

# Sketch Plan Proposed Overland Estates Subdivision



Sketch Plan Proposed Overland Subdivision for Anglo Saxton Placer, Anglo Saxton #1, Anglo Saxton # 2, Anglo Saxton # 3, Anglo Saxton #4, Anglo Saxton, # 5, Anglo Saxton #7, Monarch, Freya, Midnight Sun, Ruby, and Transvaal approximately 2.5 Miles from Silverton, San Juan County, Colorado on County Road 110

**Applicants:**

Lloyd & Esther Swartz  
Camino Real Estate Holdings, LLC  
9910 Indian School Road, NE  
Albuquerque, NM 87112  
(505) 252-0915

**Prepared By:**

Lloyd & Esther Swartz  
35 Canoncito Road, NE  
Albuquerque, NM 87122  
(505) 252-0915

**Submitted:**

January 21, 2025

January 21, 2025

San Juan Regional Planning Commission  
San Juan County Board of Commissioners  
Attn: Willy Tookey  
1557 Greene Street  
Silverton, Colorado 81433

Subject: Sketch Plan Proposed Overland Estates Subdivision **ANGLO SAXON PLACER - 16687, ANGLO SAXON #1 - 16687, ANGLO SAXON #2 - 16687, ANGLO SAXON #3 - 16687, ANGLO SAXON #4 - 16687, ANGLO SAXON #5 - 16687, ANGLO SAXON #7 - 16687, MONARCH - 884, FREYA - 17255, MIDNIGHT SUN - 17255, RUBY - 17255, TRANSVAAL - 17255** approximately 2.5 Miles from Silverton on County Road 110 just before Aire lodge.

Dear Willy and Commissioners,

This submittal has been prepared to describe the proposed "Subdivision Agreement" of the Anglo Saxon Placer, Anglo Saxon #1, Anglo Saxon #2, Anglo Saxon #3, Anglo Saxon #4, Anglo Saxon #5, Anglo Saxon #7, Monarch, Freya, Midnight Sun, Ruby, and Transvaal claims which are owned by Lloyd and Esther Swartz which are located along Cement Creek, straddling County Road 110.

The applicants plan to take these 12 adjoining claims and relocate 10 of the 12 parcels to safer, more suitable 4-5 acre build sites lower in elevation. There are 12 Anglo Saxon claims of which 11 are part of this subdivision. 1 of the 12 claim, Anglo Saxon #4, remains as a whole claim and will be sold as a whole claim. All claims above Anglo Saxon # 4 will be claimed as Green Space that includes: Anglo Saxon # 3, Anglo Saxon #5, Anglo Saxon #7, Monarch, Freya, Midnight Sin, Ruby, and Transvaal. 10 of the Lots lie on 50 acres of the Anglo-Saxon Placer and Anglo Saxon #2, 1 remains part of Anglo Saxon #1. We carved out green space for the EPA in their management of the Anglo-Saxon Tunnel as well. The project is considered a "Subdivision Agreement". As this property includes a contiguous 148 acres and we are only using approximately 70 acres, the remainder will be left non-developable as "green space" and open to the general public. While a simple, boundary adjustment was considered as we are not adding any new, additional parcels below 5 acres, it was deemed too complex to move so many parcels down the mountain rather than the typical moving of boundaries from adjacent claim to adjacent claim

This proposed subdivision agreement assures all parcels have safe, accessible sites to recreate or build on should any future owners decide to that are not problematic or violate San Juan County planning guidelines. We have laid out specific building envelopes to assure this, and we have carefully evaluated each, new adjusted Parcel boundary for potential spots that meet such criteria as view shed, geological hazards and so on. We have also prepared a cumulative impact report in compliance with San Juan County Mountain Subdivision regulations. The proposal complies with Master Plan Goals for the CR110 Corridor.

This application is for a Land Use Permit and Subdivision. The applicants are required to obtain a County Land Use Permit because they plan to remove dead trees construct roads, and improve existing roads, removing trees as necessary, as well as subdivide parcels.

This application is also for a bridge to be laid across cement creek to service new parcels, existing cabin and San Miguel Power Lines.

Upon approval of the "Subdivision Agreement" the project surveyors will file a new survey plat depicting the interior new property boundary lines at the courthouse. Corners of adjusted parcels will be properly pinned. Additionally, road and driveway work as well as forest management will begin immediately before snow precludes further work in 2025.

We are submitting 14 copies of this submittal booklet to Willy Tookey, and one copy directly to County Road and Bridge Supervisor Rusty Melcher. The applicants request review of this project by the Planning commission on February 18, 2025.

Thank you for the opportunity to present this information to the San Juan Planning commission and Board of County Commissioners and helping to make our dream of retiring in San Juan County come true. Please contact Lloyd Swartz if you have any questions.

Sincerely,

Lloyd Swartz 505-252-0915

Esther Swartz 505-449-8883

35 Canoncito RD NE  
Albuquerque NM, 87122

Attachments for Willy Tookey with 14 Booklets for Staff/Commissioners

Pre-stamped Pre-Addressed Envelopes for Adjacent Land Owners  
Receipt from Country Treasurer for Subdivision Agreement and Land Use Permit Application Fee.  
San Juan County Application for Land Use Permit

Attachments for Rusty Melcher with 1 Booklet for Road and Bridge Department  
San Juan County Driveway and Road Access Permit  
San Juan County Relationship to County Road and State Highway System Form

2 Sets Full Size 24x36" Maps and Plats (11 total each)

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**LAND USE PERMIT**  
San Juan County, Colorado

<b>Applicant:</b> Gloyd and Esther Swartz	<b>Permit No.:</b>
<b>Address:</b> 35 Canencito Rd NE	
<b>City and State:</b> Albuquerque, NM 87122	<b>Telephone:</b> 505-252-0915


**Description of Use:**  
Establish new road and bridge to connect to existing road near existing cabin thin dead trees, clean up existing private roads.

**Dates and Times of Use:**  
6/6/24 - 9/6/24

**Location of Use:**  
12 Mining claims off CR 110 3.6 miles from town

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

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

<b>Date Application Submitted:</b>	<b>By (signature):</b> 
<b>Date Permit Issued:</b>	<b>By (signature):</b>
<b>Conditions</b>	
<b>Acceptance of Conditions:</b>	<b>By (signature):</b>

**SPECIAL WARRANTY DEED**

RECORDED DATE 10/17/2022  
COUNTY San Juan  
REC. NO. 154617

**THIS DEED**, Made this 14<sup>th</sup> Day of October, 2022

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

of the County of Tulsa and State of Oklahoma, grantor

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

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

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

Documentary Fee  
Date 10/14/2022  
37.00

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

**TRACT I:**

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

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

**TRACT II:**

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

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

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

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

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

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

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

**TRANVAAL PROPERTIES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY**

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

**ANGLO SAXON PROPERTIES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY**

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

CHICAGO TITLE INSURANCE COMPANY

SCHEDULE A

Order No.: SJ22203133 7230606-  
Policy No.: 228925073

Date of Policy: October 17, 2022 at 8:11AM  
Amount of Insurance: \$370,000.00  
Premium: \$1,356.00

1. Name of Insured:

LLOYD O. SWARTZ and ESTHER M. SWARTZ

2. The estate or interest in the land described herein and which is covered by this policy is: FEE

**SIMPLE**

3. The estate or interest referred to herein is at Date of Policy vested in:

LLOYD O. SWARTZ and ESTHER M. SWARTZ

4. The land referred to in this policy located in the State of Colorado, County of San Juan is described as follows:

TRACT I:

The ANGLO-SAXON PLACER, ANGLO-SAXON #1, ANGLO-SAXON# 2, ANGLO-SAXON# 3,  
ANGLO-SAXON #4, ANGLO-SAXON #5, and ANGLO-SAXON# 7 LODES, Mineral Survey No. 16687

The MONARCH LODGE, Mineral Survey No. 884, Animas Mining District, San Juan County, Colorado.

