

SAN JUAN COUNTY, COLORADO
BOARD OF COMMISSIONERS MEETING AGENDA

August 23, 2023

San Juan County Commissioner meeting will be conducted in a hybrid virtual/in-person format. All persons including Board Members, Staff, Applicants and interested Public may meet in person or 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 August 9, 2023

APPOINTMENTS

6:35 P.M. Public Hearing – Silverton Power House LLC Liquor License Application
6:45 P.M. Paul Reich, Axis Request for Letter of Support
7:00 P.M. Bonanza Boy LLC Planned Unit Development Sketch Plan
7:30 P.M. Klem Branner, Silverton Singletrack Society – GOCO Grant

New Business:

Resolution 2023-08 Supporting The Silverton Singletrack Society’s Grant Application For A Community Impact Program Grant From The State Board Of The Great Outdoors Colorado Trust Fund

Correspondence:

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 – September 13, 2023 8:30 A.M.

Join Zoom Meeting

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

By Telephone: Dial 1 669-900-6833 and enter the Webinar ID 92136473203 when prompted.

Meeting ID: 921 3647 3203

You Tube (live and recorded for later viewing, does not support public comment):

<https://www.youtube.com/@sanjuancountycolorado/streams>

SAN JUAN COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING WEDNESDAY, AUGUST 9, 2023
AT 3:00 P.M.

Call to Order: The meeting was called to order by Chairman Pro-Tem Scott Fetchenhier Austin Lashley. Present were Commissioner Pete Maisel, County Attorney Dennis Golbricht and Administrator William Tookey. Commissioner Lashley attended via Zoom.

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

Minutes: Commissioner Fetchenhier moved to approve the minutes of July 26, 2023 as presented. Commissioner Lashley seconded the motion. The motion passed unanimously.

Chuck Cousino of CDPHE and Brian Devine of SJBPH were present via Zoom to discuss the rule and regulations concerning On-sit Wastewater Treatment Systems.

Public Health Director Becky Joyce was present to provide an update on public health. Also present were representatives of the Silverton Clinic and Innovation Medical. Innovation Medical has talked to the Silverton Clinic about sub-leasing their space to provide an additional day of clinic availability. Innovation Medical is a for profit organization. Public Health and the Silverton Clinic both fully support Innovation Medicals request to open a clinic for at least one day per week. It was the consensus of the Commissioners to instruct County Attorney Golbricht to modify the County's Lease Agreement with the Silverton Clinic to allow them to sublease their space with Innovation Medical.

A Public Hearing was held to receive comments concerning the Sketch Plan Improvement Permit Application submitted by Adam Rex to construct a single-family dwelling on the Forst Lode and to operate a vacation rental from that location. The site will be accessed from CR 33. Upon completion of the public hearing Commissioner Maisel moved to approve the Sketch Plan with the conditions as presented by staff and the additional condition that the on-site water would be tested to determine if it was potable. Commissioner Lashley seconded the motion. The motion passed unanimously.

The Commissioners discussed the use of the property for a vacation rental. Commissioner Fetchenhier moved to deny the application for a vacation rental as the property does not comply with County Zoning and Land Use Regulations 4-110(3)(iii)(b) that requires that the rental is safely accessible year-round. Commissioner Maisel seconded the motion. The motion passed unanimously.

A Public Hearing was held to receive comments concerning the Land Use Permit submitted by Colby Barret dba Bonanza Boy LLC to do mine remediation on the Shelbyville Lode MS 18168 located near Mill Creek in the Chattanooga Area off US Highway 550. County Attorney Dennis Golbricht reminded the applicant that a determination by the Commissioners on the Land Use Permit had no bearings on any determination that the Commissioners might make concerning his PUD application that would be presented at a later time and any decision to proceed would be at the applicant's risk entirely. Upon completion of the Public Hearing Commissioner Lashley moved to approve the Land Use Permit application as submitted with the condition that remediation be in compliance with the Voluntary Cleanup Plan as approved and authorized by the Colorado Department of Public Health and Environment. Commissioner Maisel seconded the motion.

Mr. Colby Barret also provided an introduction to the Planned Unit Development -Silver Cloud Lodge Project to be located on the Shelbyville Lode MS 18168 and other recreation improvements located on the applicants property in the Chattanooga Area.

Social Services Director Martha Johnson was present via Zoom to provide the Commissioners with an update.

Commissioner Maisel moved to approve Transmittal #5 in the amount of \$8070.88. Commissioner Lashley seconded the motion. The motion passed unanimously.

Commissioner Maisel moved to approve Transmittal #6 in the amount of \$28,391.83. Commissioner Lashley seconded the motion. The motion passed unanimously.

Administrator Tookey informed the Commissioners that Tri State Generation will be doing vegetation maintenance on its transmission from the Burro Bridge Substation to the top of Ophir Pass.

Klem and Lisa Branner were present to provide an update from the Silverton Singletrack Society. They requested that the Commissioners submit a GOCO Grant Application on their behalf. They will also need a resolution, a letter of support and a letter confirming that San Jaun County has the financial ability to administer a large grant. It was the consensus of the Commissioners to move forward with the application.

The Treasurer's monthly report was presented to the Commissioners for their review.

The Sales Tax report was presented to the Commissioner for their review.

Having no further business, the meeting was adjourned at 9:42 P.M.

Austin Lashley, Chairman

Ladonna L. Jaramillo, County Clerk

Colorado Liquor Retail License Application

Hannah Green
 719-231-5538
 hannahgreenart@gmail.com

New License New-Concurrent Transfer of Ownership State Property Only

- All answers must be printed in black ink or typewritten
- Applicant must check the appropriate box(es)
- Applicant should obtain a copy of the Colorado Liquor and Beer Code: www.colorado.gov/enforcement/liquor

1. Applicant is applying as a/an Individual Limited Liability Company Association or Other
 Corporation Partnership (includes Limited Liability and Husband and Wife Partnerships)

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation FEIN Number
 Silverton Powerhouse LLC 92-1821264

2a. Trade Name of Establishment (DBA) State Sales Tax Number Business Telephone
 95992121

3. Address of Premises (specify exact location of premises, include suite/unit numbers)
 8A Mears Ave

City Silverton County San Juan State CO ZIP Code 81433

4. Mailing Address (Number and Street) City or Town State ZIP Code
 PO Box 947 Silverton CO 81433

5. Email Address
 info@silvertonpowerhouse.com

6. If the premises currently has a liquor or beer license, you must answer the following questions

Present Trade Name of Establishment (DBA)	Present State License Number	Present Class of License	Present Expiration Date

Section A Nonrefundable Application Fees	Section B (Cont.) Liquor License Fees
<input checked="" type="checkbox"/> Application Fee for New License \$1550.00 <input type="checkbox"/> Application Fee for New License w/Concurrent Review \$1750.00 <input type="checkbox"/> Application Fee for Transfer \$1550.00	<input type="checkbox"/> Lodging & Entertainment - L&E (County) \$500.00 <input type="checkbox"/> Manager Registration - H & R \$75.00 <input type="checkbox"/> Manager Registration - Tavern \$75.00 <input type="checkbox"/> Manager Registration - Lodging & Entertainment \$75.00 <input type="checkbox"/> Manager Registration - Campus Liquor Complex \$75.00 <input type="checkbox"/> Master File Location Fee \$50.00 X Total _____ <input type="checkbox"/> Master File Background \$500.00 X Total _____
Section B Liquor License Fees <input type="checkbox"/> Add Optional Premises to H & R \$200.00 X Total _____ <input type="checkbox"/> Add Related Facility to Resort Complex \$75.00 X Total _____ <input type="checkbox"/> Arts License (City) \$308.75 <input type="checkbox"/> Arts License (County) \$308.75 <input type="checkbox"/> Beer and Wine License (City) \$351.25 <input type="checkbox"/> Beer and Wine License (County) \$436.25 <input type="checkbox"/> Brew Pub License (City) \$750.00 <input type="checkbox"/> Brew Pub License (County) \$750.00 <input type="checkbox"/> Campus Liquor Complex (City) \$300.00 <input type="checkbox"/> Campus Liquor Complex (County) \$500.00 <input type="checkbox"/> Campus Liquor Complex (State) \$500.00 <input type="checkbox"/> Club License (City) \$308.75 <input type="checkbox"/> Club License (County) \$308.75 <input type="checkbox"/> Distillery Pub License (City) \$750.00 <input type="checkbox"/> Distillery Pub License (County) \$750.00 <input type="checkbox"/> Hotel and Restaurant License (City) \$500.00 <input type="checkbox"/> Hotel and Restaurant License (County) \$500.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City) \$700.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County) \$700.00 <input type="checkbox"/> Liquor-Licensed Drugstore (City) \$227.50 <input type="checkbox"/> Liquor-Licensed Drugstore (County) \$312.50 <input type="checkbox"/> Lodging & Entertainment - L&E (City) \$500.00	<input type="checkbox"/> Optional Premises License (City) \$500.00 <input type="checkbox"/> Optional Premises License (County) \$500.00 <input type="checkbox"/> Racetrack License (City) \$500.00 <input type="checkbox"/> Racetrack License (County) \$500.00 <input type="checkbox"/> Resort Complex License (City) \$500.00 <input type="checkbox"/> Resort Complex License (County) \$500.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (City) \$160.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (County) \$160.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (State) \$160.00 <input type="checkbox"/> Retail Gaming Tavern License (City) \$500.00 <input type="checkbox"/> Retail Gaming Tavern License (County) \$500.00 <input type="checkbox"/> Retail Liquor Store License-Additional (City) \$227.50 <input type="checkbox"/> Retail Liquor Store License-Additional (County) \$227.50 <input type="checkbox"/> Retail Liquor Store (City) \$227.50 <input type="checkbox"/> Retail Liquor Store (County) \$312.50 <input type="checkbox"/> Tavern License (City) \$500.00 <input checked="" type="checkbox"/> Tavern License (County) \$500.00 <input type="checkbox"/> Vintners Restaurant License (City) \$750.00 <input type="checkbox"/> Vintners Restaurant License (County) \$750.00

Questions? Visit: www.colorado.gov/enforcement/liquor for more information

Do not write in this space - For Department of Revenue use only

Liability Information

License Account Number	Liability Date	License Issued Through (Expiration Date)	Total
			\$

Name	Type of License	Account Number		
7. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
8. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):				
(a) Been denied an alcohol beverage license?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
(b) Had an alcohol beverage license suspended or revoked?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
(c) Had interest in another entity that had an alcohol beverage license suspended or revoked?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
If you answered yes to 8a, b or c, explain in detail on a separate sheet.				
9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
10. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
or				
Waiver by local ordinance?		<input type="checkbox"/> <input type="checkbox"/>		
Other: _____				
11. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS		<input type="checkbox"/> <input checked="" type="checkbox"/>		
12. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS		<input type="checkbox"/> <input checked="" type="checkbox"/>		
13a. For additional Retail Liquor Store only Was your Retail Liquor Store License issued on or before January 1, 2016?		<input type="checkbox"/> <input type="checkbox"/>		
13b. Are you a Colorado resident?		<input checked="" type="checkbox"/> <input type="checkbox"/>		
14. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current financial interest in said business including any loans to or from a licensee		<input type="checkbox"/> <input checked="" type="checkbox"/>		
15. Does the applicant, as listed on line 2 of this application, have legal possession of the premises by ownership, lease or other arrangement?		<input type="checkbox"/> <input type="checkbox"/>		
<input type="checkbox"/> Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____				
a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease				
Landlord	Tenant	Expires		
San Juan County Historical Society	Hannah Green + Hillary Cable	04/01/23		
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 16.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
c. Attach a diagram designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11"				
16. Who besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business, or who will receive money from this business? Attach a separate sheet if necessary				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.				
17. Optional Premises or Hotel and Restaurant Licenses with Optional Premises:		Has a local ordinance or resolution authorizing optional premises been adopted? <input type="checkbox"/> <input type="checkbox"/>		
Number of additional Optional Premise areas requested (See license fee chart):		<input type="text"/>		
18. Liquor Licensed Drugstore (LLDS) applicants, answer the following:				
(a) Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's LLDS premise?				<input type="checkbox"/> <input type="checkbox"/>
If "yes" a copy of license must be attached.				
19. Club Liquor License applicants answer the following: Attach a copy of applicable documentation				
(a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?				<input type="checkbox"/> <input type="checkbox"/>
(b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?				<input type="checkbox"/> <input type="checkbox"/>
(c) How long has the club been incorporated?				<input type="text"/>
(d) Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?				<input type="checkbox"/> <input type="checkbox"/>
20. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following:				
(a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)				<input type="checkbox"/> <input type="checkbox"/>

