negotiated performance measures;
- c) Reducing the basic assistance grant, restricting eligibility or the provision of services, or imposing sanctions in a manner inconsistent with a federally compliant state law and state plan, and applicable program policy;

8) SANCTIONS

- a) Subject to the limitations set forth herein, if CDHS subject to a federal sanction, and the County's remediation plan was insufficient, CDHS may impose sanctions on the County pursuant to this MOU only if during the term of this MOU, the County engages in any of the following actions:



1. Failing to meet the WPR, after the caseload reduction credit is applied, as contained in this MOU and/or not meeting negotiated performance measures;
 2. Reducing the basic assistance grant, restricting eligibility or the provision of services, or imposing sanctions in a manner inconsistent with a federally compliant state law and state plan and applicable program policy;
- b) A sanction should not be imposed on the County for failing to adhere to a state regulation that conflicts with federal law.
- c) The county will not be sanctioned or required to follow a remediation plan if:
1. the County can demonstrate by a preponderance of evidence that CDHS provided inaccurate guidance, training or data with regards to performance under this MOU; and,
 2. that the County's reliance on this information is the proximate cause for the imposed sanctions. If the County can only demonstrate that it is the proximate cause for part of the sanction, the County will not be liable for that portion of the sanction.

9) PROCEDURES FOR IMPOSING REMEDIATION PLAN OR SANCTIONS

- a) The process for a sanction or remediation plan against the County by CDHS will be as follows:
1. CDHS will provide the County with written notice of the County's failure to meet the performance measures outlined in this MOU. This notification will include all associated documentation that supports CDHS's determination of the performance failure. Upon receiving such notice, the County has sixty (60) days to contest, explain, offer evidence of mitigating factors, and/or submit a remediation plan to correct the alleged performance problem.
 2. If the County's remediation plan does not rectify the performance problem, CDHS may determine the appropriate level of sanction. CDHS shall take into consideration as a mitigating factor any violation of a state regulation that exceeds or conflicts the requirements of the federal law. CDHS will provide the County one hundred eighty (180) days written notice of the proposed sanction before imposing any sanction. This notification will include the rationale of imposing the sanction, as well as, all associated documentation, a calculation of the proposed sanction, and an indication of what constitutes a remedy or correction that will allow the County to avert the sanction, if any remedy or correction is possible. Upon receiving such notice, the County has sixty (60) days to contest, explain or offer evidence of mitigating factors, sanctions are imposed.
 3. If a sanction is imposed, the amount cannot be greater than that imposed by the federal government. If CDHS has incurred a sanction due to the failure of more than one County to meet its obligations under the terms of this MOU, the County will only be sanctioned for its share of the sanction.
- b) CDHS will provide the County with all documents received from the federal government related to any proposed or imposed federal sanction within twenty (20) days of receipt, together with all CDHS documents related to the actions giving rise to that federal sanction, or that related to the sanction process.



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Department of Human Services

If CDHS fails to provide the required documentation within the twenty (20) days, it may not hold the County liable for that sanction.

10) CIRCUMSTANCES FOR CDHS ASSUMING ADMINISTRATION

a) If the County continues to knowingly or consistently fail to meet its obligation specified in this MOU, CDHS may assume the County's administration and implementation of the Works Program.

i) In that event, CDHS will provide the County ninety (90) days written notice before assuming these duties. Upon receipt of such notice, the County shall have the opportunity to contest, explain, offer evidence of mitigating factors, or to correct the failure before assuming the duties.

b) If the County continues to consistently fail to meet its obligation specified in this MOU, the County at its sole discretion, may ask CDHS to assume the County's administration and implementation of the Works Program. CDHS is under no obligation to accept or assume the administration of the Works Program.

i) If CDHS assumes the County's administration and implementation of the Works Program, it may retain the unused portion of the allocation that was provided to the County, as part of the County's block grant for its administration and implementation of the Program, in accordance with the formulas described in CRS 26-2-714 for the Colorado Works Program. CDHS will, in consultation and in conjunction with the County, develop or modify automated systems to meet the reporting requirements of CRS 26-2-717 for the Colorado Works Program

11) DISCRETIONARY MATTERS

The parties agree that all portions of Part 7 or Article 2 of Title 26, C.R.S. for the Colorado Works Program grant discretion to either party regarding the administration of the Works in the County, will not be affected by the execution of this MOU except as explicitly stated herein.