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

TRACT II:

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

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

SCHEDULE

B

EXCEPTIO  
NS

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Any facts, rights, interests or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or that may be asserted by person(s) in possession of the Land.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or materials heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

Note: Real estate taxes for the year 2021 are paid. Real estate taxes for the year 2022 are not yet due or payable.

6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) ditches and ditch rights; water rights, claims or title to water; (d) all interest in oil, gas, coal and other mineral rights severed by predecessors in Title and any and all assignments thereof or interests therein; whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records.
7. The reservations, exceptions, easements, restrictions, regulations, and rights to which said mining claim is subject under the terms and provisions of the mining laws of the United States of America and under the terms and provisions of State, local and district mining laws, rules, and regulations, including the right of the proprietor of any lode claim, the vein or lode of which has its top or apex outside of said land and which vein or lode may be found to penetrate, intersect, pass through or dip into said land through the side lines of said proprietor's lode claim, to enter said land along the dip of said vein or lode for the purpose of extracting and removing the ore therefrom.
8. The provisions and reservations contained in the patent from the United States of America of record: **FIRST:** That the premises hereby granted, with the exception of the surface, may be entered by the proprietor of any other vein, lode or ledge, the top or apex of which lies outside of the boundary of said granted premises, should the same in its dip be found to penetrate, intersect or extend into said premises, for the purpose of extracting and removing the ore from such vein, lode or ledge.  
**SECOND:** That the premises hereby granted shall be held subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local laws, customs and decision of the courts. And there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

THIRD: That in the absence of necessary legislation by Congress, the Legislature of Colorado may provide rules of working the mining claim or premises hereby granted, involving easements, drainage and other necessary means to its complete development.

9. Notice of Hazards as recorded June 30, 1995 in Book 243 at Page 522.
- 

Order No. SJ22203133

Policy No. 7230606-228925073

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10. Terms, agreements, provisions, conditions and obligations as contained in Easement Agreement, between PUNS Inc. and QWEST Corporation, recorded August 25, 2004 as Reception No. 143657.
11. Terms, agreements, provisions, conditions and obligations as contained in Court Decree Concerning the Application for Water Rights, District Court Case No. 15-CW-003008, recorded February 5, 2016 as Reception No. 150316.
12. Right of way for San Juan County Road No. 110. (Anglo-Saxon Placer Lode).
13. Right of way for San Juan County Road No. 61. (Monarch, Anglo-Saxon No.s 1, 2, 4 and 5).
14. Access to the Anglo-Saxon Lodes No. 3 and 7 relies on access via ownership of Anglo-Saxon Lodes No. 1 or No. 4.
15. Lack of a right of access from the land to any open public road, street or highway.

NOTE: This exception is necessary because it does not appear from the instruments of record in the office of the County Clerk and Recorder in which subject property is situate that any right of access exists to an open public roadway. (Applies to the Freya, Midnight Sun, Ruby and Transvaal Lodes).