Name	Type of License	Account Number		
<p>21. Campus Liquor Complex applicants answer the following:</p> <p>(a) Is the applicant an institution of higher education? Yes No <input type="checkbox"/> <input type="checkbox"/></p> <p>(b) Is the applicant a person who contracts with the institution of higher education to provide food services? <input type="checkbox"/> <input type="checkbox"/> If "yes" please provide a copy of the contract with the institution of higher education to provide food services.</p>				
<p>22. For all on-premises applicants</p> <p>a. Hotel and Restaurant, Lodging and Entertainment, Tavern License and Campus Liquor Complex, the Registered Manager must also submit an Individual History Record - DR 8404-I and fingerprints.</p> <p>b. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit a Manager Permit Application - DR 8000 and fingerprints</p>				
Last Name of Manager	First Name of Manager			
<p>23. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. Yes No <input type="checkbox"/> <input type="checkbox"/></p>				
<p>24. Related Facility - Campus Liquor Complex applicants answer the following:</p> <p>a. Is the related facility located within the boundaries of the Campus Liquor Complex? Yes No <input type="checkbox"/> <input type="checkbox"/> If yes, please provide a map of the geographical location within the Campus Liquor Complex. If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex.</p> <p>b. Designated Manager for Related Facility- Campus Liquor Complex</p>				
Last Name of Manager	First Name of Manager			
<p>25. Tax Distraint Information. Does the applicant or any other person listed on this application including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue? If yes, provide an explanation and include copies of any payment agreements. Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>				
<p>26. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members in addition, applicant must list any stockholders, partners or members with ownership of 10% or more in the applicant. All persons listed below must also attach form DR 8404-I (Individual History Record), and submit fingerprint cards to the local licensing authority.</p>				
Name	Home Address, City & State	DOB	Position	%Owned
Hannah Green	351 Reese St #2417, Silverton, CO	05/23/91	founder	100
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned
<p>** If applicant is owned 100% by a parent company, please list the designated principal officer on above.</p> <p>** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above. (include ownership percentage if applicable)</p> <p>** If total ownership percentage disclosed here does not total 100%, applicant must check this box.</p> <p><input checked="" type="checkbox"/> Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Title 47 or 48, C.R.S.</p>				

Name	Type of License	Account Number
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Oath Of Applicant

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license

Authorized Signature <i>Hannah Green</i>	Printed Name and Title Hannah Green	Date 07/24/23
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Report and Approval of Local Licensing Authority (City/County)

Date application filed with local authority	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application)
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The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:

- Fingerprinted
- Subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license

(Check One)

- Date of inspection or anticipated date _____
- Will conduct inspection upon approval of state licensing authority

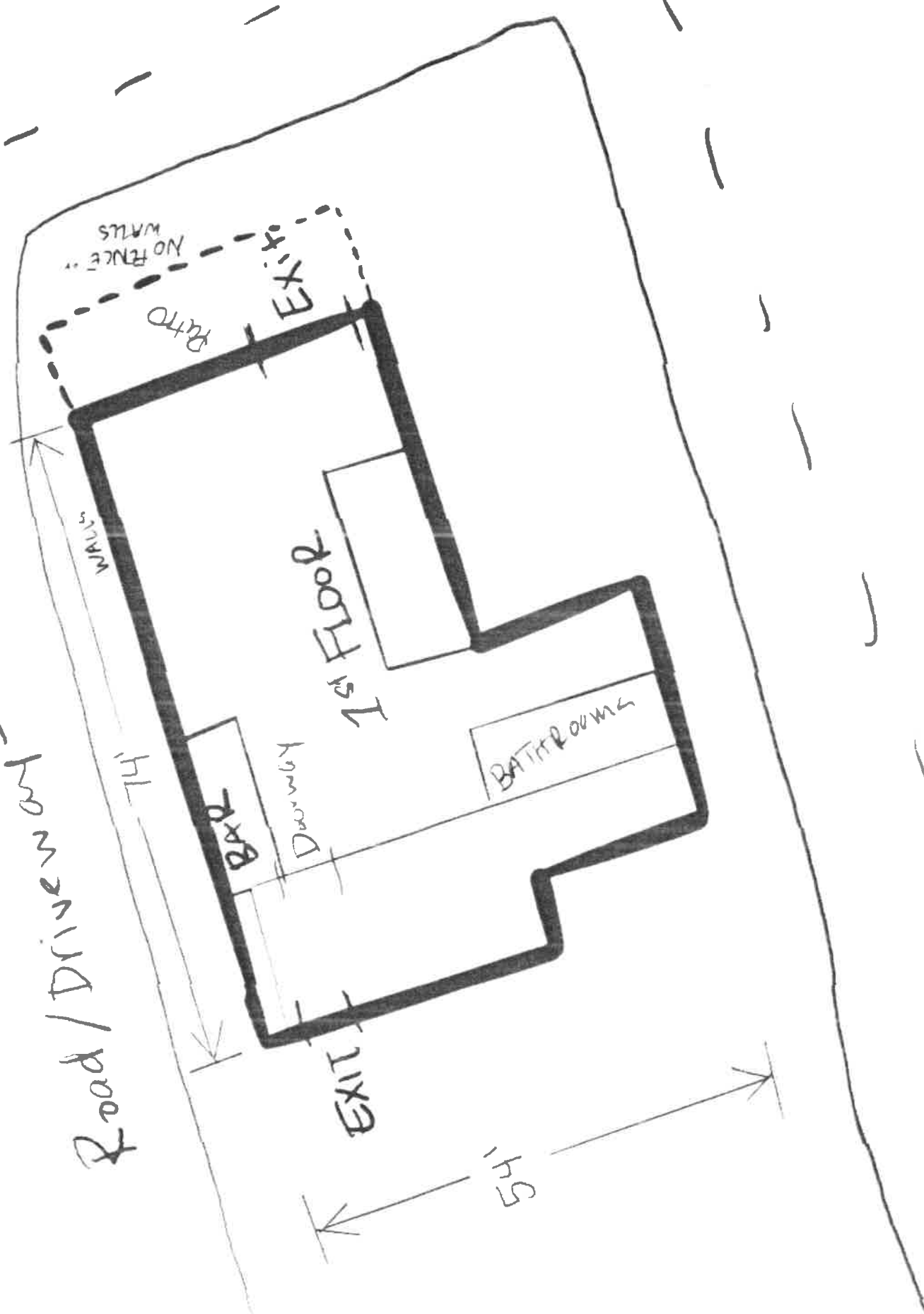
- Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,000? Yes No
 - Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,000? Yes No
- NOTE:** The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS
- Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food during the prior twelve (12) month period? Yes No

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S., and Liquor Rules. **Therefore, this application is approved.**

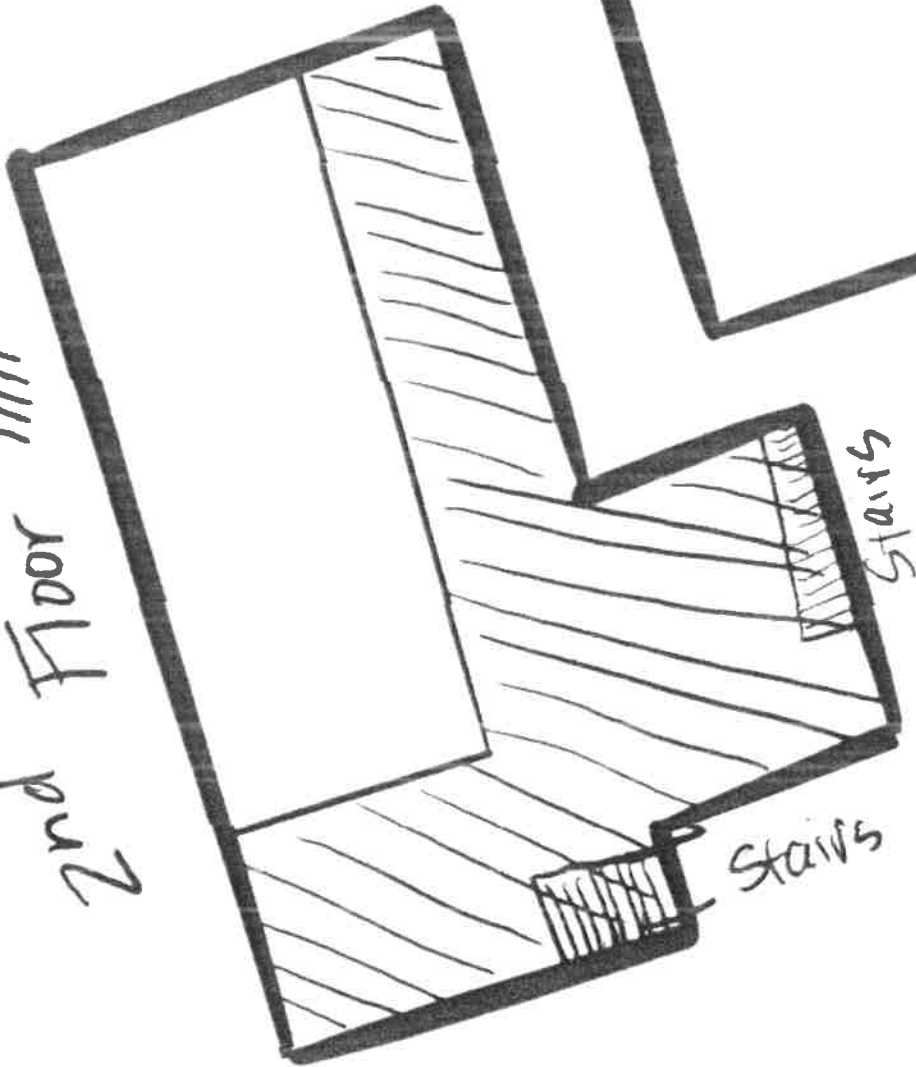
Local Licensing Authority for	Telephone Number	<input type="checkbox"/> Town, City <input type="checkbox"/> County
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Signature	Print	Title	Date
Signature	Print	Title	Date

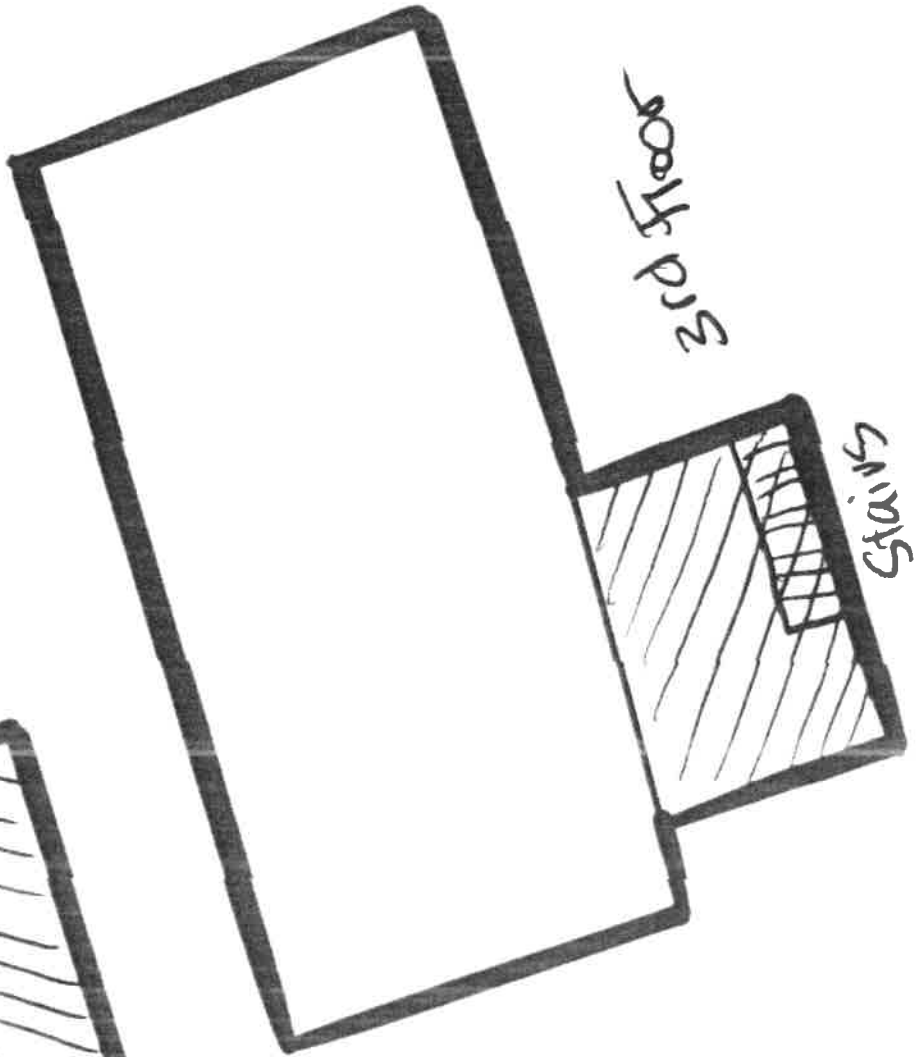
2 ←



2nd Floor



3rd Floor





SAN JUAN COUNTY COLORADO

1557 GREENE STREET
P.O. BOX 466
SILVERTON, COLORADO 81433
PHONE/FAX 970-387-5766 admin@sanjuancolorado.us

August 23, 2023

Colorado Economic Development Commission
Office of Economic Development and International Trade
1600 Broadway, Suite 2500
Denver, CO 80202