12) SEVERABILITY

To the extent that this MOU is executed, and the performance of the obligations of the parties may be accomplished within the intent of the MOU, the terms of the MOU are severable. Thus, should any term or provision herein be declared invalid or become inoperative for any reason, such invalidity or failure shall not affect the validity of any other term or provision herein. The waiver of any break of term, herein shall not be construed as a waiver of any other term, or of the same term upon subsequent breach.

13) INTEGRATION OF UNDERSTANDING

This MOU is intended as the complete integration of the understanding between the parties concerning the matters negotiated between them and incorporated in this MOU. No prior or contemporaneous addition, deletion, or other amendment hereto shall have any force or effect whatsoever, unless embodied in writing. No subsequent notation, renewal, addition, deletion, or other amendment hereto shall have any force or effect unless embodied in a written amendment executed by the parties.

The parties recognize the nature of the relationship between the County and State. This relationship is governed more broadly by pertinent provisions of the Colorado Constitution and of State statutes and rules, and for Colorado Works includes, lawful rules promulgated by the State Board of Human Services.



COLORADO
Department of Human Services

The parties further recognize that this MOU is not intended to supersede or change the relationship between the County and the State as established by any legal authority.

14) NO THIRD-PARTY BENEFICIARY

This MOU is binding on CDHS and the County as well as their respective successors and assigns. It is agreed that the enforcement of the terms and conditions of the MOU are reserved for CDHS and the County, to the extent permitted by law. Nothing contained in this MOU allows a claim or right of action by a third party. Any third-party receiving services or benefits under the provisions of this MOU is deemed an incidental beneficiary.

15) DISPUTE RESOLUTION

- a) Prior to the execution of this document, if CDHS or the County are unable to reach agreement concerning the inclusion of, or wording of, provisions of the MOU that apply to the Colorado Works Program, either CDHS or the County may refer the dispute to the State Board of Human Services for resolution pursuant to the provisions of CRS 26-2-715 (3).
- b) Subsequent to the execution of this document, CDHS and the Counties will work in good faith to resolve a dispute arising from any provision of this executed MOU as applied to the Colorado Works program. If the parties are unable to resolve such dispute, any of the following non-binding mediation options are available by agreement of the parties:
 - i) Mediation by the Governor or a third party of the Governor's choosing. Such review must be initiated by notice provided to the Governor and other party, by certified mail. Decision by the Governor, or his appointed third-party, is non-binding.
 - ii) Mediation by a dispute resolution panel, to consist of one County designated member, one CDHS designated member, and one member selected by the other two panelists. Each party must pay for its own costs and attorney fees and must share equally in any fees paid to panel members. The panel's decision shall be made by a majority vote of its members and is non-binding.
 - iii) Mediation by the State Board of Human Services. If the State Board is requested to mediate, the provisions of CRS 26-2-715 concerning time limits and final effect of the State Board's decision will not apply. The State Board of Human Services' decision is non-binding.
- c) None of these options will be a jurisdictional prerequisite to legal action by either party.

DEPARTMENT DIRECTOR, MICHELLE BARNES

STATE OF COLORADO DEPARTMENT OF HUMAN SERVICES

Executive Director or Designee



COLORADO
Department of Human Services

COUNTY OF SAN JUAN COLORADO,

by and through the BOARD OF COUNTY COMMISSIONERS

Chair

ATTEST:

County Clerk to the Board

Date: _____

County Sales Tax

| | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 % Change | 5yr. Average |
|--------------|------------|------------|------------|------------|------------|---------------|--------------|
| January | 6,799.02 | 4,970.71 | 7,799.87 | 6,854.79 | 16,723.50 | 18,815.24 | 12.51% |
| February | 15,080.08 | 13,859.09 | 12,885.86 | 22,860.78 | 19,987.28 | 25,614.49 | 28.15% |
| March | 10,000.08 | 11,861.72 | 11,246.33 | 14,595.18 | 16,402.87 | 20,922.98 | 27.56% |
| April | 11,323.27 | 10,399.61 | 8,857.05 | 15,280.29 | 15,820.09 | 26,540.36 | 67.76% |
| May | 13,990.92 | 16,321.32 | 19,708.91 | 12,778.47 | 24,773.54 | 43,984.48 | 77.55% |
| June | 7,552.19 | 4,601.13 | 5,827.74 | 9,946.40 | 17,549.36 | 10,146.13 | -42.19% |
| July | 7,682.30 | 5,985.49 | 6,206.92 | 17,737.22 | 13,668.65 | | -22.94% |
| August | 13,949.50 | 6,568.03 | 13,486.95 | 10,921.79 | 32,028.49 | | 193.25% |
| September | 21,634.93 | 9,579.78 | 22,429.05 | 21,745.79 | 30,048.75 | | 38.18% |
| October | 16,769.39 | 11,057.45 | 13,774.16 | 18,726.14 | 29,953.36 | | 59.95% |
| November | 4,182.80 | 11,187.78 | 15,070.58 | 17,785.19 | 29,182.27 | | 64.08% |
| December | 4,750.60 | 5,273.24 | 7,547.72 | 17,476.46 | 19,698.95 | | 12.72% |
| Total | 125,349.48 | 111,665.35 | 144,841.14 | 186,708.50 | 265,837.11 | 146,023.68 | 42.38% |

Year to Date 64,745.57 62,013.58 82,315.91 111,256.64 146,023.68 31.25%

Emergency Services Sales Tax

| | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | % Change | 5-Year Ave. |
|--------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|---------------|-------------------|
| January | 5,622.78 | 5,693.58 | 22,652.17 | 22,081.29 | 35,673.96 | 42,007.94 | 17.76% | 25,621.79 |
| February | 10,692.95 | 9,500.78 | 20,193.73 | 38,888.47 | 40,698.37 | 51,602.55 | 26.79% | 32,176.78 |
| March | 7,037.70 | 8,924.66 | 28,148.22 | 30,899.33 | 39,142.28 | 64,129.75 | 63.84% | 34,248.85 |
| April | 8,265.99 | 22,040.87 | 52,719.27 | 32,992.58 | 39,017.29 | 54,305.90 | 39.18% | 40,215.18 |
| May | 11,429.96 | 23,915.42 | 32,415.46 | 28,328.62 | 53,200.16 | 64,390.89 | 21.04% | 40,450.11 |
| June | 6,362.70 | 13,364.73 | 17,201.80 | 20,323.77 | 38,209.24 | 36,187.24 | -5.29% | 25,057.36 |
| July | 12,960.82 | 36,977.68 | 35,279.36 | 29,408.23 | 54,965.11 | | 86.90% | 33,918.24 |
| August | 29,968.07 | 54,297.30 | 74,723.11 | 62,795.11 | 139,369.81 | | 121.94% | 72,230.68 |
| September | 45,477.85 | 100,795.88 | 126,269.99 | 120,650.92 | 164,773.79 | | 36.57% | 111,593.69 |
| October | 33,384.56 | 82,850.46 | 103,635.85 | 108,852.60 | 139,222.51 | | 27.90% | 93,589.20 |
| November | 39,818.53 | 88,859.04 | 101,380.60 | 107,416.93 | 136,598.38 | | 27.17% | 94,814.70 |
| December | 14,380.35 | 34,697.06 | 45,399.97 | 63,130.77 | 93,550.49 | | 48.19% | 50,231.73 |
| Total | 225,402.27 | 481,917.46 | 660,019.53 | 665,768.62 | 974,421.39 | 312,624.27 | 46.36% | 601,505.85 |
| Year to Date | 49,412.08 | 83,440.04 | 173,330.65 | 173,514.06 | 245,941.30 | 312,624.27 | 27.11% | |