## LIST OF ADJACENT LAND OWNERS

### Proposed Swartz Proposed Overland Estates Subdivision

#### Adjacent Land Owners

#### Property

**Lucky Jim, LLC**

PO Box 654  
Silverton, CO 81433-0654

Hermit  
Warwick  
Pride of the Rockies

**Orla Reese**

345 Gulph Hills Rd  
Randor, PA 19087-4619

Tungston

**Kathleen & David Van Deman**

315 Pine St  
Grand Junction, CO 81503-2044

Porcupine

**Michael Otis Chandler**

1410 County Road 500  
Pagosa Springs, CO 81447-7302

Prodigal Son

**Steven Lee Graham**

1410 County Road 500  
Pagosa Springs, CO 81447-7302

Prodigal Son

**Douglas L & Dana A Nielsen**

8780 W 81<sup>st</sup> Dr  
Arvada, CO 80005-2459

Ajax

**C&G Alpine Partners, LLC**

PO Box 69  
East Setauket, NY 11733

Hidden Treasures  
Wild Cat

**Darren Hillery Trust UTA**

PO Box 96  
McIntosh, NM 87032-0096

Tract 73  
Munzer

**LIST OF ADJACENT LAND OWNERS**  
**Proposed Swartz Proposed Overland Estates Subdivision**

**Adjacent Land Owners**

**Property**

**Frank H. and Catherine Newman**

1212 H St Unit 130  
Ramona, CA 92065

Gold Bug # 1

**ESS-WICK Properties**

10540 E 11<sup>th</sup> St  
Tulsa, OK 74128-3202

Pride of Cement

**David Cook**

7176 Forestgate Dr  
Colorado Springs, CO 80908-4776

Gold Bug # 2  
Gold Bug

**Houghton Holdings, LLC**

Po Box 98  
Breckenridge, CO 81433

Muldoon

**Peter Riley Gang**

381 Cleveland Ave  
Petaluma, CA 94952-1703

Independence  
Colorado Bell

**Salem Minerals**

15100 Foothill Rd  
Golden, CO 80401-2064

Brouillet

**Outdoor Adventures Club**

262 Crystal Springs Dr  
Florence, AL 35634-3558

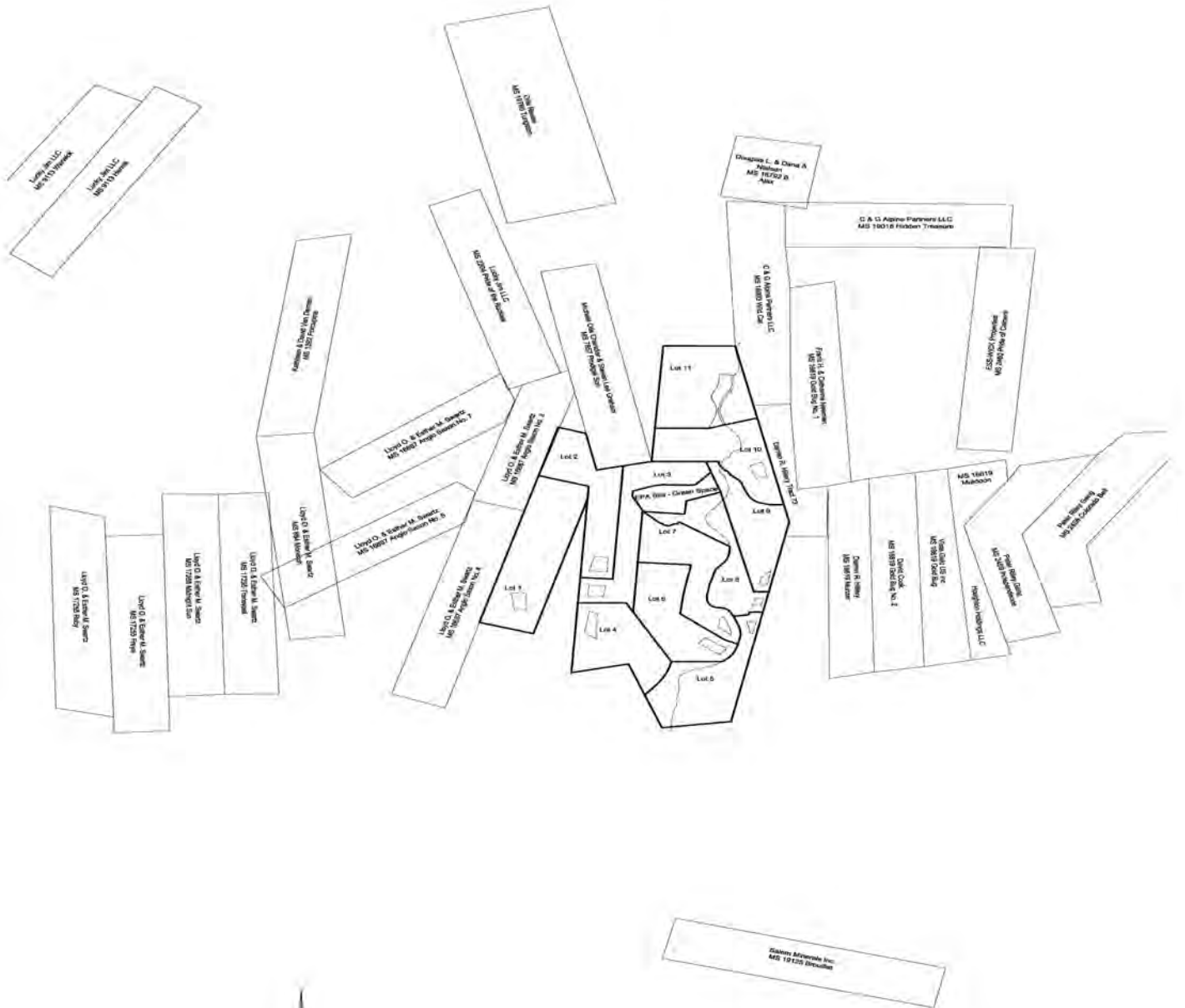
Peerless  
Queen City



# MAP OF ADJACENT LAND OWNERS

## Proposed Swartz Proposed Overland Estates Subdivision

**Adjacent Landowners Map**  
 Anglo Saxon Placer, Anglo Saxon No. 1 and Anglo Saxon No. 2, MS 16687  
 Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian  
 San Juan County, Colorado



<b>U.S. MINERAL SURVEYORS</b> <b>REGISTERED LAND SURVEYORS</b> <b>IN COLORADO</b>		<b>SOUTHWEST LAND SURVEYING LLC</b> 1205 H Lane, Delta, CO 81416 (970) 875-2000, (970) 875-2000, (970) 875-2000 (970) 875-2000	
PLAN SCALE: 1"=300' U.S. Survey Feet	REVISIONS: _____ _____ _____ _____ _____ _____ _____ _____ _____ _____	<b>Adjacent Landowners Map</b> Anglo Saxon Placer, Anglo Saxon No. 1 and Anglo Saxon No. 2, MS 16687 Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian San Juan County, Colorado	
DRAWN BY: RCH, WSH		Anglo Saxon Properties, LLC 200 W. 1st St., Suite 100 Delta, CO 81416	
CHECKED BY: RCH		PROJECT NO.: 16687-ADJ	
DATE: 11/11/2024		SHEET NO.: 1 of 1	

## Project Narrative

### Proposed Minor Overland Estates Subdivision Agreement With Driveway Improvements and Bridge Building Permit

**Owner/ Applicant Name:** Lloyd and Esther Swartz of Albuquerque NM

**Project Location:**

ANGLO SAXON PLACER - 16687, ANGLO SAXON #1 - 16687, ANGLO SAXON #2 - 16687, ANGLO SAXON #3 - 16687, ANGLO SAXON #4 - 16687, ANGLO SAXON #5 - 16687, ANGLO SAXON #7 - 16687, MONARCH - 884, FREYA - 17255, MIDNIGHT SUN - 17255, RUBY - 17255, TRANSVAAL - 17255 approximately 3.5 Miles from Silverton on County Road 110 just before the Aire lodge on the right and left.

County, Township 42 North, Range 7 West in Sections 66, 67 and 36.

**Elevation:** Subject property varies from 10,000' to 11,200'. Development Permit work is all below 11,000'

**Overview and History of Project.**

The applicants to this land use permit are preparing to build a full-time residence within 2 years at Ravens Nest 2.5 miles south of Silverton on Highway 550 on the Prince Edward Claim. This was a part of a similar project completed in 2019 - 2020 where we adjusted 8 claim boundaries and connected roads and access resolving several community concerns. After successfully finding others to purchase the 7 other claims, we decided to keep an eye out for other quality properties in San Juan County that could be developed similarly.

In October 2022, we purchased the Anglo Saxon and Transvaal properties. Lying along County Road 110 they provide exceptional potential build sites with year around plowed road access. The prior owner had plans for *large scale* development that he never completed. We purchased the property with the intention of establishing 12 potentially year around home sites in a responsible manner.

By planning practical development on these 12 claims;

- We are able to limit the construction of new, future access roads.
- We are establishing permanent access and defined work area for the Anglo Saxon mine cleanup work.
- We are able to have a single Land Use Permit to establish roads and make practical adjustments to boundaries instead of potentially 12, saving local government time and resources.
- All properties will have access sufficient for recreational use, forest management and planning for future owners, with safe, permitted building envelopes.

- We were able to design well thought out roads and driveway access to each parcel at once, minimizing impacts to the wilderness, historical structures and view sheds.
- Establish rare, *YEAR AROUND* accessible properties that are more financially beneficial to the community than back country properties that are in-accessible for 6 months or more of the year.
- Preserve 50% of the land through a Conservation Easement or Green Space, protecting prime back country recreation and Wildlife Habitats.
- Provide easements for neighboring property owner's needs.
- Provide year around, heavy duty bridge access for sites across Cement Creek as well as the existing cabin on an adjoining parcel, including fire and rescue.
- Provide additional access for San Miguel Power Line Maintenance.
- Protect Significant Fen Emerging and High-Altitude wetlands via use of Green Space and subdividing lower portions of the Parcel to protect those areas.
- 50 Acres of prime, county road lined property would never have been developed as one or 2 build sites. We believe our plan is the least impactful of any potential proposals, and stops short of a higher density subdivision proposal.

### **Overall Community Benefits:**

Since our first project much has changed in San Juan County. Silverton has been "discovered", as well as ski area expansions are in the works. These changes have led to a need for all types of housing, including safe, buildable lots with access. These 12 parcels are location in a prime location between the town and the Silverton Mountain Ski area with extensive, ongoing development with in this designated economic development corridor. And given the vast amount of public lands in San Juan County, mixed with geological hazards viable potential parcels for residences are in demand.

By granting approval for this basic subdivision the local community also secures over 50% of this project acreage in its current state, preserving view sheds, habitat and recreation areas. Existing roads will continue to be kept open to the public

Applicants are seasoned back country, off-grid, mountain residents who have lived in the high country of New Mexico and Colorado most of their lives. With hands on experience in another back country development in San Juan County and New Mexico they are quite adept in overcoming challenges and taking care of the land.

Applicants are planning for long term water improvement projects with the EPA and providing access and parking to other land owners and community members. Carving this area out as Green Space provides for development of 12 parcels without the having to broach the EPA access and development issue each time a permit is applied for. The EPA is considering this as a potential National Model!

Quite possibly, the most important benefit to this project is the future potential for 12 new tax paying homes in San Juan County that is *YEAR AROUND ACCESSIBLE*. That cannot be emphasized enough as most other back country locations are simply resulting in homes with roads that are not plowed and may never be feasible to plow or access by any means in the winter. This means, these homes are only occupied a few weeks or months of the year.