Dear Colorado Economic Development Commission,

The San Juan County Commissioners support Axis' application to designate their Durango Integrated Healthcare Clinic as an Enterprise Zone Contribution Project. Axis' plans to expand and centralize healthcare services will directly benefit residents of San Juan County, as many of them travel to La Plata County for services and will experience improved access to healthcare through this project.

Investments in healthcare benefit the regional economy, as they bring jobs and increase productivity. Healthy people are more likely to participate in activities that strengthen the economy, such as participating in the workforce and contributing to community engagement activities. The proposed expansion and centralization of Axis' La Plata County services will provide improved access to primary, dental, and behavioral healthcare in one location, better accommodating underserved people in the region.

As the region seeks to diversify its industries and retain and expand its existing businesses, the expansion of the healthcare sector serves an important role. The investments that result from this designation will support Axis' expansion and allow the organization to continue to advance its mission to make a meaningful difference through healthcare innovation and caring for the whole person.

Axis has achieved this mission at a regional level. We support their efforts, as they have been active supporters of regional health. Thank you for considering their application.

Sincerely,

Austin Lashley, Chairman
San Juan County Commissioners

MEMORANDUM

August 23, 2023

TO: Board of County Commissioners

FR: William A. Tookey

RE: Bonanza Boy LLC.

Bonanza Boy Planned Unit Development

Bonanza Boy LLC Planned Unit Development Sketch Plan Application.

A Planned Unit Development is a project, improvement or development which is pre-planned in its entirety, with variation permitted from regulations in the context of the acceptance of the overall plan in its entirety on merits which outweigh the variation from regulations. As Planned Unit Development the application follows the procedures and applicable requirements of the Chapter 7 Subdivision Regulations.

Zoning and Land Use Regulation Section 0-109 Vested Property Rights states: *Approval of a zoning or rezoning application, a permitted use, or an Improvement Permit will not establish a vested property right unless and until final approval thereof has been granted by the Board of County Commissioners or by the designated official allowed to grant such permit under the terms of this Code, or, if applicable a final plat is approved by the Board of County Commissioners under the subdivision, zoning or other regulations of the county.*

Mr. Colby Barrett representing Bonanza Boy LLC has submitted a Sketch Plan application for a Planned Unit Development (PUD) for the purpose of developing the Silver Cloud Lodge and other improvements.

The project is located on County Road 15 aka Forest Service Road 821 near Mill Creek in the Chattanooga area off US Highway 550.

Mr. Colby Barrett dba Bonanza Boy LLC owns approximately 256 acres in the Chattanooga Area. The property is located in the Mountain Zoning District.

The adjacent landowners have been notified via US Mail of the proposed applications. A copy of the letter is included.

At the previous BOCC meeting Mr. Barrett provided an introduction to his proposal.

The Lodge will be located on the Shelbyville Lode MS 18168. The Lodge will consist of an approximate 4000 sq. ft. timber framed structure designed similarly to the historic structures that were previously located on the site. The Silver Crown Mine will be reopened and incorporated into the lodge. The Lodge will be “off-grid” and powered by solar, micro-hydro, biomass and a backup generator.

Heating will use the same technologies along with a heat pump and wood stoves.

Domestic water will come from the mine adit which flows rate about 30 gpm. The water will need minimum treatment. A septic system will be installed on site to treat wastewater.

A garage and employee housing would be located on the Bonanza Boy MS 16677. The property is adjacent to the Mountain Chief Claim MS 560 B owned by Margaret Stern also known as the Artists Cabin.

The garage/housing structure will be powered and heated by a solar array with a backup generator.

Water will come from a well or spring on site. A septic system will be installed on site to treat the wastewater.

Internet will be provided via Starlink. A satellite phone/Garmin Inreach and CB radio will be available for emergency communications for both sites.

Solid waste will be stored in bear-resistant facilities and then transferred to a transfer station for both sites. The applicant will be required to create an account on the Town of Silverton's Utility billing system for refuse.

Propane will be used for cooking as well as for backup heating. The tank at the lodge will be buried, the tank at the garage will be above ground and screened.

Exterior lighting for both sites will need to comply with the County dark sky requirements.

Additional improvements would include hydro generation, primitive dispersed campsites, interpretive signage, establishing rock and ice climbing routes, a via ferrata and trails along with habitat enhancement of Mill Creek, wetlands creation, and reforestation efforts.

1-114 of the Zoning and Land Use Regulations identifies the Scenic Preservation Overlay District as all property located with 1500 feet of the centerline of US 550. Some but not all of the property is located with the Scenic Preservation Overlay District. Regardless of the property location any adverse visual impact needs to be minimized as much as possible.

It appears that the applicant has provided a well thought out project and has provided significant technical expertise. The project's location has spectacular scenic and recreational value. It is also almost entirely in avalanche hazard areas.

Of utmost concern must be the safety of the Lodge's guests, workforce, general public and emergency responders. Buildings can be engineered and designed to withstand an avalanche's direct and indirect impact. Avalanche diversions can be constructed to reduce

the impact on the structures. However, there is still the safety issue of crossing avalanche terrain to access the buildings. The applicant has provided that winter guests would only be allowed access with a guide knowledgeable in avalanche hazards. That may not be enough and active avalanche mitigation may be required. In addition to the hazards on site there are the avalanche hazards of US 550. Avalanches, avalanche control and road closures could all have an adverse impact on the operation of the lodge during winter months. If the project is ultimately approved the applicant will need to develop safety procedures that are strictly adhered to and that do not encourage complacency. The applicant will need to demonstrate that the structures can be located and constructed to withstand the avalanches that impact the property. The applicant will also need to demonstrate that access to the structures can be done safely. And the applicant will also need to provide an emergency response plan for the evacuation of or shelter in place of the lodge's guests and workforce during times of road closures and high avalanche risks. And a plan to minimize the risks for emergency responders.

Region 5 Transportation Director Julie Constan has provided an email addressing some of CDOT's concerns and the impact it may have on their ability to do active avalanche mitigation.

Mr. Colby had previously submitted a Land Use Permit to allow for mining remediation of the Shelbyville Lode M.S. 18168. The remediation plan would be authorized through the State of Colorado Voluntary Cleanup Program (VCUP). CDPHE would monitor and approve the remediation plan and implementation.

The County Commissioners held a public hearing during their regular meeting of August 9, 2023 and approved the Land Use Permit for mining reclamation as submitted. The approval of the Land Use Permit has no significance in the determination of the PUD.

The San Juan Regional Planning Commission reviewed the Bonanza Boy LLC PUD Sketch Plan at their regular meeting of August 15, 2023 and voted unanimously to recommend approval of the Sketch Plan with the conditions as recommended by staff.

The Board of County Commissioners may recommend approval, approval with conditions or denial of this sketch plan application.

If the Commissioners choose to approve the PUD Sketch Plan they should do so with the following conditions:

1. That the applicant acknowledges that emergency services will not be available in a timely manner and perhaps not at all.
2. All improvements to the Bonanza Boy LLC PUD shall fully and completely comply with, and strictly conform to, all terms, conditions and restrictions contained in the San Juan County Zoning and Land Use Regulation, all permits issued, and all applicable State and Federal rules and regulations.

3. The applicant shall fully and completely comply with the San Juan County Zoning and Land Use Regulation 4-110 Design and Development Standards for all Improvement and Use Permits.
4. That a comprehensive plan be developed to maximize the safety and minimize the risks of avalanche hazards.
5. That the project is in compliance with Section 7-120 Air Quality as it pertains to wood burning devices.
6. If any historic artifacts are discovered on site during the excavation or construction, all work on the project will be stopped immediately until the Historic Review Committee or qualified archeologist can visit the site to document and preserve those artifacts.
7. That an affordable housing agreement be negotiated as required by 7-112.8A of the Zoning and Land Use Regulations.
8. The failure to comply with these conditions shall be grounds for the revocation of this approval and for any future Improvement Permits.
9. Any other conditions that the Planning Commission deems necessary.









SAN JUAN COUNTY COLORADO

1557 GREENE STREET

P.O. BOX 466

SILVERTON, COLORADO 81433

PHONE/FAX 970-387-5766 admin@sanjuancolorado.us

July 6, 2023

To Whom It May Concern:

This letter is to inform you that Colby Barrett of Bonanza Boy LLC has submitted a Sketch Plan Application for a Planned Unit Development and Land Use Permit for Mining Reclamation. The Application is for the proposed Silver Cloud Lodge and a Phase I Mining Reclamation Voluntary Clean Up on the Shelbyville Lodge MS 18168 and adjacent claims located near Chattanooga, Highway 550.

San Juan County Zoning and Land Use Regulations require that property owners within 1500 feet be notified of the application. A copy of the application can be reviewed in the office of the County Clerk, located at 1557 Greene St. Silverton, Colorado or via San Juan County's web page at <https://sanjuancounty.colorado.gov/> Copies of the application can also be reviewed upon request via the email listed above.

It is anticipated that this application will be reviewed by the Planning Commission during their meeting of July 18, 2023.

It is further anticipated that the application will be reviewed by the County Commissioners during their regular meeting of August 9, 2023.

If you have any comments or questions about the application, you may contact me by phone, mail or email listed above. You may also provide written or oral comments to the Planning Commission and to the County Commissioners.

If you have any questions or comments, please contact me at your earliest convenience.

William A. Tookey
Land Use Administrator

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

August 15, 2023

Board of County Commissioners
San Juan County
Silverton, CO 81433

Members of the Commission:

RE: Planned Unit Development for the
Proposed Silver Cloud Lodge
Bonanza Boy LLC,
Shelbyville Lode MS 18168 located in the
Chattanooga Area near US Highway 550

At the regular meeting of the San Juan Regional Planning Commission on August 15, 2023, members of that Commission held a meeting to discuss the Planned Unit Development for a proposed Silver Cloud Lodge Sketch Plan Application on the Shelbyville Lode USMS 18168 and other recreational improvements located near Mill Creek in the Chattanooga area on US Hwy 550 along with the garage/employee housing to be located on the Bonanza Boy Mill Site. The owner Colby Barrett is present to answer questions.

After considerable discussion and going over the background of the project, questions and presentations from William Tookey, Land use Administrator, and the applicant. The Planning Commission then voted unanimously to recommend to the San Juan County Commissioners that you approve the PUD Sketch Plan Application for the development of the proposed Silver Cloud Lodge.

Thank you for considering this recommendation.