Town Sales Tax

| | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 % Change | 5-Year Ave. |
|--------------|-------------------|-------------------|-------------------|-------------------|---------------------|---------------|-------------------|
| January | 15,692.10 | 17,803.62 | 17,777.51 | 28,417.92 | 40,358.55 | 19.93% | 30,551.88 |
| February | 27,691.72 | 24,144.03 | 26,379.98 | 39,259.76 | 45,122.36 | 26.18% | 38,368.22 |
| March | 18,150.71 | 23,836.90 | 33,717.73 | 34,763.49 | 46,228.85 | 76.71% | 44,047.65 |
| April | 21,740.67 | 24,868.07 | 75,356.86 | 37,422.14 | 46,611.62 | 29.48% | 48,922.69 |
| May | 31,728.94 | 21,945.84 | 32,071.64 | 24,839.85 | 60,352.89 | -2.16% | 39,651.57 |
| June | 17,898.60 | 17,527.63 | 21,650.46 | 22,518.84 | 43,589.40 | -4.40% | 29,391.14 |
| July | 44,161.00 | 53,182.66 | 50,243.72 | 29,239.56 | 74,281.24 | 154.04% | 50,221.64 |
| August | 105,922.79 | 80,166.62 | 105,875.94 | 90,106.11 | 190,977.70 | 111.95% | 114,609.83 |
| September | 160,276.49 | 151,431.83 | 179,274.96 | 170,982.30 | 233,606.46 | 36.63% | 179,114.41 |
| October | 116,768.86 | 121,288.07 | 151,774.01 | 155,155.28 | 192,817.13 | 24.27% | 147,560.67 |
| November | 163,456.93 | 130,755.88 | 146,395.83 | 153,802.89 | 189,389.35 | 23.14% | 156,760.18 |
| December | 52,770.79 | 50,151.94 | 64,974.75 | 83,368.79 | 129,991.56 | 55.92% | 76,251.57 |
| TOTAL | 776,259.60 | 717,103.10 | 905,493.39 | 869,876.93 | 1,293,327.11 | 48.68% | 912,412.03 |

Year to Date 132,902.74 130,126.10 206,954.18 187,222.00 282,263.67 348,099.77 23.32%

2022 SALES TAX

| | Town | | County | | Emergency Services | | |
|--------------|-------------------|------------------|------------------|------------------|--------------------|------------------|-------------------|
| | Local | Remote | Local | Remote | Local | Remote | Total |
| January | 39,205.90 | 9,195.92 | 11,537.52 | 7,277.72 | 31,712.58 | 10,295.36 | 42,007.94 |
| February | 44,146.95 | 12,788.01 | 18,779.24 | 6,835.25 | 39,338.81 | 12,263.74 | 51,602.55 |
| March | 62,963.42 | 18,727.85 | 15,168.99 | 5,753.99 | 48,829.59 | 15,300.16 | 64,129.75 |
| April | 53,190.25 | 7,164.49 | 21,069.45 | 5,470.91 | 46,409.30 | 7,896.61 | 54,305.91 |
| May | 49,313.23 | 9,734.40 | 23,758.13 | 20,226.35 | 45,666.63 | 18,724.25 | 64,390.88 |
| June | 34,642.71 | 7,026.64 | 6,924.72 | 3,221.41 | 28,575.01 | 7,612.23 | 36,187.24 |
| July | | | | | | | |
| August | | | | | | | |
| September | | | | | | | |
| October | | | | | | | |
| November | | | | | | | |
| December | | | | | | | |
| Total | 283,462.46 | 64,637.31 | 97,238.05 | 48,785.63 | 240,531.92 | 72,092.35 | 312,624.27 |

Bonita Peak Mining District Update

June 2022



COLORADO
Department of Public
Health & Environment



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

Announcements

EPA has reached settlement agreements with the State of New Mexico and the Navajo Nation resolving the State and the Navajo Nation's legal claims against EPA and the United States associated with the Gold King Mine release, which occurred on August 5, 2015, in southwest Colorado.

[New Mexico settlement agreement](#)

[Navajo Nation settlement agreement](#)

Temporary Staff Changes

Al Basile will be filling in for Meg Broughton while on leave. Al is excited to be returning to Region 8 and Colorado after serving as the Team Lead for the Water Quality Section in EPA's New England Office. Prior to leaving Region 8 in August of last year, he served as the Region 8 Science Advisor. Al has both undergraduate and graduate degrees in Fisheries Biology/Management. He enjoys the outdoors and is very much looking forward to being settled again in Colorado.



Al Basile

Site Updates

Bandora Mine

The EPA has completed Interim Remedial Actions at the Bandora Mine pursuant to the 2019 IROD. While the majority of this work was completed in 2021, liner tie-ins and repairs to over-wintering features were finalized in early June 2022. Specifically, the liners at both the upper and lower ponds were tucked into the pond border. The perimeter of the ponds were covered with rock and the upper and lower spillways were armored.