And the Demand is HIGH! We have been contacted regularly by interested parties who wish to build year around residences to work and live in San Juan County since purchasing and proposing this project, including referrals from various Silverton residents. Unfortunately, many parcels and lots are priced outrageously high in the county, and ours will be priced below others to be more obtainable.

### **Proposed Development:**

Rather than a large-scale development or spread-out development over ever increasingly high mountain parcels with challenging access we propose to create a subdivision with 11 of 12 claims so that we can establish 4-5-acre parcels in the lower, safer, year around road accessible areas. Proposed Subdivision will **NOT** increase the number of **DEVELOPABLE** parcels. There are currently 12, and there will be 12 after re-platting. Driveway and community road improvements would begin August of 2024. An access bridge is proposed and will require building permit, but does not need a foundation.

### **Reasoning for swapping 12 claims for 12 buildable valley parcels:**

Boundary adjustments are being made in order to;

- Simply put 50 acres of prime, valley flat land along a plowed county road WILL BE developed. Our proposal is the least impactful way.
- Adjusting the highest parcels to have lower elevation, potential build sites reduces future planning headaches, preserves view sheds, provides more useful year around accessible home sites, creates significant preservation of pristine acreage and wildlife habitat, limits new roads, creates legal access for all parcels, creates safer build sites, and drops all potential building sites below 11,000’.
- To generally avoid difficulties between San Juan County Planning Commission and Commissioners with future land owners.

**Future Improvements:**

Immediate plans include improving and grading as needed, the existing network of old mine roads across these parcels as well as installing 2 sections of new road to connect the existing road network on the Anglo-Saxon Placer North to the South End, including a heavy traffic rated bridge. Roads across claims will be filed as ROW's for future owners, and current cabin owner. Approximately 1,200 feet of new road will be created in 2 locations. Approximately 1700' of existing road will be improved, regraded as needed. Road section to Anglo Saxon mine tunnel will remain abandoned or no longer maintained unless the EPA elects to utilize it. A future road by others will improve EPA access, not a part of this application. The standard for all new roads is to be passable for a heavy, straight truck to assist in potential future home construction, as well as allow for emergency vehicle access to all properties. Bridge will be rated for over 80,000 lbs.

Road alignments are laid out as to be screened from view from County Road 110 as much as feasible.

An Easement will be granted for the owners of the Prodigal Son to access their existing trail without crossing through the EPA site. Permit will be applied for separately by them. See survey.

An Easement has been granted for the Aire Lodge for safe, winter time parking.  
(Approved already by the County)

A significant, ongoing effort will be made to remove dead and dying trees resulting from over growth of the forest and past beetle infestation across the property.

Mandatory participation or sharing of cost in ROW road maintenance will be included in deeds of sold parcels in the future to insure safe, continuously maintained ROW roads.

**Zoning:** Mountain

**Mining District:** Animas

**Septic Service:**

At this time, there are no proposed septic systems. In the future, septic systems for individuals will be required to be designed according to San Juan Basin Health Department (SJBH) specifications by a Colorado licensed engineer. As required by SJBH, the septic systems will be designed in accordance site specific per rate for the number of bedrooms. It is anticipated that SJBH will require the Septic to be engineered.

**See Attachment M from Septic Engineer**

**Access:**

There will be numerous access points. Access points were walked with former Road Supervisor, Louis Girodo in May of 2023. These include;

- New Road to bridge from CR 110 on East Side connecting to existing road near existing cabin.
- Existing Road on West Side to Parcels from CR 110
- Existing Road on North East End to complete loop through Placer Claim
- Existing Road across bench from County Road 21
- See survey for exact locations
- Access to CR 21 which is currently maintained by the county will remain open until the end for public use to the conservation easements.
- Access onto the Anglo Saxon Placer via the new road may be restricted to private community and official use in the future.

**Water Service:**

No improvements related to water are proposed at this time. Significant surface water rights for these parcels do exist, however as these are being sold as large, individual parcels it should not be required. There are indications the Bonita Peak Basin is less consistent in this area and sources of clean water including springs, appear throughout the property.

**See attachment M from Engineer**

**See attachment S Water Rights Decree**

**Electrical Service:**

Power is available all along the property line on the Anglo Saxon Placer for future owners to tie into. Cable and Phone is available on the opposite side of the road to tie into as well.

**See Attachment T San Miguel Power Will Serve Letter**

**Historic Structures:**

There are no historic structures of significance on the property, except the Cribbing wall in front of the Anglo Saxon. In the Monsoons of 2024 the wall collapsed and we are collaborating on a suitable fix.

**Tree Clearing:**

The extensive, existing road network will see VERY minimal tree removal focused primarily on dead trees that regularly fall across roads and some trees that have grown up close to the roads over the years narrowing the roads too far in places.

Trees will be cleared as needed to establish approximately 1,200' of new road across the claims. Road locations have been selected to minimize tree removal whenever possible. Only one section of approximately 80 feet will see any significant tree removal!

Owner prefer to stock pile logs for firewood use and chip and spread small debris as opposed to dangerous burning.

Tree removal estimates count any trees over 2" in diameter. In some places there is a huge over growth of small trees that inflates the numbers. Road lay out took in to account wetland, road functionality as well as minimizing large tree removal. Some areas are very shady and wet and create a ripe habitat for overly dense tree growth.

**See Attachment Q for Locations and Estimate Tree Removal Quantities****Surveying:**

There are no modern, complete surveys of these parcels and Southwest Land Surveying is surveying all parcels, pinning corners of adjusted parcels, laying out the EPA parcel, new and existing roads, and easements for other property owners. A preliminary survey with over lays is included in this application, with final work to take place after approval. After county approval of this proposed Boundary agreement the County/ Project Surveyor Dirk Hatter will be submitting a new Survey Plat to file at the County Court House.

**Subsurface and Geo Hazard Conditions:**

Subject mining claims lie on Ohio Peak and along the Cement Creek Valley. There are no known landslide, snow, or rock slide areas that threaten likely build sites. Attachment A shows snow slide relationships to parcels.

The County Geological Hazards Map Indicates the subject property is CST or colluvial slope accumulated areas from Colluvium or Glacial Sources. This can indicate potential land slide issues, however as is typical this map is not very reliable as it paints broad brush strokes over huge areas. In person observation is important as well as more detailed analyses when a build site is proposed. (Not a part of this application except for bridge)

Actual observations for the purposes of potential build sites in project area indicate more of a shallow, bedrock underlying base on the West side of 110 including the bench.

In some areas CST is quite accurate for the hills East of the property line, but that is outside the scope of this proposal and potential build sites on relatively flat ground without the ability to slide.

The site was visited by a Licensed Geotechnical Engineer. The only significant issue is a historic land slide on lot 6 that ends before lot 8. While it does not threaten a build site, steering clear of this hill for building a cabin is a good idea, and the building envelope reflects this.

**See Attachment K. Troutner Geotechnical Report**

**Anglo Saxon Mine**

This property contains the Anglo Saxon Mine. This previously inventoried Bonita Drainage Mine has had work as recently completed in 2023 to re-direct run off to naturally existing settling ponds, and away from Porcupine Creek and Mine tailings. At this time there is no “final decision on remediation”, however it is unlikely much more work will happen. I met with Athena Jones, Mark Rudolph and others on site. And discussed the current situation and what should happen moving forward. The EPA would like to repair the cribbing wall in the future that presents a hazard for CR 110, and continue to occasionally dredge the ponds every 5 years or so from the road. Additionally;

- We discussed keeping all development a reasonable distance away, and mapped out comfortable perimeters taking many possibilities into consideration. (i.e.: Test holes, future access needs etc.)
- Re-locating the prior planned easement (by prior owner) for The Prodigal Son which was completed.
- And we laid out a perimeter which was later surveyed to isolate the Anglo Saxon mine from the other claims, reducing future administrative work loads and isolating the property as a single point of contact and ownership. This could be a model to be used moving forward on other projects. This will be maintained as Green Space.
- Based upon these discussions and commitments they would write a clearance letter in support of this project since there is currently a hold on this property due to the un-completed reclamation. Letter to be issued after application for permit is submitted.