Sincerely,
The Planning Commission Members and
James Weller, Chairman

RESOLUTION NO. 2023-08

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN JUAN COUNTY, COLORADO, SUPPORTING THE SILVERTON SINGLETRACK SOCIETY'S GRANT APPLICATION FOR A COMMUNITY IMPACT PROGRAM GRANT FROM THE STATE BOARD OF THE GREAT OUTDOORS COLORADO TRUST FUND AND FOR THE COMPLETION OF THE ASPEN FACE TRAILS PROJECT WITHIN THE BAKER'S PARK TRAIL SYSTEM

WHEREAS, the Board of Commissioners of San Juan County Colorado supports the Great Outdoors Colorado grant application for the Aspen Face Trails project; and

WHEREAS, if the requested grant is awarded, San Juan County supports the completion of the project; and

WHEREAS, San Juan County, on behalf of Silverton Singletrack Society, has requested \$700,000 from Great Outdoors Colorado for construction of the Aspen Face Trails project.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF COMMISSIONERS OF SAN JUAN COUNTY COLORADO THAT:

- Section 1: The Board of Commissioners of San Juan County Colorado strongly supports Silverton Singletrack Society's application for a grant with Great Outdoors Colorado.
- Section 2: If the grant is awarded, the Board of Commissioners of San Juan County Colorado strongly supports the fulfillment of the project.
- Section 3: If the grant is awarded, the Board of Commissioners of San Juan County Colorado hereby authorizes the County Administrator to sign the grant agreement with Great Outdoors Colorado.
- Section 4: If the grant is awarded, the Board of Commissioners of San Juan County Colorado authorizes the expenditure of funds necessary to meet the terms and obligations of the grant agreement.
- Section 5: This resolution to be in full force and effect from and after its passage and approval.

APPROVED AND ADOPTED IN SILVERTON, SAN JUAN COUNTY, COLORADO THIS 23rd day of August 2023

Austin Lashley, Chairman

ATTEST:

Scott L. Fetchenhier

Ladonna Jaramillo
Clerk and Recorder

Pete Maisel



SAN JUAN COUNTY COLORADO

1557 GREENE STREET
P.O. BOX 466
SILVERTON, COLORADO 81433
PHONE/FAX 970-387-5766 admin@sanjuancolorado.us

August 23, 2023

Great Outdoors Colorado
1900 Grant Street, Unit 725
Denver, CO 80203

To Whom It May Concern:

San Juan County would like to express our support for the development of the Aspen Face Trails project, part of the new Baker's Park Trail System being created in partnership with Silverton Singletrack Society.

The Aspen Face Trails are situated on Boulder Mountain which is adjacent to the town of Silverton. The proposed trails are aimed at building bike optimized trails for all ability levels from beginners to experts as well as pedestrians. We feel this is an excellent opportunity to diversify the economic opportunities of San Juan County and increase the overall quality of life for our residents, visitors, and surrounding communities.

San Juan County has supported this project by donating \$11,000 to Silverton Singletrack Society to help finance a feasibility study completed by the International Mountain Bicycling Association in 2019, pledging an additional \$11,000 in cash and \$20,000 for in-kind work, and agreeing to serve as a fiscal agent for grants. Should the project be awarded a GOCO Community Impact Grant, San Juan County is prepared to authorize the expenditure of funds necessary to cash flow construction and meet the obligations of the grant agreement.

We believe the Aspen Face Trails will be a great benefit our community and are looking forward to seeing this project move forward.

Thank you for your consideration,

Austin Lashley, Chairman
San Juan County Commissioners



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We believe the Aspen Face Trails will be a great benefit our community and are looking forward to seeing this project move forward.

Thank you for your consideration,

Austin Lashley, Chairman
San Juan County Commissioners

Tri-State Generation and Transmission Association, Inc.

**Ames-Burro Bridge Transmission Line
Phase 2 Vegetation Management Project**

Operation and Maintenance Plan



July 2023

Operations, Maintenance, and Vegetation Management Plan

Tri-State Generation and Transmission Association, Inc. (Tri-State) owns and operates the Telluride-Sunshine-Ames-Burro Bridge 115-kV transmission line. In 2022, Tri-State focused our vegetation management efforts on a portion of this transmission line between the Ames Station to the top of Ophir Pass in 2022. This second phase will begin at Structure 100 on the east side of Ophir Pass and work will move east just past Structure 127 near the Burro Bridge Substation. The treatment area will cover approximately 2.62 miles of transmission right-of-way (ROW). This portion of line spans lands managed by the San Juan National Forest, Columbine Ranger District and several private lands parcels.

Historically, Tri-State has removed hazard trees whenever they have been encountered during annual inspections. With ever increasing drought and wildfires in Colorado, it is becoming critical that Tri-State aggressively and proactively remove all incompatible vegetation within the ROW and those trees that fit the Forest Service definition of hazard tree. Tri-State will specifically be removing all tall growing woody vegetation in the transmission ROW and as well as hazard trees as defined by the Forest Service. All woody vegetation will be removed within a 50-foot radius of each structure to reduce wildfire impacts to the transmission line, with the exception of areas where willows are present.

Tri-State has developed this updated operations and maintenance plan to conduct necessary vegetation management activities required to safely operate and maintain the Ames-Burro Bridge 115-kV transmission line, which is a segment of the larger Telluride-Sunshine Sunshine-Ames Hydro-Burro Bridge 115-kV transmission line. This plan provides guidance to field personnel, environmental staff, and maintenance crews on measures identified by Tri-State and USFS to minimize environmental and land use effects that may occur as part of required vegetation management activities. It will be the responsibility of Tri-State to comply with measures identified in this plan. An atlas of the transmission line is included as Appendix A.



Vegetation Management Purpose and Need

Vegetation management is a critical component of transmission maintenance. The primary cause of electrical outages stems from trees or portions of trees located within or adjacent to the ROW, that grow, blow, or fall into or on overhead electric power lines. This transmission line has had the highest incident of vegetation interactions compared to any other line in Tri-State's transmission system. Vegetation management is crucial for accessing electrical facilities and reducing wildfire impacts to and from power lines. While some of these outages cannot be prevented (due to storms, heavy winds, avalanches etc.), a good percentage can, and these outages are mitigated by managing the vegetation before it becomes a problem. Arcing can occur if the physical separation between trees and power lines is not properly maintained. Arcing distances vary depending on voltage and ambient conditions, but any branch in close proximity to a conductor can spark a fire. Utilities and regulators generally agree that keeping overhead conductors clear of trees and vegetation is critical to both electric service reliability and fire prevention. Preventing outages and fires related to tree and power line interactions are in the interest of public safety and are mandated by federal law.

Since the time when the line was constructed, new legislation, administrative actions, and Memorandums of Understanding (MOUs) have driven changes in the way federal land managers and utility companies manage transmission line ROWs. Most recently, transmission lines are being recognized and treated as an essential part of the nation's "critical infrastructure." Increasing drought conditions in the western United States have also resulted in more frequent and severe wildfire and conducting vegetation management of transmission ROWs is one form of power line maintenance that can help reduce wildfire impacts on the landscape.

In response to changing federal legislation and industry standards, Tri-State has developed a Transmission Vegetation Management Program (TVMP) to ensure the vegetation treatment of its transmission ROWs is consistent with the NERC Vegetation Management Standard FAC-003-4. A copy of the TVMP is provided below in Attachment T-1. The objective of the TVMP is to ensure the safe and reliable operation of Tri-State's transmission system in an environmentally sensitive, cost-effective manner while also protecting the forest to the extent practical from fire resulting from vegetation interactions with power lines.

NERC is a self-regulatory organization (non-government organization) that has statutory responsibility to regulate bulk power system users, owners, and operators through the adoption and enforcement of FERC standards for fair, ethical, and efficient practices. NERC is responsible for creating and revising Vegetation Management Standards for transmission lines that are operated at 230-kV or higher, and transmission lines below 200-kV designated by the Reliability Coordinator as being subject to this standard, including but not limited to those that cross federal lands owned by federal, state, provincial, public, private, or tribal entities.

The reliability objective of NERC's Vegetation Management Standard is to "prevent vegetation-related outages leading to cascading events through the implementation of effective vegetation management while recognizing that certain outages such as those due to vandalism, human errors, and acts of nature are not preventable." Cascading events are defined by NERC as the uncontrolled successive loss of system elements triggered by an incident at any location. Cascading results in widespread electric service disruption that cannot be restrained from sequentially spreading beyond an area predetermined by study. Experience has shown that serious outages and operational issues have resulted from interference between overgrown vegetation and transmission lines (NERC 2008). To maintain electric reliability, it is critical that NERC's vegetation management standards are applied to applicable lines on federal, state, private, and public lands, and easements (NERC 2008). It should be noted that NERC's current standard is FAC-003-4. Tri-State may need to adapt its vegetation management standards in the future to be consistent with these federal regulations and guidance. If vegetation management standards change over time, the USFS will be notified prior to implementation of the new standards.

In various areas within Tri-State's Transmission System, the method by which Tri-State removes trees from the ROW can be governed by contracts, ROW easements, our Forest Service Special Use Authorizations (SUAs). However, the necessary treatment is derived from NERC/FERC standards and Tri-State's assessment of the potential for vegetation-induced outages and wildfire related impacts to our system. The frequency of vegetation management activities is determined by line location, species/communities, vegetation condition, growth rate, and height. Fuel loading and fire regimes also play a role in determining the level of vegetation management required to protect both the transmission line and surrounding lands. Various types of trees have different growth rates that also affect the frequency of the tree trimming and cutting cycle. Insect and disease outbreak within the ROW area may also affect vegetation treatment frequency and the number of trees to be removed.

Desired conditions will vary and can be specific for portions of the ROW or unique sections of the ROW. In general, it is Tri-State's practice to modify the optimum desired condition to reasonably accommodate other important resource or management issues and to work with USFS to establish mutually acceptable practices while following NERC standards and the standards laid out in Tri-State's Integrated Transmission Vegetation Management Plan. However, the safe and reliable operation of the transmission is the primary objective; all other resource and management issues will be addressed with this primary objective in mind.

Tri-State will create desired conditions on the ROW and remove danger trees adjacent to the transmission ROW. The goal of vegetation management is to establish compatible vegetation communities that will require minimal maintenance for the first 10 years of the transmission line operation, except for faster growing species like aspen, which will require more frequent management intervals. This process entails removing vegetation that could grow, blow, or fall

into structures or the conductors in the next ten years and to reduce fuel loading in the ROW. This generally involves removing all tall growing tree species and leaving smaller re-generation, grasses, and forbs. Tri-State's maintenance group will be responsible for maintaining this desired condition within the ROW. The line will continue to be inspected on an annual basis either by aerial or ground patrol to identify trees that could affect system reliability and pose a threat to human health and safety.

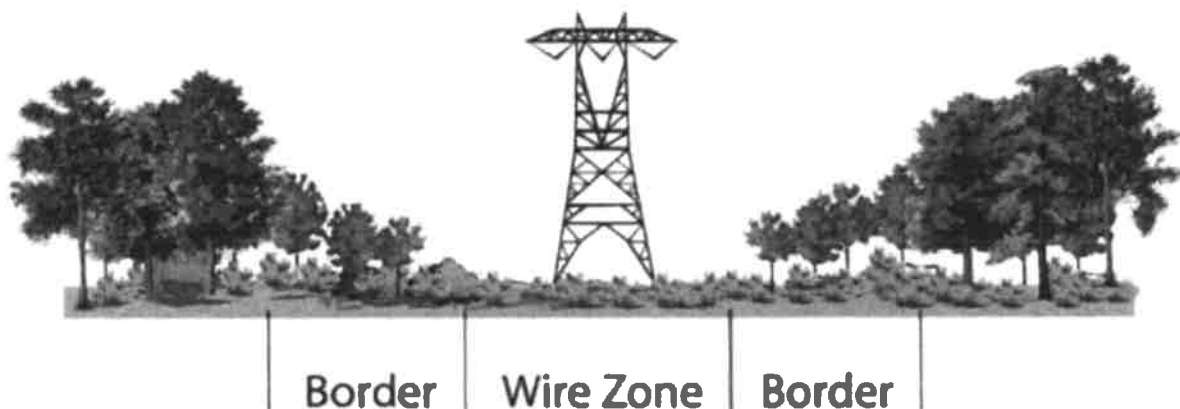
The Telluride-Sunshine-Ames-Burro Bridge transmission line is constructed and operated at 115-kV and is operated in compliance with NERC's reliability standards as a bulk electric system asset. It is a critical electrical system element to system reliability in this region of Colorado. As noted above, this line has had frequent vegetation induced outages and these outages pose a threat to electric reliability and the health and safety of the communities in the area.