Terry Tunnel

The EPA mobilized to the Terry Tunnel to complete regrading after last year's portal opening and stabilization. Work is ongoing. The perimeter of the pond will be covered with rock to secure the liner, and the lower channel will also be lined with rocks. The slopes and upper areas around the portal structure will be armored with rock as well.

Mammoth Tunnel

The EPA will be mobilizing to the Mammoth Tunnel in late June to route the adit discharge into the lower pond. Sediments in the closed upper pond will be stabilized on-site with quicklime.



Upper and Lower
Ponds at Bandora

Silver Wing Mine

After EPA contractors finish work at the Mammoth Tunnel, they will mobilize to the Silver Wing Mine. Anticipated work to be completed in June includes improvements to the mine access road and dewatering of pond sediments. The remainder of actions will take place in July and include adit discharge rerouting, pond excavation, and pH stabilization of sediments on site.

Drilling in OU3

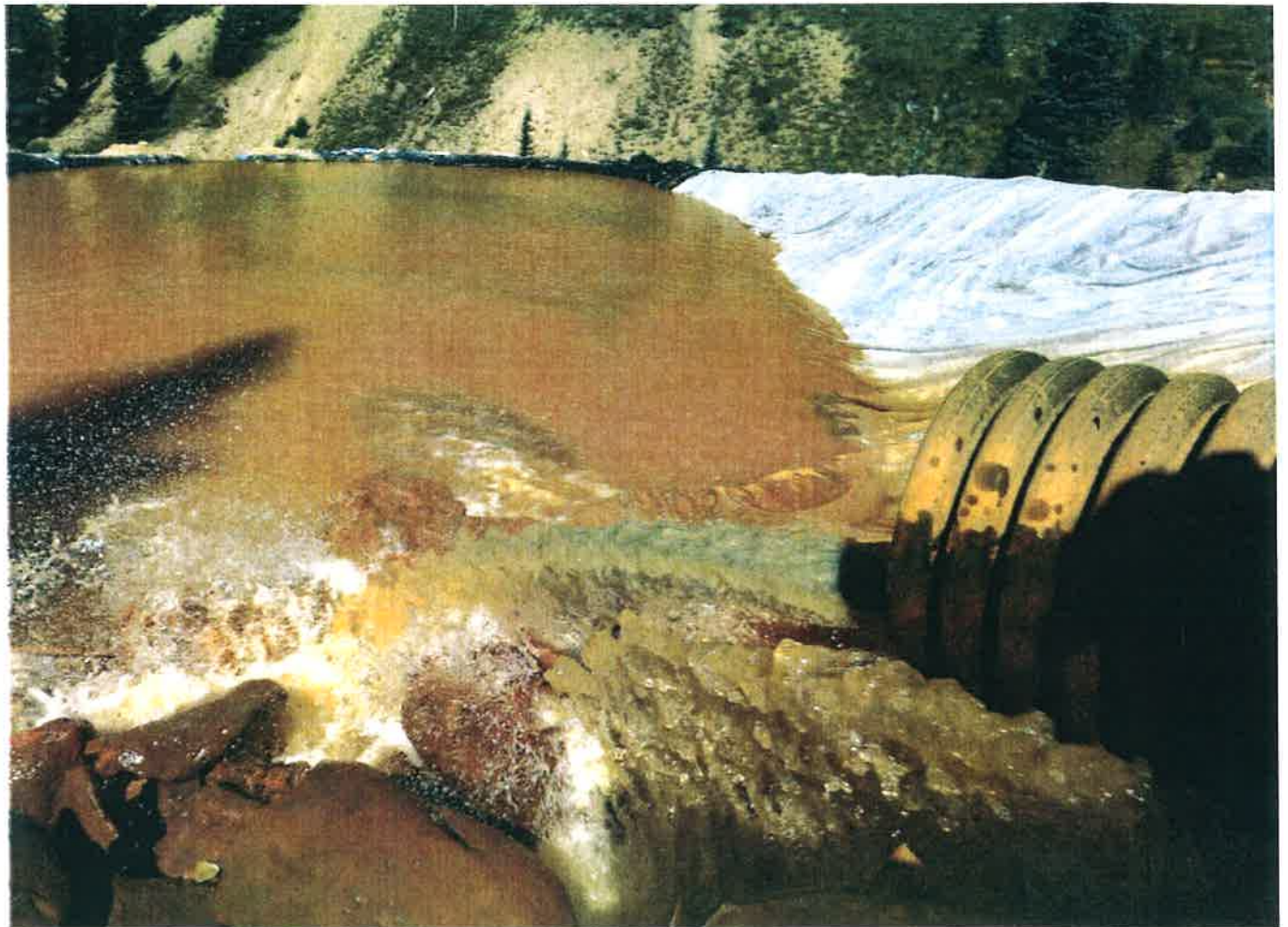
On June 7, EPA and their contractors visited Lake Emma to scout potential drilling locations for future wells in the Sunnyside workings. The team was accompanied by local members of the BPMD CAG with knowledge of the previous Sunnyside mining operations. They shared a wealth of historical knowledge and assisted in locating survey control points. The information gathered during the scouting trip will help refine the team's existing model of the workings as they continue planning for the upcoming drilling effort.