**See attachment M Liability Release and Access letter for EPA**



## **Wildfire Analyses:**

Wildfire is a serious concern in any wildlands interface, with the problem of wildfire growing for numerous reasons. However, at the generally high elevation and wet nature of San Juan County combined with regular tree less fire breaks leads to limited, and small acreage fires, primarily as a result of lightening. As a contrast to dangerous conditions in nearby La Plata county.

Writer of this proposal and specifications did not have access to planning department excepted wildfire analyses publications. However, as of 2017 the Colorado State Forest service utilizes an updated portal that is extremely detailed. The subject property falls into moderate to high risk factor categories.

Taking a close up look at the property, you have Grassy Gulch, Cement Creek and County Road 110 as fire breaks. Access to creek water and nearby storage ponds is available.

The San Juan County fire department is 3.6 miles via State Highway to subject property, so fire protection and response is adequate. Access roads will be un-paved but accessible to any vehicle.

A bridge rated to handle fire trucks is including in this proposal.

Dead trees and pine beetle damage are relatively low in this area, and efforts to remove dead trees during development as well as clear ladder fuels will be made.

A secondary escape route across the creek from the East side of the Saxon Placer will be re-graded and maintained for emergencies. Other road distances to county road 110 are relatively short. Additionally open meadows could provide for safe zones in a fire emergency.

Off Country Road 21 build sites can access the road in 2 directions, providing an alternative means of egress.

The following pre-cautions will be utilized in construction for future building permit requests;

- Create fire breaks around homes.
- Utilize fire resistant home construction including Logs which are of the highest fire rating and metal roofing.
- Thin property and remove excessive dead trees.
- Create firebreak roads on property with fire protection access.
- Maintain defensible zones for future structures.
- Utilize removed trees for firewood.
- Utilize “smart” remote monitoring fire detectors.
- Maintain access to lower emergency egress route via power line road.
- Maintain a water wagon in the community for small fires to prevent them from becoming big problems.

\* Note: Note Fire Map is not attached as it's not very useful

### **Avalanche Hazard:**

San Juan County has a rich history of avalanche danger, not to be taken lightly when planning a residence, with 2019 demonstrating just how powerful they can be in particular. In the case of the subject mining claims;

- Several of the proposed adjusted parcels do overlap The Grassy Gulch Slide #43 Pages 225-226 of the Atlas. (also see our overlay) As well as small runs on the Anglo Saxon Mine Side that either do not exist in reality, or are of much smaller coverage than the map shows. However in no instance do they come close to potential, flat build sites.
- The Grassy Gulch slide relatively minor avalanche run is relatively skinny and parcels have buildable sites far outside of this slide path.
- An existing cabin has existed for decades in a blue zone right near the outlet of this path with no issues.
- Discussions with an avalanche expert indicated this run is well mapped and no further study is required. The exception would be if a future permit applicants selected a build site in a Blue Zone type area in which case San Juan County may have to require a study for that specific application. Under this proposal we do not select as exact build sites and further confirmation of hazards would be up to future owners.
- The only other mapped slide path on the property is Porcupine Gulch map 47, pages 178-179 of the Atlas. This path runs out over the Anglo Saxon mine site and is not likely relevant to any future parcel build sites. There is NO significant indication of avalanche within the last 100 plus years in this run.

**See attachment A: Avalanche**

**See attachment B: Geo Hazard**

## **View Shed:**

In some areas of San Juan County view shed impacts can have a negative effect on the environment for visitors. These parcels were partially chosen because and future construction could be easily screened. Overall building locations are well screened by trees and away from any customarily visited locations to be seen without some effort and should any future buildings be viewed; the type of construction may be dictated by the San Juan County planning commission at the time of building application permit submission.

Potential view point locations analyzed for these parcels;

- County Road 110 – See attached photos of selected potential build sites for reference. The 5 Parcels West of 110 have a nearly 0 percent chance of being visible. Potential spots on the East Side will vary from slightly visible to nearly impossible.
- From Existing Cabin – Trees provide excellent screening for all parcels and it is difficult to view the existing cabin from most places on our parcels.
- Ridgelines – Potential building envelopes may more closely be reviewed at the time building permits are submitted. However easy set back from any ridgeline edge is possible.

**See attachment C Access Photos**

**See attachment D Lot/ Parcel Photos**

*\* While we have generally located, safe, approvable building envelopes outside of hazards and view shed conflicts with access. These are merely suggestions and are subject to final approval by San Juan County upon submission of a building permit request by a parcel owner and may be adjusted for appropriateness at that time.*

## **Wetlands:**

As the Placer claim has Cement Creek Running through it and we must cross the creek we engaged the services of SME Engineering to evaluate the entire Placer Claim where roads will run. Their inventory and map is attached. The new Bridge Crossing of Cement Creek will NOT impact a wetland as both sides are not wetlands and this will be a clear span. However, while no traditional wetland issues were un-covered, there are some Fens on the property. As a result, new roads were re-surveyed and re-laid out several times to make sure no Fens **OR** traditional wetlands would be disturbed. The hard work applied to this process has resulted in a more environmentally friendly road lay out. We managed to reduce impacts to a whopping .03 of pre-emergent wetlands, primarily rocky soils with some wetland type plants. No other important habitats were inventoried. One additional parcel was re-structured to make sure quality potential build sites exist outside of the Fen areas which will remain open between parcels for wild life or potentially horses.

Initially an Army Corps of Engineers 401 permit was applied for, but rejected in favor of a basic Nationwide Permit due to lack of impacts. Nationwide Permit Verification (SPA-2023-00492) this permit requires no other action other than to minimize impacts as proposed, and stay away from mapped Fens. Soil samples were taken for confirmation.

**See attachment E SME Aquatic Survey**

**See attachment F Army Corps Nationwide Permit**

### **Bridge:**

As the only current access to the North Side of the property is via driving across Cement Creek. A single lane, beam and timber bridge has been designed by E & H manufacturing to provide access across the river for parcel owners, the existing, neighboring cabin, construction and emergency services as well as power line maintenance. This is a Basic Timber bridge that blends well with the environment. See attached design and engineering from E & H Manufacturing. This bridge system utilizes 2 40' sections of pressure treated and tensioned timbers between steel beams. No footings are required, hence no wetland disturbance or flood issues. A Geo Test was undertaken to assure adequate soils and is attached. A Colorado engineering firm was contacted but since there is no concrete foundation the manufactures plans may be utilized. Think of it like the many rail car bridges in the county, only this one is engineered!

A few key points on this system:

- Design Meets HS 20-44 standards or 80,000 lb. 40 ton capacity.
- An optional drainage gravel will be utilized.
- Bridge may not exceed 2% slope
- 5' Overlap on land of bridge ends is mandatory and painted onto bridge sections.
- Owner will assist in yearly inspections of hardware and welds
- Tensioning of compression bolts must be checked every 10-15 years
- Owner has constructed much larger bridges in the wilderness prior.
- Bridge is well above the FEMA Flood Plane



**See attachment G Bridge Engineers drawings**  
**See attachment H Bridge Flyer**  
**See attachment I FEMA Flood Map Overlay**  
**See attachment J Bridge Survey**  
**See attachment K Geo Tech Report**

## **Road Construction Standards:**

SWPPP Plan – As we will not be disturbing an acre or more a formal Storm Water Permit Plan is not required. However, great care will be taken to minimize impacts to Cement Creek during bridge construction, as well as any other negative run offs of silt.