It is Tri-State's policy to proactively mitigate vegetation hazards and threats to power system safety and reliability to the extent reasonable and practical within three main areas of concern:

- **Vegetation and fuels on the ROW**
- **Vegetation and fuels adjacent to the ROW**
- **Prevention of wildfire on and off the ROW**

Tri-State's long-term TVMP objective includes creating sustainable ROWs. This means the removal and management of trees and other incompatible woody vegetation that could pose a hazard to the safe construction and/or long-term operation of the power line to meet the TVMP guidelines for vegetation management and the maintenance of low growing native plant communities.

The American National Standard for Arboricultural Operations (ANSI) has created a diagram that outlines the desired approach to maintaining compatible vegetation within transmission ROWs.



Hazard Tree Removal

Vegetation management also requires the removal of danger trees adjacent to transmission ROWs that may fall within the minimum clearance, and those trees and other vegetation likely to approach the clearance standard within 10 years, considering growth and mortality. Tri-State's Transmission Vegetation Management Program has been included with this appendix to provide more detail on the program and required clearances (Appendix B).

For purposes of vegetation management for a powerline facility a hazard is defined as, any tree, brush, shrub, other plant, or part thereof, hereinafter "vegetation" (whether located on NFS lands inside or outside the linear right-of-way for the powerline facility), that has been designated, prior to failure, by a certified or licensed arborist or forester under the supervision of the Forest Service or the owner or operator to be: Dead; likely to die or fail before the next routine vegetation management cycle; or in a position that, under geographical or atmospheric conditions, could cause the vegetation to fall, sway, or grow into the powerline facility before the next routine vegetation management cycle; and likely to cause substantial damage to the powerline facility; disrupt powerline facility service; come within 10 feet of the powerline facility; or come within the minimum vegetation clearance distance as determined in accordance with applicable reliability and safety standards and as identified in the special use authorization for the powerline facility and the associated.

Project Objectives

1. Removal of all incompatible vegetation from the 100-foot transmission ROW (50-feet either side of the centerline).

The only exception to removing all incompatible woody vegetation in the ROW is in areas where the line spans canyons or steep topography which would prohibit equipment access and fire danger is limited to non-existent (generally if the conductor is 110 feet above the ground). The contractor will be responsible for measuring the ground to conductor clearance. If there are further questions about these areas, they will be reviewed in the field with the Tri-State inspector and the Forest Service authorized officer.

All efforts will be made to reduce ground disturbance and impacts to grass, forb, and other non-woody vegetation within the ROW.

2. Selective Removal of Hazard Trees.

Hazard trees will typically be removed within 37.5 feet from the edge of the 100-foot ROW. Hazard trees may fall within the minimum clearance distances or are likely to approach the clearance standard within 10 years, considering the angle (lean) present in the direction of the

power line, growth, disease, and mortality. Areas where aspen are present within and adjacent next to the ROW will require more frequent treatment intervals. For purposes of vegetation management for a powerline facility, any tree, brush, shrub, other plant, or part thereof, hereinafter “vegetation” (whether located on NFS lands inside or outside the linear right-of-way for the powerline facility), that has been designated, prior to failure, by a certified or licensed arborist or forester under the supervision of the Forest Service or the owner or operator to be: Dead; likely to die or fail before the next routine vegetation management cycle; or in a position that, under geographical or atmospheric conditions, could cause the vegetation to fall, sway, or grow into the powerline facility before the next routine vegetation management cycle; and is likely to cause substantial damage to the powerline facility; disrupt powerline facility service; come within 10 feet of the powerline facility; or come within the minimum vegetation clearance distance as determined in accordance with applicable reliability and safety standards and as identified in the special use authorization for the powerline facility and the associated.

Tri-State expects that approximately 220 hazard trees will be removed for this project. The contractor is required to measure and mark all trees that would fall within 10 feet of the nearest conductor to the tree prior to removal. No mechanical equipment will be utilized within or adjacent to the transmission ROW. All trees will be removed by hand and flown to the decking locations via helicopter for processing and hauling.

3. Reduce fuel loading within the ROW:

Tree removal will be conducted by hand crews and the trees will be whole tree removed via helicopter to an approved decking location for processing and hauling near the Burro Bridge Substation. Smaller trees in the ROW can be lopped and scattered but must maintain depths outlined below in the Forest Service specifications for forest management activities.

All woody vegetation will be removed within a 50-foot radius of all structures to reduce impacts of wildfire on the transmission line, with the exception of areas with riparian or wetland vegetation that pose little to no risk to the power line from a fire starting off ROW.

Schedule

Tri-State is requesting authorization to begin vegetation management activities to start at the end of August or early September and wrap up by November 1.

Vegetation Management Approach

All tall-growing woody vegetation (trees) will be removed from the 100-foot transmission ROW. In addition, Tri-State will also selectively remove hazard trees as defined by the USFS adjacent to the ROW. This will include damaged and diseased trees as well as healthy trees that

are leaning or due to site conditions (ex. Site conditions) may pose a threat to the transmission line. Typically, this may require selective tree removal up to 37.5 feet on either side of the 100-foot transmission ROW.

In order to reduce fuel-loading in the ROW, Tri-State would like to remove as much material as possible given terrain, access, and permitting requirements. Tri-State's contractor will remove all vegetation on and off ROW by hand and the material will be flown out by helicopter. The line parallels Ophir Pass Road between Structures 119-123. Logging from Ophir Pass Road is not likely to be feasible because it would require longer closures and may create safety concerns both for the public and the contractor hauling on this narrow road. Material will be processed at decking locations. The material will be chipped or removed entirely, or lopped and scattered on the ROW where maximum depths can be obtained to reduce fuel loading. Tri-State and the Forest Service discussed burning the slash piles for the project, but given the proximity to a major electrical substation, it was determined that the material will be hauled entirely off-site.

Tree removal will be consistent with the Columbine District's specific requirements for the removal of merchantable timber, which is outlined in detail in the body of this O&M plan. If hazard trees are found during an annual inspection, they will be removed immediately or as soon as possible. Hazard trees are considered an emergency and will be removed without prior approval or notification of the agencies. Tri-State will notify the USFS if hazard trees are removed during annual inspections. Planned vegetation management activities or cooperative projects, such as fuel reduction projects, will be coordinated with the agencies as discussed above.

Treatment by Transmission Line Span(s)

Structures 92-99

These structures are located at the top of Ophir Pass and above tree line, so no work is expected in these areas.

Structures 100- 127

Due to the steep terrain associated with these spans, these areas will be cleared by hand and whole tree removed via helicopter to approved decking locations.

Access Roads for Vegetation Management Activities

The transmission ROW has no traditional access, so the ROW will be cleared by hand and the material will be flown via helicopter to the landing location. The only access road is to the Burro Bridge Substation, and this is the road that will be used to deck and haul material.

Decking/Helicopter Landing Locations:

One of the goals of the project is to reduce fuel loading in the ROW. To meet that goal, Tri-State would like the majority of the material to be whole tree removed by helicopter and processed at approved landing/decking locations.

Tri-State and the Forest Service reviewed potential decking locations for the project. The final landing locations are included in the attached atlas. Tri-State has identified two decking locations. Tri-State is hoping to keep all operations limited to the substation adjacent to the Burro Bridge Substation, occupying 1.58 acres. A second decking location was identified north of the substation access road that occupies 1.7 acres. The secondary decking location is to provide additional space if necessary to complete the processing and hauling of material from the transmission line ROW. Tri-State has instructed the contractor to try to maintain all operations and the primary decking location.

The decking locations will be utilized to land trees, to process trees, and to load chips and logs for removal. Tri-State does not propose to grade any part of the decking locations. The equipment to be utilized at the decking locations includes chippers, a large grinder, a load processor, log loader, and skidder. The contractor will either fly and deck the trees and then chip and haul the material or they will be flying logs and processing at the same time. The schedule remains the same with either option. The contractor expects to haul three loads of chips per day and no more than one log truck per day. The contractor will have the option of hauling all merchantable timber off the Forest to market or to haul timber to landing locations as specified below

The access road to the substation is in good condition and the area has already been disturbed due the presence of the substation and associated access roads. To obtain access to the second decking location (if required), the contractor would have to add fill from the decking location onto the Ophir Pass Road in the dimensions of 14 feet wide and 20 feet long to allow for the safe removal of material from this location. Upon completion of the project, this material will be removed and the area reclaimed and re-seeded. Reclamation of these decking/landing locations and substation access road would be completed once all the material has been hauled. The reclamation could occur post-vegetation management if weather permits, and otherwise would take place late spring once the snow has cleared.

Forest Service Vegetation Management and Fuels Reduction Standards

The following standards will be implemented for the project unless the Columbine Ranger District has changes or recommendations.

1. It is assumed for purposes of this scope of work that the majority of the material will be whole tree removed and processed at an approved decking location(s). In some areas, lop and scatter may be permitted.
2. No woody material left in the ROW may exceed 8 feet in length. At no point will slash height exceed 18 inches.
3. If material is authorized by Tri-State and the Forest Service to be left behind on the ROW, the slash will be scattered and the maximum height/depth of 10 inches or less (preferable less).
4. Boles of trees will be made to lie in contact with the ground and bucked into lengths not to exceed 3 feet to aid decomposition and decrease the likelihood of insect infestations. To the greatest extent feasible, boles will be left on south facing slopes in openings.
5. Tree boles exceeding 8 inches in diameter shall be left free of slash cover and scattered to maximize exposure to the sun to the greatest extent possible.

Public Trails/Health and Safety/Traffic Control

- Tri-State will work with the Forest Service recreation specialist and the San Juan County Road and Bridge Department to finalize the traffic control plan for the project. A draft traffic control plan has been included with this O&M plan for agency review and comment.
- Tri-State is not proposing to close Highway 550. Tri-State's contractor will place signs at intervals approved by San Juan County Road and Bridge on the highway (currently shown on plan every 500 feet)
- The substation access road is open to the public and provides access to dispersed camping sites. The Forest Service and Tri-State will coordinate on installing signs two weeks prior to the start of vegetation management activities to alert those recreating in the area that this area will be temporarily closed during operations. The access road to the substation will also be closed and signed during vegetation management activities. Flaggers will be placed at San Juan County designated intervals north on Highway 550 and towards the bottom near the Town of Silverton to alert the public logging activities are occurring and flaggers will be used anytime logs and material are being hauled from the decking locations.
- Signs will be placed on Ophir Pass at the top of Ophir Pass and on the road near Structures 106-107, 119, and 124 and at corner of Ophir Pass (where the road turns to go uphill), in order to notify traffic in advance of helicopter operations. Flaggers will temporarily stop traffic when logs are being flown flying over any portion of Ophir Pass Road.
- An aviation safety plan will be submitted 2 weeks in advance of any helicopter logging occurring. This plan will identify approved landing locations and safety measures to be implemented to protect FS and private lands and the public during helicopter logging activities.
- Should damage occur to gates, signage, fencing, or travel management installations Tri-State will be responsible for replacing or repairing damaged infrastructure.

- Felled trees and slash removed from the power line corridor shall not be placed within the corridor of roads, trails, and other mowed or maintained areas within developed recreation sites.
- Should damage occur to gates, signage, fencing, or travel management installations, the contractor will be responsible for replacing or repairing damaged infrastructure.

Timber Sale Contract

Tri-State will work with the Forest Service to pay current stumpage rates for merchantable timber that is removed from Forest Service administered lands.