EPA to pay NM, Navajo Nation \$63 million for Gold King Mine spill

BY THERESA DAVIS / JOURNAL STAFF WRITER

PUBLISHED: THURSDAY, JUNE 16TH, 2022 AT 12:06PM

UPDATED: THURSDAY, JUNE 16TH, 2022 AT 10:35PM



Water flows through ponds built to reduce heavy metal and chemical contaminants downstream from the Gold King Mine disaster on Aug. 14, 2015. The U.S. Environmental Protection Agency will pay \$32 million to New Mexico and \$31 million to the Navajo Nation for the spill that sent 3 million gallons of acid mine drainage into the San Juan and Animas rivers. (Brennan Linsley/Associated Press)

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Nearly seven years ago, federal contractors breached a tunnel at the abandoned Gold King Mine near Silverton, Colorado, sending 3 million gallons of acid mine drainage into the Animas and San Juan rivers.

Now the U.S. Environmental Protection Agency will pay New Mexico and the Navajo Nation a combined \$63 million for the 2015 Gold King Mine disaster, according to settlement agreements announced Thursday.

During a news conference in Farmington, Gov. Michelle Lujan Grisham recalled the spill's "disturbing yellow flow through our beautiful communities and rivers."

Towns and farmers along the river scrambled to find alternative water after the disaster until testing declared the waterways safe.

"We can't have these environmental accidents in our waterways," Lujan Grisham said. "Every drop is precious."

The EPA will pay \$32 million to New Mexico and \$31 million to the Navajo Nation.

The Gold King wastewater plume – with more than 500 tons of heavy metals, including arsenic, lead and copper – flowed through Colorado, New Mexico, Utah and the Navajo Nation.

Federal and state agencies found that post-spill water quality met safety standards.

But the stigma of contaminated water lingered.

That had long-term impacts for local agriculture and outdoor recreation.

Lynlaria Dickson, who farms in the Upper Fruitland Chapter of the Navajo Nation, remembers the chaos and confusion in the days after the spill.

Hers was one of the first Navajo communities to be impacted by the plume.

By the time residents received data showing the water was safe to use, "it was a little bit too late."

Many communities had shut off irrigation canals. Crops died, and farmers lost everything.

"Some do not farm to this day," Dickson said.



Former Navajo Nation Shiprock Chapter President Chili Yazzie looks at his garden in 2020. Some northwest New Mexico farmers still have concerns about water quality after the Gold King Mine spill. (Anthony Jackson/Albuquerque Journal)

advertisement

For Navajo farmers, the impact was a severe economic and cultural blow.

The confluence of the San Juan and Animas rivers has long been a hub for growing alfalfa, corn, melons and squash.

Indigenous farmers revere the river as a life-giving entity.

“We sacrificed so much during that time,” Dickson said. “Nobody would buy our crops that did survive. I always find myself preparing for the worst if it should ever come again.”

Lujan Grisham said the river “has largely healed” since the spill.

She credited communities and agencies for testing water and keeping residents informed.

“What hasn’t happened is creating a holistic investment in the community,” Lujan Grisham said.

The \$32 million EPA settlement for New Mexico will fund aquatic habitat projects, cropland rehabilitation and long-term water quality monitoring.

The money is also aimed at addressing economic impacts on regional outdoor recreation and tourism.

Attorney General Hector Balderas said his office wasn’t afraid to “get into a fistfight” with the federal government to secure money and accountability for northwest New Mexico communities.