Road Base – To every extent possible road will be constructed using native materials. Areas that are muddy will be rocked in and gravel or base course topping added as needed. In our experience rocking muddy areas to prevent stuck vehicles or sediment run off is the number one issue. Primarily on-site cobbles and native fill that needs cleaned up from the Airy Lodge project will be utilized.

Culverts – None anticipated, but could be added for minor, seasonal drainages. Plastic culverts to be used if highly acidic run off is encountered.

Bridge – Engineered as a single lane steel beam and timber bridge that will hold heavy duty traffic including construction equipment and fire trucks.

Width – Minimum of 12 feet single lane. Turns wide enough for large, straight trucks. Current road requirements call for a 24' 2 lane road, which would cause unnecessary impacts to service a handful of homes. This is yet another case of a requirement based upon an in-town subdivision. We would prefer to stay between 12'-16' as is typical in the back country. The average width of Country Road 61 is under 15'!

Geotechnical – Soil tests conducted for Bridge Abutments

Retaining Walls 4' or greater – None Anticipated, however approximately 4 feet of native fill will be used at the CR 110 connection. This connection will maintain appropriate slope and will not interfere with the count road in any way. A Colorado stamped and engineered design for Keystone is available if needed, up to 7' high (would require Geo Grid inspections).

Road Grades – No roads will created with more than 8% Grade. Most sections are relatively flat. The driveway entrance off Highway 550 will be approximately 6% and the steepest grade encountered.

## **Flood Risk Analyses:**

While FEMA Flood Risk Maps do include Cement Creek, a few points should be made;

- These maps are typically a bit exaggerated as grades were not shot in on site.
- The Majority of the flood zone is essentially the creek bed.
- Cement Creek does not have a history of major floods.
- All FEMA zones are 100 year.
- Expanded areas shown on maps are all cobble bars with one exception
- Proposed bridge location is FAR higher than the 100 year flood zone at that location.
- All parcels have approval build sites outside of the mapped flood zone.
- Observations were made during 2023 peak run off, and never did the creek significantly enter even the cobble bar 100-year flood zones.

**See attachment I FEMA Flood Map Overlay**

## **HOA**

A limited HOA will be required to be established once year around habitation of property begins to primarily insure residents work together on road maintenance and snow removal.

**See attachment P sample HOA Guidelines**

## **Snow Removal**

I was asked to discuss snow removal and stowage considerations. With small lot, in town formal subdivisions snow storage can be a significant issue. But we are working with 12 parcels or potential build sites on approximately 70 acres, with 4-5 acre build sites. Because of this there is nearly unlimited room to remove snow or create snow piles.

A Solar Shade analyses was completed based upon 11:00AM and 3:00PM in December, and no lots or roads are shaded during that time. Areas shown as no light are not part of this project.

**See attachment U- Solar Shade Analyses**

## **Lot/ Parcel Layout Deviation**

Willy Tookey pointed out that many lots are divided by roads. While we have created many revisions to our proposed plat, we are attempting to keep within 3 conditions;

1. Lots of 4 acres or more
2. Keeping 12 mining claims for 12 buildable lots and not adding more.
3. Avoid building sites that are hazardous, avoiding Fens and Emerging Wetlands, difficult to access places, or likely to see building permit rejected at a later date.

With these constraints, it's simply not possible to exclude a road crossing a parcel. Again, this is different than a large scale, in city subdivision where you plopp a street down the middle and have lots on either side of very small size. Many lots would have to be divided into smaller than 4 acre parcels, both triggering impractical subdivision development requirements as well as a density that owners and County citizens do not want to see with in the back country.

## **Affordable Housing Requirement**

This is yet another requirement that makes no practical sense for a mountain subdivision. Custom homes are typically more expensive to build in the back country due to installing Septic and Water, as well as other conditions. Nor are we building any homes. While we could argue some lots will be priced less than the others, and call it "affordable housing" I feel it's a bit disingenuous. Some sort of negotiated, reasonable contribution towards affordable housing efforts in a more practical location in town could be an option. As communities in Colorado come to grips with affordable housing issues, one fact remains across the research spectrum, and that is less housing equals bigger problems. Restricting responsible development of any kind drives up prices in a supply and demand economy. San Juan County needs all the housing and buildable lots that can be found to provide for housing needs of all types.



# BOARD OF COUNTY COMMISSIONERS San Juan County

P.O. Box 466

Silverton, Colorado 81433

970-387-5671

## RELATIONSHIP OF PROPERTY TO COUNTY ROAD AND STATE HIGHWAY SYSTEMS

I, the undersigned, applicant engaged in the processing of Application for Improvement Permit No. \_\_\_\_\_, San Juan County, Colorado, do hereby acknowledge the following facts:

1. The real property which is the subject of said application is on this date located approximately 8 feet from County Road No. 110, the nearest designated and publicly maintained county road.
2. Said County Road No. 110 is on this date maintained on an daily basis by San Juan County.
3. The real property which is the subject of said application is on this date located approximately N/A from Colorado State Highway No. N/A, the nearest designated state or federal highway.
4. Said Colorado State Highway No. N/A is on this date maintained on a year-round basis by either San Juan County or the Colorado Division of Highways.
5. A Driveway Permit will be necessary for any private access or egress relating to said real property which intersects any designated Colorado State Highway or Federal Highway.

Signed and dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Position:

SAN JUAN COUNTY, COLORADO  
DRIVEWAY AND ROAD ACCESS PERMIT

Improvement  
Permit No. \_\_\_\_\_

Applicant: Lloyd Swartz  
35 Canoncito Rd NE  
Albuquerque, NM 87122

Location of Proposed Driveway or Access on County Road No. 110 :  
3.3 miles from Park on County Rd 110 just past the bend in  
Cement Creek on right.

Description of Proposed Driveway or Access, including materials to be used:  
New location will include 3-3.5ft. of Native fill from Ainy Lodge  
spoils topped w/Gravel. Slope from CR110 will be maintained  
with no drainage impairments.  
Two other road connections are existing.  
Note: On site visit with Louis Gordo in May 2023.