Fire Prevention and Suppression Requirements for Forestry Operations:

1. Tri-State (hereafter referred to as the operator) will require its employees, contractors, and employees of contractors to do everything reasonable within their power, expertise, and assessment of human safety both independently and upon request of local, state, or federal entities to prevent and suppress fires resulting from transmission maintenance activities on or near the lands to be occupied under this permit. In case of fire suppressed by the operator, the operator will report its occurrence to the appropriate Interagency Dispatch Center immediately. The operator is responsible for all suppression costs and resource damage for any fire resulting from its operations and practices.
2. The operator is responsible for ensuring that each employee, subcontractor, or any other individual or company working on the project site is aware of the provisions of this fire plan, is familiar with the location and proper use of firefighting equipment and conducts themselves in a fire-safe manner.
3. No material will be disposed of by burning in open fires without a written permit from the authorized agency.
4. Exhaust systems of vehicles will have an acceptable muffler and will be in proper working condition. All motorized equipment and machinery will be equipped with spark arresters.
5. Vehicles will be parked only in cleared areas.
6. All smoking will be done only inside of vehicles or in areas cleared of flammable material and consistent with precautionary measures listed below in Item 9.
7. Fuels and flammable materials may not be stored on federal lands. They may be located in approved containers in a truck. For example, an approved diesel tank in the back of a truck, or dolmar with chainsaw fuel. No fuel or flammable substance will be stored in any glass container.
8. A separate fire cache of tools will be required and maintained at the site of all operations. Tools must be kept sharp and handles smooth, ready for immediate use. Fire tools will not be used on the job for other purposes. When Stage I restrictions are implemented, a 300-gallon water package will be required at the site of all operations (see also item 14). When

no restrictions are in place, the cache will contain at a minimum:

- One shovel per person;
 - One water filled 4- or 5-gallon backpack pump (“Indian” or equivalent); and
 - One axe or Pulaski.
9. Type ABC rated fire extinguishers are required and will be available during all operations at the following capacities:
 - One 2 pound per pick up;
 - One 5 pound for trucks over 1-ton Gross Vehicle Weight; and
 - One 10 pound per dozer, motor patrol, scraper or other earthmoving equipment.
 10. During the period of April 1st thru November 30th, a fire watch person (lookout) is required at the site of all welding, blasting, propane torch use, fueling, tractor or other mechanized equipment operation, etc. unless specifically excepted in item 15. This person’s primary duties are to watch for fire starts, have all required items of the fire cache immediately available, and be ready to take fire suppression actions. The fire watch person will remain on site observing for smoke or fire for a minimum of 30 minutes after cessation of the operations that required them.
 11. Welding is herein used to mean electric arc welding; arc or gas cutting or heating; gas welding; grinding of metal; use of any flammable gas, carbon, or hydrocarbon fuel for heating or forging metal.
 12. Welding operations are subject to the following additional provisions:
 - There will be no welding when winds are over 15 miles per hour; and
 - Welding will occur only in areas cleared of all flammable vegetation and materials at a minimum radius of 30 feet from the welding operation.
 13. In addition, when Stage I restrictions are implemented all fire caches including in areas of welding, blasting and torch use operations, the fire watch and crew must have immediately available to them a water tank of not less than 300-gallon capacity with a pump capable of pumping 20 gallons per minute at 100 pound-force per square inch and not less than 100 feet of hose.
 14. The contractor will be responsible for tracking fire restrictions at the local, state, county, and federal level for all contracts under this release and throughout the life of each project.
 15. Equipment will be outfitted with spark arresters, mufflers, and fire extinguishers. Fire extinguishers, shovels, Pulaski’s, and axes are all onsite and available for use during fire suppression activities.
 16. The contractor has experienced personnel who are very aware of fire conditions throughout the forests they work in. During fire season, they will check daily fire levels and cease operations when activity levels reach emergency precautions or as directed by Tri-State’s authorized officer or by the federal agency if working on federal lands.
 17. The contractor will observe OSHA regulations regarding employee protection and equipment safety. All employees will have cell phones satellite phones and wireless boosters will be available for areas with poor cell phone coverage. The project foremen

will maintain an emergency contact list.

18. It is strongly encouraged that the contractor brings water buffalos or other equipment capable of carrying large quantities of water during periods of high fire danger.

Environmental Considerations

Noxious Weeds

For disturbed areas of National Forest System lands associated with projects that are not covered by an existing agreement, Tri-State will conduct weed treatment and inventory for the next three growing seasons after the project is completed. Specifications will be consistent with current U.S. Forest Service Policy outlined in San Juan National Forest (SJNF) Plan and will follow the State of Colorado's list of Invasive Plants. All class A and Class B species will be inventoried and treated. All treatment and inventory activities will be recorded using U.S. Forest Service Policy and submitted to the Columbine Ranger District. This will include site specific details including methods of treatment, quantities of invasive species treated, chemicals used if needed, weather information, and site information for data entry into the U.S. Forest Service database of record. If herbicides are used, only a licensed herbicide applicator/supervisor with the State Department of Agriculture will apply herbicide and only once approved by the U.S. Forest Service prior to application within accordance of State and Federal law.

During maintenance activities, Tri-State will be responsible for noxious weed prevention within the limits of the ROW and access routes used solely for transmission line access. To minimize introduction of noxious weed seed sources to the project area the following measures will be performed:

- Forestry equipment shall not be moved into the project area without ensuring it is free of soil, seeds, vegetative matter, or other debris that could contain noxious weed seeds. If requested, the Forest Service shall be notified at minimum of 72 hours in advance of off-road equipment arriving on the Forest, to provide the option of inspecting the equipment to ensure it has been cleaned. Equipment may also require inspection prior to moving it from areas infested with invasive species of concern to areas free of such invasive species. Reasonable measures include pressure-washing or steam cleaning in an off-site location so oil, grease, soil and plant debris can be contained and provide optimal protection of project areas. All equipment surfaces should be cleaned especially drive systems, tracks and "pinch points" to ensure removal of potentially invasive debris. If the contractor is sent back to wash by the Forest Service or Tri-State inspectors, the time and cost associated with this activity will be the responsibility of the contractor.
- On-site washing of equipment increases the chance of weed seed dispersal by the drainage of water off site. Equipment should have accumulations of mud "knocked off" instead. This

method promotes containment of weed seeds on the work site; all seed mixes and mulch used for re-vegetation activities will be certified weed free.

Wildlife and Federally Listed Species

The project area contains potential habitat for two federally threatened species, Canada lynx and the wolverine. Critical habitat has not been designated on the SJNF and Gunnison-Uncompahgre National Forest.

Canada Lynx (*Lynx canadensis*)

According to the Final Environmental Impact Statement for the SJNF Land and Resource Management Plan, Appendix P, Federally Listed Species and Sensitive Species (2013), the planning area represents the southern edge of the historic range of the Canada lynx and lynx occurrence are rare in the planning area. Lynx re-introductions were conducted by CPW in 1999 to augment any existing populations in the southern Rocky Mountains. Habitat on the SJNF have contributed to the reintroduction effort and are considered part of a core area that is important to recovery of lynx in Colorado. In the southern Rocky Mountains, high-elevation spruce-fir forests make up the primary habitat for lynx and its primary prey species, the snowshoe hare. A large portion of the Telluride-Sunshine-Ames-Burro Bridge 115-kV transmission line occurs in potential habitat for Canada lynx.

Wolverine (*Gulo gulo*)

The San Juan Mountains are at the southernmost extent of the known historic range of wolverines (USFWS 2013). The SJNF may provide a large amount of potentially suitable wolverine habitat in alpine and subalpine areas. The transmission line occurs at relatively high elevations which may provide alpine habitats with late season snowfields, that are central to wolverine ecology (USFS 2013).

The SJNF Land and Resource Management Plan EIS (2013) found that “land management activities such as timber harvest, prescribed fire, and silviculture can modify wolverine habitat, but this wide-ranging generalist species does not appear to be greatly affected by changes in vegetation”. The USFWS (2013b) determined that “human activities and developments do not pose a current threat to wolverines in the contiguous United States” and forest management activities “would not significantly affect the conservation of the DPS.”

Impacts and Future Design Features for Wildlife

Vegetation management is a necessary component of transmission line operation and reducing the risk of a catastrophic wildfire resulting from vegetation interaction with the transmission line. Vegetation management within and adjacent to the power line ROW will reduce potentially significant impacts to lynx and wolverine habitat resulting from catastrophic wildfire. Routine and emergency maintenance activities will be limited to the 100-foot transmission ROW and the removal of approximately 220 hazard trees that are within 37.5 feet either side of the 100-foot transmission ROW. Re-vegetation will occur as soon as season permits to mitigate any

temporary disturbance to habitat resulting from project activities.

Wetlands, Riparian Areas and Surface Waters

Tri-State will maintain the line in a manner that avoids and/or minimizes impacts to these sensitive communities. The ROW will be cleared by hand and helicopter logged to avoid impacts surface disturbance to wetland and riparian communities. The decking location is not located in wetland or riparian areas.

Tri-State and its contractors will re-fuel at the decking locations to avoid impacts to water resources.

Cultural Resources

The transmission line ROW has been surveyed for cultural resources. Tri-State will comply with any avoidance and mitigation measures required by the Forest Service archaeologist. These measures will be incorporated into the Final O&M Plan.

Soil Disturbance

Tri-State and its contractor will limit ground disturbance to the decking locations. The decking locations will be reclaimed and re-seeded once all of the material has been removed.

Re-Vegetation Plan

The following re-vegetation activities will be completed on all ROW areas where ground disturbing activities occur:

1. Access routes and any other areas of disturbance will have any ruts smoothed out and any damage to drainage structures or crossings will be repaired.
2. Disturbed areas will be seeded with an appropriate seed mix (below), and reclaimed roads and disturbed areas will be obstructed with slash resulting from operations, if available and appropriate to the setting. This requirement will not apply to portions of the permanent transportation system.
3. Seeding with a Forest Service-approved seed mixture will be completed with a seed drill if possible, or by broadcasting and raking in areas where topography or site conditions limits the use and access of mechanical equipment. Hand broadcast seeding will be utilized in fen wetlands or areas where the use of a drill seeder could result in further disturbance to these communities.
4. Tri-State will supply the Forest Service with a plant species list of all plants found within the proposed disturbed areas found off the ROW. The Forest Service will provide an appropriate seed mix focusing on native plant materials first.
5. If for any reason there are unexpected impacts to wetlands with organic soils, only peat-forming species will be seeded in. The only grass species regularly found in fens on the Forest is bluejoint reedgrass (*Calamagrostis canadensis*) (0.5-1.0 lb PLS/acre). Most, if not all, of the peat-forming sedges do not propagate well from seed. If the disturbance is small

(15 square feet), bluejoint reedgrass will be seeded in. If the disturbance is larger, 10-cubic inch nursery stock of beaked sedge (*Carex utriculata*) and water sedge (*Carex aquatilis*) will be planted on 2-foot centers. These sedge species and bluejoint reedgrass are among the common herbaceous species growing locally and in the Ferric Oxide fen (BIO-Logic 2008).

6. All reseeded areas on mineral soils will be treated with hydromulch. If appropriate to the setting, temporary access roads and skid trails will have downed woody material (lop and scatter material) spread across the surface to discourage travel and encourage revegetation if this type of material is readily available at the time.

The seed mixes provided were prepared for the Phase I, but to improve reclamation outcomes, Tri-State will contract a qualified botanist to inventory the areas of proposed disturbance on the Forest to further refine and improve the seed mix to maximize revegetation success with native species. This inventory will also include documentation and mapping of Forest Service sensitive species. The final seed mix will be prepared in coordination with the Forest Service and based on seed availability.

Upland Seed Mix

Common Name	Scientific Name	PLS/acre (lb)
Alpine timothy	<i>Phleum alpinum</i>	0.66
Indian ricegrass (Nezpar/Rimrock)	<i>Achnatherum hymenoides</i>	2.50
Sandberg bluegrass (NVS)	<i>Poa secunda</i>	0.66
Western wheatgrass (Arriba)	<i>Pascopyrum smithii</i>	5.30
Prairie junegrass	<i>Koeleria macrantha</i>	0.30
Arizona fescue	<i>Festuca arizonica</i>	1.40

Total PLS per acre - drilled dormant seeding 5.41 lb.

Total PLS per acre – broadcast seeding 22 lb.

Environmental Protection Measures (EPMs)

Tri-State has adopted the following EPMs that will be implemented as part of this Operation and Maintenance Plan to ensure vegetation management are in compliance with USFS standards and requirements. These measures are included below.

EPM No.	Description
1	Authorized Activities: All activities associated with this vegetation management project will take place within the limits of the Forest Service authorization.