The state first filed a lawsuit in 2016.

“This was as much about justice as it was about science,” Balderas said.

After the Gold King incident, images of the river filled with yellow and orange sludge were international news.

But the region has a long history of mining and heavy metal pollution.

Many mines were abandoned long before environmental regulations came into play. Governments are left to clean up the hazardous waste.

Most heavy metals from the Gold King plume settled at the bottom of Utah’s Lake Powell.

The EPA has spent more than \$150 million on cleanup at the Bonita Peak Mining District Superfund Site.

A water treatment plant at the site treats acid mine drainage from Gold King.

EPA Deputy Administrator Janet McCabe joined state officials in Farmington for the announcement.

New Mexico will meet with the EPA annually for the next three years to discuss the Superfund work as part of the settlement.

“That’s why we’re here today,” McCabe said, “to mark this incredible progress in improving water quality in the Animas and San Juan rivers, and to reaffirm our commitment on behalf of the EPA to continuing our efforts to work with you to keep

these waters safe and clean for your communities, for your health, for your economy, for your recreation, for everything that makes New Mexico what it is and makes it so special to those of you who are lucky enough to live here.”

The \$31 million EPA settlement for the Navajo Nation reflects the “suffering” endured by tribal residents, said President Jonathan Nez.

At least one Navajo community chose not to irrigate from the river for an entire season.

Some farmers on the reservation are still hesitant to grow crops with river water.

“The Gold King Mine blowout damaged entire communities and ecosystems in the Navajo Nation,” Nez said in a statement.

Legal claims for about 300 Navajo farmers are still pending.

The Navajo Nation also has an ongoing lawsuit against the individual contractors that triggered the spill.

Last year, New Mexico and the Navajo Nation received \$21 million from a settlement with the Sunnyside Gold Corp. mining company.

That money will fund new irrigation pumps, boat ramps on the river, a farmers market pavilion in Farmington and a soil health project for area farmers.

Local and state leaders fought hard to “get a settlement of this magnitude” from the EPA, said New Mexico Environment Secretary Jim Kenney.

“We don’t want to sit on the money,” he said. “As soon as the money comes in, we want to get it out to communities. That’s our goal.”

[Home](#) » [ABQnews Seeker](#) » **EPA to pay NM, Navajo Nation \$63 million for Gold King Mine spill**

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News

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New Mexico reaches \$32M settlement over Gold King Mine spill



By SUSAN MONTROYA BRYAN, Associated Press

Thursday, Jun 16, 2022 1:40 Updated Thursday, Jun 16, 2022 1:56



Water flows through a series of retention ponds Aug. 12, 2015, set up after a spill at the Gold King Mine near Silverton. (Brennan Linsley/Associated Press file)



ALBUQUERQUE – New Mexico and the U.S. government have reached a \$32 million settlement over a 2015 mine spill that polluted rivers in three western states.

Similar environmental accidents will be intolerable in the future as the region grapples with shrinking water supplies amid drought and climate change, the governor said Thursday.

“Every drop is precious,” Gov. Michelle Lujan Grisham said during a news conference. “If we don’t have that water, we aren’t growing our own food.”

the San Juan and Animas rivers.

Water utilities were forced to scramble and shut down intake valves while farmers stopped drawing from the rivers as the contaminants moved downstream.

The New Mexico settlement marks just the latest reached over the past year. Colorado and the Navajo Nation also have inked multimillion-dollar agreements to settle claims and sort out responsibility for continued cleanup at the Superfund site that was established after the spill.

Under the New Mexico agreement, the federal government will make cash payments for response costs, environmental restoration and efforts to mitigate the negative perceptions about the area's rivers after the spill. Money also will go toward water quality monitoring and cleanup activities.

Lujan Grisham called the settlement a turning point for communities in the region.

"While the San Juan and Animas rivers have healed from the spill, it's time for communities like Farmington, Bloomfield and Aztec to do the same," she said in a statement, saying the money is deserved in light of the federal government's role in the disaster.

The state also received \$11 million in damages from the mining companies, and the case against the federal contractors involved is pending.

SPONSORED CONTENT



This 7-Day Savings Challenge Is Going Viral By Making People Richer

BY THE PENNY HOARDER

Can you stick with this challenge for seven days? It's easier than you think...