Comment and Recommendations of County Road Supervisor:  
\_\_\_\_\_  
\_\_\_\_\_

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

Permit Approved \_\_\_\_\_ or Denied \_\_\_\_\_ Date: \_\_\_\_\_  
Land Use Administrator: \_\_\_\_\_

### Application for Improvement Permit

		APPROVAL CHECKLIST	Initial	Date
Applicant	Name	Lloyd Swartz		
	Address	35 Canonic Road NE Albuquerque, NM 87122-5052		
Owner	Name			
	Address			
	Phone	0915		
Contractor	Name			
	Address	- Same as above		
	Phone			
Legal Description of Property:		Road System Relationship		
TBD CR 110 Silverton Co. 0.3.6 miles from Silverton Anglo Saxon Placier claim 42 N, Range W, Section 31		Zoning Compatibility		
		State Mining Permit		
		Owner Notification		
		Avalanche Hazard		
		Geologic Hazard		
		Floodplain Hazard		
		Wildfire Hazard		
		Mineral Resource Impact		
		Wildlife Impact		
		Historic Site Impact		
Nature of Improvement Planned:		Watershed Gearance		
Engineered pre-fab bridge across cement creek No foundation required.				
		County Building Inspector		
		Building Permit		
		State Electrical Inspector		
		Electrical Permit		
		San Juan Basin Health Unit		
		Sewage Disposal: Test		
		Design		
		Central Sewage Collection		
Date Application Requested				
Date Submitted for Permit				
Date Permit Issued				
Date Permit Denied				
Reason for Denial		State Division of Water Resources		
		Adequate Water Source		
		Well Permit		
		Central Water Distribution		
		U.S. Forest Service/BLM		
		Access Approval		
		State Division of Highways		
		Driveway Permit		
Receipt	FEE PAYMENT	Amount	Date	
	Application			
	Building Permit			
	Subdivision/PUD			
	Hearing Notice			
				Subdivision Variance
				Subdivision Approval
				PUD Approval

**RECEIPTS**  
**SAN JUAN COUNTY TREASURER**  
 Tax Year / Statement #: 2023 / 3047

Date - Time:  
 4/16/2024 - 8:52:55AM

Tax District: 101 - 101  
 Parcel #: 47750310040009  
 Land Nbhhd: 1

ACCT#: N2833  
 Block:

Value: 97,132  
 Property Type: MN  
 Lot:

SWAR00001  
 SWARTZ LLOYD O & ESTHER M

35 CANONCITO DR NE  
 ALBUQUERQUE, NM 87122-2113

Owner: SWARTZ LLOYD O & ESTHER M

Legal: ANGLO SAXON PLACER - 16687, ANGLO  
 SAXON #1 - 16687, ANGLO SAXON #2 - 16687,  
 ANGLO SAXON #3 - 16687, ANGLO SAXON #4 -  
 16687, ANGLO SAXON #5 - 16687, ANGLO

Taxing Authority		Mill Levy	Amount
101	County	19.641000	1,907.78
101	SCHOOL DISTRICT #1	15.484000	1,504.00
101	SOUTHWEST WATER CONS	0.347000	33.70

Taxes Paid							
Receipt #	Payment Date	Tax Descr.	1st Half	2nd Half	Interest / Fees	Total	Comment
671	02/26/2024	AdValorem	1,722.74	0.00	0.00	1,722.74	
<b>Grand Total Paid</b>						<b>1,722.74</b>	

Tender Collected							
Payment Date	Check Paid	Cash Paid	Card Paid	AAE/Rev. Paid	Change	Operator	Paid By
02/26/2024	1,722.74	0.00	0.00	0.00	0.00	Deanna Jaramillo	CAMINO REAL ESTATE HOLIDNGS LLC

Remaining Penalties	Remaining Fees	Remaining 1st Half	Remaining 2nd Half	Remaining Total
0.00	0.00	0.00	1,722.74	1,722.74



## General Location Maps (2)







Project Area

2.6 Miles From Paver

Overland Estates General Location





**Building Permit Application**

\*Address of Job Site: TAD CR 110 Anglo Saxon Claims

\*Class of Work:

NEW  ADDITION  ALTERATIONS  REPAIR  MOVE  OTHER

\*Property Owner: Lloyd Swartz \*Phone: 505-252-0915

\*Mailing Address: 35 Canocito Rd NE

\*City: Albuquerque \*State: NM \*Zip Code: 87122

\*Email Address: Ravensnest estates@gmail.com

Contractor: Lloyd Swartz Phone: 505252-0915

**Legal Description:**

\*LOT NO.(S): \_\_\_\_\_ \*BLOCK: \_\_\_\_\_ \*ZONE: \_\_\_\_\_ \*(If Applicable) ADDITION: \_\_\_\_\_

\*Hazard: NONE  FLOOD  AVALANCHE  SLOPE

**Structural Information:**

\*\*Req. if NEW Structure: \*\*Survey Provided: YES  NO  \*\*Plot Plan Provided: YES  NO

Designed By: F&H LICENSE PE# \_\_\_\_\_

SQ.FT.: \_\_\_\_\_ HEIGHT: \_\_\_\_\_ TOTAL UNITS: \_\_\_\_\_ TOTAL ROOMS: \_\_\_\_\_

**\*Describe All Work To Be Done:**

Install Prefab bridge crossing, timber & beam  
no concrete foundation over cement creek.

\*Printed Name: Lloyd Swartz

\*Signature: [Handwritten Signature] \*Date: 4/13/24

**(Staff Use ONLY)**

Total Estimated Valuation of Work: \$ 50,000.00 Estimated Permit Fee: \$ \_\_\_\_\_  
(Including Labor and Materials)

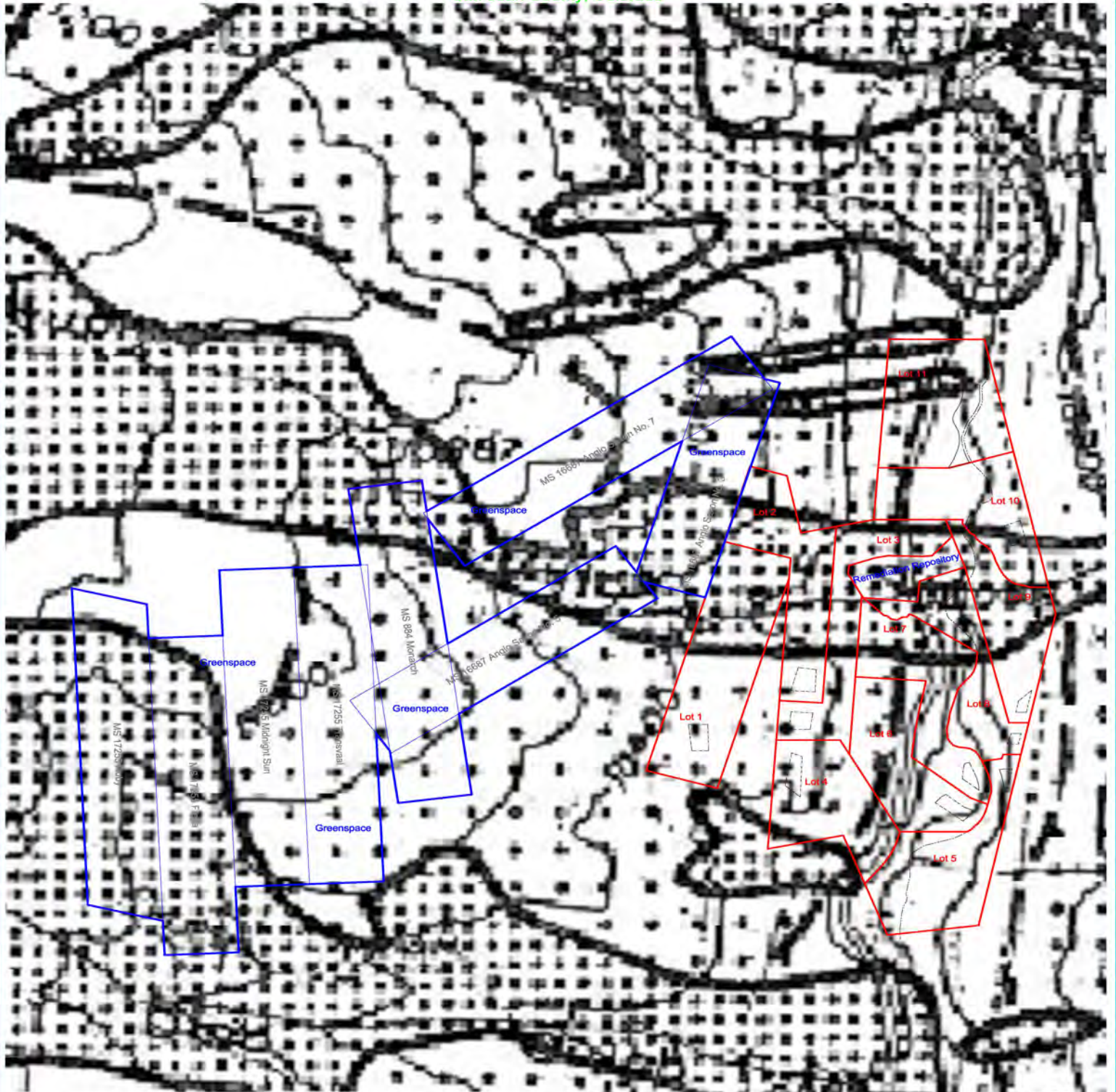
**Attachment A: Avalanche Hazard Maps (2)**