EPM No.	Description
2	Training – Special Use Permit: Tri-State and its contractors will inform their employees about activities permitted within the authorized ROW for the transmission line and access routes. As part of this measure, Tri-State will provide contractors and employees copies of these Environmental Protection Measures and O&M plan maps which delineate the access road to the substation, decking locations, and the transmission ROW.
3	Training - Regulatory: Tri-State and its contractors will inform their employees about relevant federal and state regulations intended to protect cultural resources and special status biological resources. Training will include an explanation of the need to avoid known resource sites, cease work when previously undiscovered cultural resource items are encountered and the possibility of prosecution for removal of such items and/or damage to archaeological sites.
4	Access Route Improvements: The Burro Bridge Substation access road will be the only and access route used to remove material for the project.
5	Access Route Maintenance: The access routes and spur routes and access around the decks will be maintained to provide a well-drained roadway. Any damage to the substation access will be reclaimed post-vegetation management activities.
6	Public Access: Tri-State will work with USFS to restrict access to Burro Bridge Substation/decking locations and the transmission ROW to avoid health and safety related impacts to people recreating in the area at the time the project is occurring.
7	<p>Cultural Resources –</p> <p>Tri-State will comply with any and all avoidance and minimization measures required for eligible sites in the ROW and decking locations.</p> <p>Inadvertent Discovery: If any cultural resources are inadvertently unearthed or otherwise encountered during maintenance activities, work will cease in the area of the discovery until the resources can be identified and appropriate resource protection measures can be implemented. Tri-State will notify USFS officials.</p> <p>Pursuant to 43 CFR 10.4(g), Tri-State must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), Tri-State must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.</p>

EPM No.	Description
8	<p>Threatened and Endangered and other Special Status Species or Habitats – Seasonal Restrictions and Protection Buffers*: Surveys will be completed prior to scheduled routine maintenance.</p> <p>Canada Lynx and Wolverine</p> <p>The Telluride-Sunshine-Ames-Burro Bridge transmission line spans potential habitat for Canada lynx and wolverine. Tri-State will work with the USFS and USFWS to incorporate lynx protection and habitat enhancement into the final O&M Plan. These measures may include leaving piles uphill on north facing slopes off the transmission ROW.</p>
9	<p>Air Emissions and Noise: Tri-State will properly maintain its road and transmission line maintenance equipment to minimize emissions and noise. Project activities will only occur during daylight hours to avoid noise after sunset.</p>
10	<p>Noxious Weeds:</p> <p>Tri-State will conduct weed treatment and inventory at the decking locations and associated access for the next three growing seasons after the project is completed. Noxious weed management if required will be consistent with current U.S. Forest Service Policy outlined in the SJNF Management Plan. Priority species for treatment will follow the State of Colorado’s list of Invasive Plants. All class A and Class B species will be inventoried and treated. All treatment and inventory activities will be recorded using U.S. Forest Service Policy and submitted to the Columbine Ranger District. This will include site specific details including methods of treatment, quantities of invasive species treated, chemicals used if needed, weather information, and site information for data entry into the U.S. Forest Service database of record. If herbicides are used, only a licensed herbicide applicator/supervisor with the State Department of Agriculture will apply herbicide and only once approved by the U.S. Forest Service prior to application within accordance of State and Federal law.</p> <p>To minimize introduction of noxious weed seed sources to the project area the following measures will be performed:</p> <ul style="list-style-type: none"> • All equipment utilized during maintenance activities will be cleaned prior to departure from the equipment storage facility. • On-site washing of equipment increases the chance of weed seed dispersal by the drainage of water off site. Equipment should have accumulations of mud “knocked off” instead. This method promotes containment of weed seeds on the work site; all seed mixes and mulch used for re-vegetation activities will be certified weed free.

EPM No.	Description
11	<p data-bbox="375 260 862 289">Water Quality and Erosion Control</p> <p data-bbox="375 331 1430 583">Vegetation management activities will be performed using methods that prevent entrance or accidental spillage of solid matter, contaminants, debris, and other objectionable pollutants and wastes into flowing streams or dry water courses, and underground water sources. Such pollutants and wastes include, but are not restricted to, refuse, garbage, sanitary waste, industrial waste, radioactive substances, oil and other petroleum products, aggregate processing tailings, mineral salts, and thermal pollution.</p>

EPM No.	Description
12	<p>Hazardous Materials: Tri-State shall comply with all applicable federal laws and regulations existing or hereafter enacted or promulgated regarding toxic substances or hazardous materials. In any event, Tri-State shall comply with the Toxic Substance Control Act of 1976, as amended (15 U.S.C. 2601, et seq.) with regard to any toxic substances that are used, generated by, or stored on the ROW or on facilities authorized under this ROW Permit (see 40 CFR, Part 702-799 and especially, provisions on polychlorinated biphenyls, 40 CFR 761.1-761.193.). Additionally, any release of toxic substances (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, section 102b. A copy of any report required or requested by any federal agency or state government as a result of a reportable release or spill of any toxic substance shall be furnished to the authorized officer concurrent with the filing of the reports to the involved federal agency or state government.</p> <p>All fuel and fluid spills within this area will be handled in accordance with appropriate state and federal spill reporting and response requirements. Tri-State's contractor shall notify Tri-State of any spills so appropriate notifications can be made to the appropriate regulatory authorities/landowners and managers.</p> <p>The following hazardous materials management procedures will be used during maintenance activities:</p> <ul style="list-style-type: none"> • Storage of hazardous materials, chemicals, fuels, and oils and fueling of construction equipment will not be performed within 100 feet of any drainage, fen, wetland, or riparian area. • An effort will be made to store only enough products required to do the job. • Materials will be stored in a neat, orderly manner, in appropriate closed containers, in secondary containment and, if possible, under a roof or other enclosure. • Products will be kept in their original containers with the original manufacturer's label. • Substances will not be mixed with one another unless recommended by the manufacturer. • Whenever possible, all the product will be used up before disposing of the container. • Manufacturer's recommendations for proper use of a product will be followed. • If surplus product must be disposed of, local and state recommended methods for proper disposal will be followed.
13	<p>Trash: No burning of trash, litter, trees, brush, or other vegetative material shall be allowed. Trash created by maintenance crews will be removed from the site daily and disposed in a permitted solid waste disposal facility.</p>
14	<p>Public Health and Safety: Tri-State shall comply with applicable State standards for public health and safety, environmental protection, construction, operation, and maintenance, if these State standards are more stringent than federal (OSHA) standards for similar projects.</p>

EPM No.	Description
15	Fire. Tri-State shall comply with the fire prevention measures included in this O&M Plan or as required by local, state, or federal directives.
16	<p>Re-Vegetation: The following interim re-vegetation activities will be completed on all ROW areas where ground disturbing activities occur:</p> <ul style="list-style-type: none"> ▪ Access routes and any other areas of disturbance will have any ruts smoothed out and returned to pre-vegetation management project condition. ▪ Seeding with USFS Specified seed mixture will be completed with a seed drill where possible, and by broadcasting and raking in areas where topography limits the use and access of mechanical equipment. ▪ All reseeded areas will be treated with hydromulch.

Pre-Treatment Coordination/Training

The final operation and maintenance plan for this vegetation management will incorporate any additional recommendations and requirements of the USFS.

Appendices

Appendix A: Project Overview Maps and Atlas

Appendix B: Tri-State Generation & Transmission Association, Inc.: Transmission Vegetation Management Program (2016).

References

International Society of Arboriculture. 2012 (Revised). American National Standard for Tree Care Operations - Tree, Shrub, and Other Woody Plant Management - Standard Practices (Integrated Vegetation Management).

North American Electric Reliability Corporation. (2017). FAC Reliability Standard for Transmission Vegetation Management FAC-003-4.

U.S. Forest Service. 2013. San Juan National Forest Land and Resource Management Plan Final Environmental Impact Statement, Appendix P. [Appendix P Federally Listed Species and Sensitive Species \(usda.gov\)](#)

USFWS. 2013. Endangered and threatened wildlife and plants; Threatened status for the distinct population segment of the North American wolverine occurring in the contiguous United States; Establishment of a nonessential experimental population of the North American wolverine in Colorado, Wyoming, and New Mexico; Proposed Rules. Federal Register 78:7864–7890.

Bonanza Boy LLC – Sketch Plan

Mr. Colby Barrett representing Bonanza Boy LLC has submitted a Sketch Plan application for a Planned Unit Development (PUD) for the purpose of developing the Silver Cloud Lodge and other improvements.

The project is located on County Road 15 aka Forest Service Road 821 near Mill Creek in the Chattanooga area off US Highway 550.

Mr. Colby Barrett dba Bonanza Boy LLC owns approximately 256 acres in the Chattanooga Area. The property is located in the Mountain Zoning District.

A Planned Unit Development is a project, improvement or development which is pre-planned in its entirety, with variation permitted from regulations in the context of the acceptance of the overall plan in its entirety on merits which outweigh the variation from regulations. As a Planned Unit Development the application follows the procedures and applicable requirements of the Chapter 7 Subdivision Regulations.

Zoning and Land Use Regulation Section 0-109 Vested Property Rights states: *Approval of a zoning or rezoning application, a permitted use, or an Improvement Permit will not establish a vested property right unless and until final approval thereof has been granted by the Board of County Commissioners or by the designated official allowed to grant such permit under the terms of this Code, or, if applicable a final plat is approved by the Board of County Commissioners under the subdivision, zoning or other regulations of the county.*

The proposed Silver Cloud Lodge will be located on the Shelbyville Lode MS 18168. The Lodge will consist of an approximate 4000 sq. ft. timber framed structure designed similarly to the historic structures that were previously located on the site. The Silver Crown Mine will be reopened and incorporated into the lodge.

A garage and employee housing would be located on the Bonanza Boy MS 16677. The property is adjacent to the Mountain Chief Claim MS 560 B owned by Margaret Stern also known as the Artists Cabin.

Additional improvements would include hydro generation, primitive dispersed campsites, interpretive signage, establishing rock and ice climbing routes, a via ferrata and trails along with habitat enhancement of Mill Creek, wetlands creation, and reforestation efforts.

The Lodge and other improvements will be “off-grid” and powered by solar, micro-hydro, biomass and a backup generator.

Heating will use the same technologies along with a heat pump and wood stoves.

Domestic water for the Lodge will come from the mine adit which flows rate about 30 gpm. The water will need minimum treatment. A septic system will be installed on site to treat wastewater.

For the employee housing water will come from a well or spring on site. A septic system will be installed on site to treat the wastewater.

Internet will be provided via Starlink. A satellite phone/Garmin Inreach and CB radio will be available for emergency communications for both sites.

Solid waste will be stored in bear-resistant facilities and then transferred to a transfer station for both sites. The applicant will be required to create an account on the Town of Silverton's Utility billing system for refuse.

Propane will be used for cooking as well as for backup heating. The tank at the lodge will be buried, the tank at the garage will be above ground and screened.

Avalanche safety is a primary concern for any development in this area. Protection of the guests, employees, the general public and emergency responders are critical. While the structures can be engineered and constructed to withstand the impact of an avalanche and diversions can be constructed to minimize the impact there is still the risk of accessing the site and leaving the site along with the issues that highway 550 may create such as road closures.

A Land Use Permit to allow for mining remediation of the Shelbyville Lode was previously approved by the County Commissioners.

It appears that the applicant has provided a well thought out project and has provided significant technical expertise. The project's location has spectacular scenic and recreational value. It is also almost entirely in avalanche hazard areas.

Region 5 Transportation Director Julie Constan has raised some of CDOTs concerns and the impact it may have on their ability to do active avalanche mitigation.