On Aug. 5, 2015, Environmental Protection Agency contractors attempting cleanup work caused the release of the toxic wastewater. The plume eventually reached Lake Powell in Utah.

Although the rivers are now safe for irrigation and other uses, state and local officials have said the stigma associated with the event has had lasting effects on the region's economy.

The Navajo Nation finalized a \$31 million settlement with the federal government this week. The tribe said the plume had traveled through an estimated 200 miles of the San Juan River, which it considers sacred.

Top Navajo officials traveled to the mine site and shared photos and video of the wastewater rushing downstream on social media.

Navajo Nation President Jonathan Nez said the tribe had pledged to hold accountable all those who caused or contributed to the spill. He added that he was grateful the federal government acknowledged the devastation that it caused.

While New Mexico and the Navajo Nation pursued separate lawsuits, the cases were consolidated and state officials said Thursday that remediation and restoration work will be coordinated.

State officials said a restoration plan will be developed with public input.



County's refusal to certify the vote hints at election chaos

Jun 15, 2022



Company tests high-altitude airship over New Mexico desert

Jun 15, 2022



New Mexico governor concerned with potential migrant influx

Jun 15, 2022



Willy Tookey <admin@sanjuancolorado.us>

SJC remains in "HIGH" Community Level for Covid-19 positive cases

2 messages

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

Tue, Jun 14, 2022 at 1:05 PM

Reply-To: pio@sanjuancolorado.us

To: sanjuancounty@frontier.net



PRESS RELEASE 6/14/22

SILVERTON/SAN JUAN COUNTY CONTINUES TO BE IN "HIGH" COMMUNITY LEVEL FOR POSITIVE COVID-19 CASES WITH 60+ CASES IN LAST 2 WEEKS



Silverton, CO: San Juan County Public Health continues to see high levels of Covid-19 cases in Silverton during the third wave since the Pandemic

began. San Juan County is considered HIGH using the [CDC Community Level Scale](#) to monitor the status of the county since last week. Free Covid Kits at the Miners Hospital are available while supplies last. They include "At Home" Covid Tests, sanitizing wipes, thermometers, tests and masks all available for free. Stop by and grab what your family needs to protect yourself from Covid in the main hallway.

"We are aware of at least 60+ cases of COVID-19 in the past 2-3 weeks which coincides with the rest of our Region and the State during the third biggest wave since the Pandemic began. We are really encouraged by how many home tests people are doing themselves and how responsible they are by knowing to isolate to prevent more spread. Cases are ranging from mild to moderate and we're not aware of hospitalizations at this time.

People's symptoms have been reported as flu-like starting often with a scratchy throat, nasal congestion, cough and fatigue. We have been busy testing Monday-Friday, 10-12pm at the Miner's Hospital, giving people resources for [Anti-virals](#), [Telehealth](#) (for those who do not have a doctor and need antivirals), [isolation instructions](#) and just general encouragement and support. If you do test positive on a home test, please let us know for surveillance purposes and stay home and isolate for 5 days. Wear a mask for another 5 days if your symptoms have resolved or are resolving"

says Becky Joyce, PH Director.

When the County is in HIGH transmission, San Juan County Public Health Recommends:

- Wear a mask indoors in public
- Stay up to date with COVID-19 vaccines
- Get tested if you have symptoms



Willy Tookey <admin@sanjuancolorado.us>

First fatal ATV Rollover accident of summer season

2 messages

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

Mon, Jun 13, 2022 at 4:46 PM

Reply-To: pio@sanjuancolorado.us

To: administrator@sanjuancolorado.us



PRESS RELEASE 6/13/22

FATAL ATV ROLLOVER ACCIDENT NEAR ANIMAS FORKS ON SUNDAY JUNE 12TH

San Juan County CO: On Sunday June 12th an emergency call went out at 4:06 pm for an ATV rollover accident out County Road 2 near Animas Forks. The passenger of the ATV who was wearing a helmet, a 23-year-old male from Colorado Springs was pronounced dead at the scene. The operator of the ATV sustained minor injuries. This is the first backcountry fatality of the summer season.



###

Please direct all media inquiries to San Juan County Public Information Officer DeAnne Gallegos at (970) 403-9951 or pio@sanjuancolorado.us

To sign up for the updates from the Office of Emergency Management and San Juan County Public Health, email 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

San Juan County Colorado [Website](#)