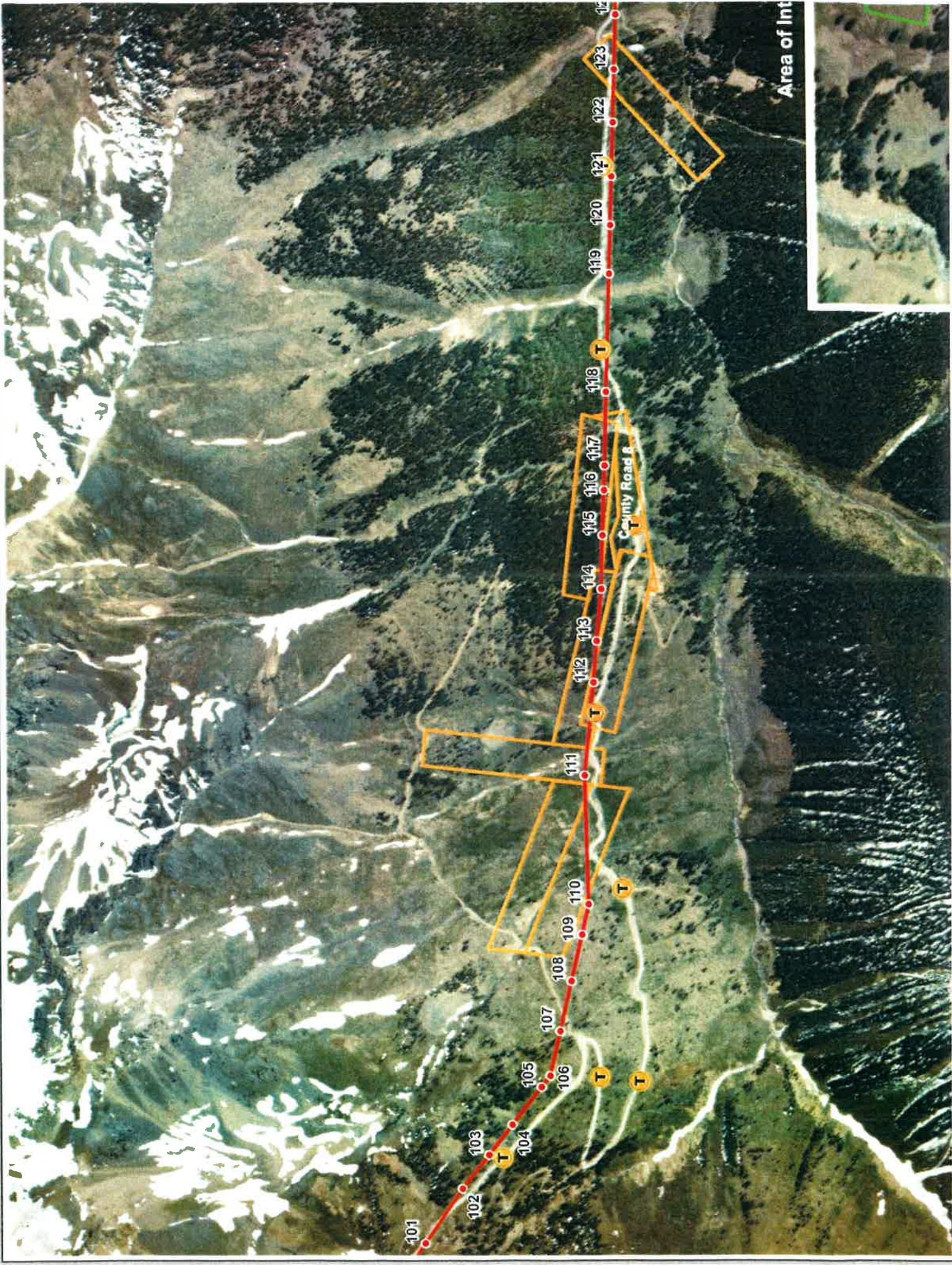
The adjacent landowners have been notified via US Mail of the proposed applications.

The Planning Commission reviewed the PUD Sketch Plan Application during their regular meeting of August 15, 2023, and voted unanimously to recommend approval with the conditions as recommended by staff.

The County Commissioners may recommend approval, approval with conditions or denial of this sketch plan application.

If the Commissioners choose to recommend approval of the PUD Sketch Plan they should do so with the eight conditions listed in the staff report as well as any additional conditions they deem necessary.

1. That the applicant acknowledges that emergency services will not be available in a timely manner and perhaps not at all.
2. All improvements to the Bonanza Boy LLC PUD shall fully and completely comply with, and strictly conform to, all terms, conditions and restrictions contained in the San Juan County Zoning and Land Use Regulation, all permits issued, and all applicable State and Federal rules and regulations.
3. The applicant shall fully and completely comply with the San Juan County Zoning and Land Use Regulation 4-110 Design and Development Standards for all Improvement and Use Permits.
4. That a comprehensive plan be developed to maximize the safety and minimize the risks of avalanche hazards.
5. That the project is in compliance with Section 7-120 Air Quality as it pertains to wood burning devices.
6. If any historic artifacts are discovered on site during the excavation or construction, all work on the project will be stopped immediately until the Historic Review Committee or qualified archeologist can visit the site to document and preserve those artifacts.
7. That an affordable housing agreement be negotiated as required by 7-112.8A of the Zoning and Land Use Regulations.
8. The failure to comply with these conditions shall be grounds for the revocation of this approval and for any future Improvement Permits.
9. Any other conditions that the Planning Commission deems necessary.



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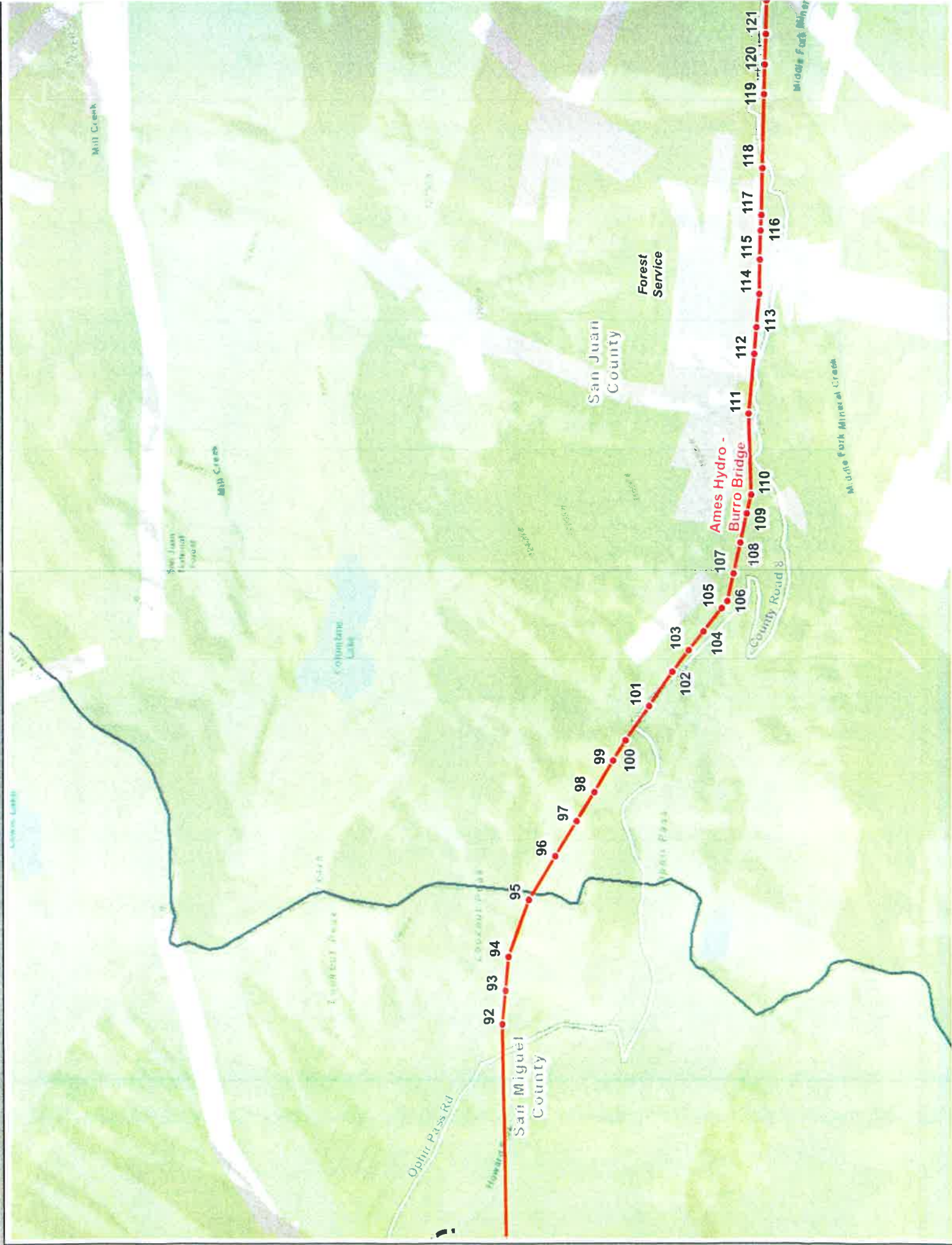
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Mill Creek

San Juan National Monument

Mill Creek

Colombiana Lake

Ophir Pass Rd

San Miguel County

San Juan County

Forest Service

Ames Hydro - Burro Bridge

County Road 8

Middle Fork Mineral Creek

Middle Fork Mineral Creek

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Bonita Peak Mining District Update

August 2023



COLORADO
Department of Public
Health & Environment



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

Site Updates

- Videos from the Silverton Miners Oral History Project are now [available on YouTube!](#) The videos are part of a DRMS-led project that help tell the story of Silverton's mining history. These videos will also be shared with the Silverton community at a premiere event in Fall 2023.
- EPA completed an [addendum](#) to the Bonita Peak Mining District Superfund Site Community Involvement Plan, specific to the state of New Mexico.

Field Work Update

EPA

EPA's Removal Program conducted a response action to clean up contaminated soils at two trespass campgrounds located on private land within the BPMD Superfund Site.

Soils in this area contain lead and other metals that may be harmful to children and pregnant women. More information on these risks can be found in the [ATSDR Health Consultation](#). During the response action, clean fill material was placed in hummocks to minimize exposure risk and deter future camping activity.



Clean fill material at trespass campground in July



Screening material at the Bonita Peak Repository site

Construction of the Bonita Peak Repository is underway. The Repository is located on Tailings Impoundment 4 of the Mayflower Mill, as selected in EPA's [Interim Record of Decision](#). Contractors mobilized to the site to begin construction in June. Earth-moving work began in July. Workers are screening material onsite and utilizing material from a local quarry to minimize the number of loads of clean material that will need to travel through the Town of Silverton.

Several local contractors, connected through the BPMD Community Liaison, have been hired for the project.



Drilling Equipment at Lake Emma in early July

In June, EPA mobilized drilling equipment to the Lake Emma Area to install three monitoring wells into the Sunnyside Gold mine workings. The monitoring wells allow EPA to gather critical data on water quality, and how groundwater moves within the mine workings and throughout the Bonita Peak groundwater system.

Each of the three monitoring wells target narrow mine workings from approximately 600-1000 feet above. EPA successfully reached the mine workings on the F level in early July and drilling at the second monitoring well location is underway.



Expanded pond at Mammoth

EPA completed additional cleanup work at the Mammoth this summer, in continuation of the 2019 Interim Record of Decision. To improve the flow of mine-impacted water, EPA expanded the settling pond to approximately double capacity. Cleanup actions also included widening the channel below the collapsed adit and replacing the existing culvert with a larger one.

EPA's Removal Program has begun work on two additional response actions, one at Gold King Mine and one at Red & Bonita Mine.

Gold King: EPA will extend the portal shed to permanent specifications, minimizing the risk of rock and avalanche debris blocking access. Access to the flow control structure in Level 7 of the Gold King is critical for maintenance, inspections, and other cleanup activities.

More information, including the administrative record for this project, can be found at the [response webpage](#).

Red & Bonita: Acidic mine drainage water has flowed across and through an iron fen, a sensitive wetland ecosystem fed by groundwater. EPA has adjusted the location of the mine drainage to avoid the iron fen to prevent heavy metal solids from smothering the sensitive plants.

More information, including the administrative record for the Red & Bonita project, can be found at the [response webpage](#).



Adjusted drainage at Red & Bonita

Iron terrace at Wynona Mine



BLM

BLM's contractors have completed work at the Wynona and Joe and John Mine Sites and will be working at the Forest Queen Site this fall.

Construction work at the Wynona included removing the cement box that was used for a short period of time for water treatment and to support development of innovative techniques for water treatment. The box has not been in use due to reduced flows at the Wynona Site leading to the BLM's decision to remove the box. Due to the high iron content of the water at the Wynona, the BLM installed an iron terrace in the footprint of the box.

Work at the Joe and John Mine Site included removing avalanche debris from the area around the adit and replacing the pipe that conveys water from the adit under the County Road. The BLM also replaced culverts to keep water flowing past the adit and under the County Road.

New on the Web

- Red & Bonita Mine Discharge Relocation: [Response Webpage](#)
- Gold King Mine Portal Extension: [Response Webpage](#)
- Campgrounds 2&3: [Response Webpage](#)
- [Bonita Peak Repository Construction Factsheet](#)
- [BPMD Community Involvement Plan New Mexico Addendum](#)