**Separate 24x36 Provided**



# Avalanche Hazard Map

Monarch, MS 884, Anglo Saxon Placer, Anglo Saxon No. 1, No. 2, No. 3, No. 5 and No. 7, MS 16687, Transvaal, Midnight Sun, Freya and Ruby, MS 17255, Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian San Juan County, Colorado



**Basis of Bearings:**  
 Line 1 - 2 MS 16687 Anglo Saxon Placer is assumed to bear N. 12°31'18" W., and is monumented as shown hereon. All other bearings are relative thereto.

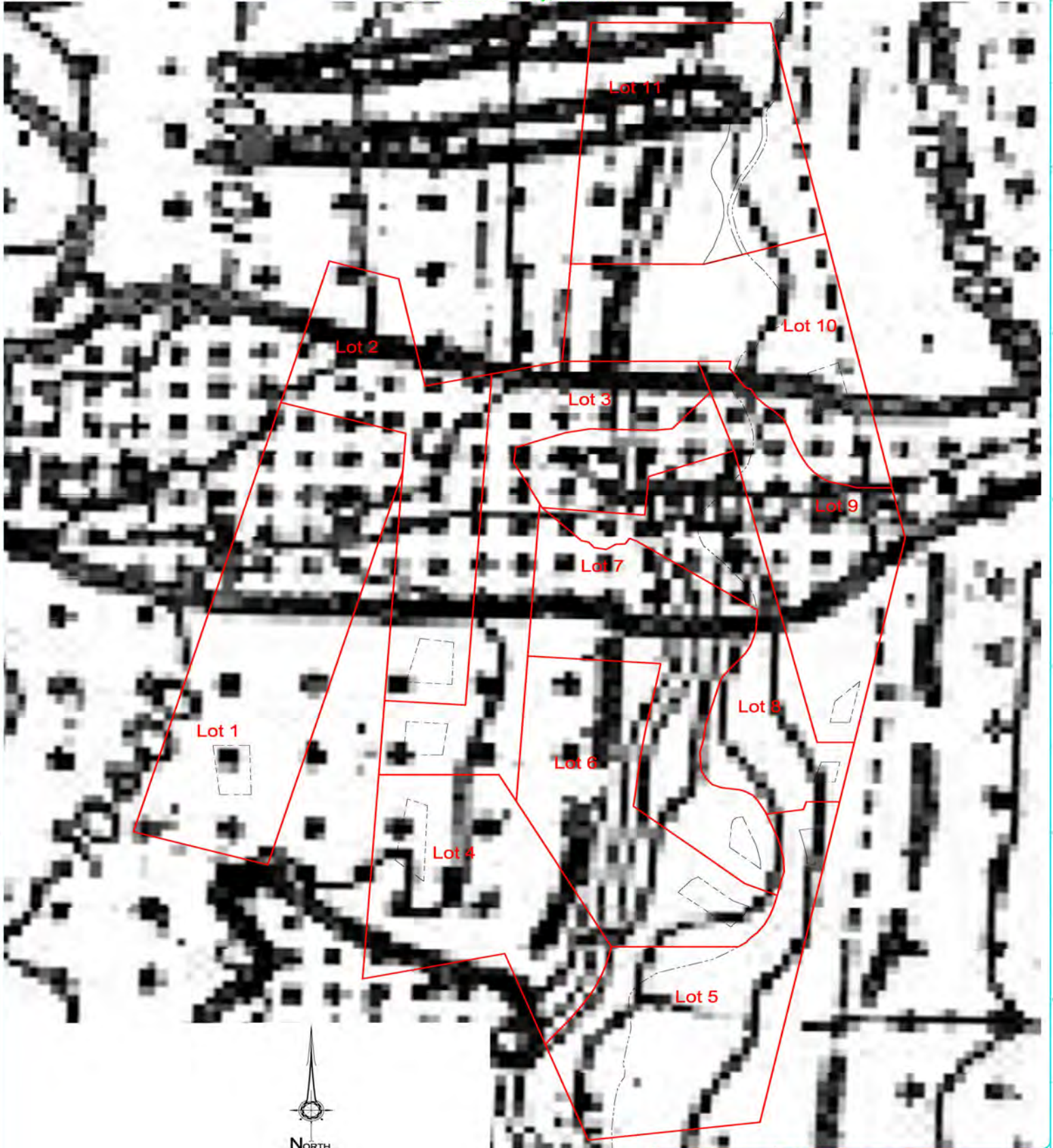
U.S. MINERAL SURVEYORS REGISTERED LAND SURVEYORS IN COLORADO		<b>SouthWest LAND SURVEYING LLC</b> 2005 1/2 Zank, Delta, CO 81415 P:970-847-7000 - F:970-847-7000 P:970-434-2863 - F:970-434-2863 EMAIL: info@swland.com	
PLAN SCALE: 1"=100' U.S. Survey Feet	ASSIGNED: FIELD CHECK: BDH, WSH	<b>Avalanche Hazard Map</b> Monarch, MS 884, Anglo Saxon Placer, Anglo Saxon No. 1, No. 2, No. 3, No. 5 and No. 7, MS 16687, Transvaal, Midnight Sun, Freya and Ruby, MS 17255, Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian.	
DATE: 08/11/2023	DRAWN BY: BDH	Anglo Saxon Properties, LLC 205 W. 17th St., Apt. E Teller, CO 81168-4849	
SHEET 1 of 1		PLOT 2023      CASE # 20-23-SW-01	

SWL, WSH, BDH, WSH, and BDH are registered land surveyors in Colorado. This map is a true and correct copy of the original map as recorded in the public records of San Juan County, Colorado. The original map is on file with the Surveyors' Office in Delta, Colorado.



# Avalanche Hazard Map

Anglo Saxon Placer, Anglo Saxon No. 1 and No. 2, MS 16687,  
Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian  
San Juan County, Colorado



**Basis of Bearing:**  
Line 1 - 2 MS 16687 Anglo Saxon Placer is assumed to bear N. 12°31'18" W., and is monumented as shown hereon. All other bearings are relative thereto.

U.S. MINERAL SURVEYORS REGISTERED LAND SURVEYORS IN COLORADO	
PLAN SCALE:	1"=100' U.S. Survey Feet
FIELD NOTES:	
BOOK:	
PAGE:	
DATE:	
SHEET:	1 OF 1

**SOUTHWEST LAND SURVEYING LLC**  
1205 N Lark, Delta, CO 81416  
(970) 874-0001, Silverton (970) 874-2000, Delta  
2070 EYE-CREST, Delta EMAIL: [info@swlandco.com](mailto:info@swlandco.com)

**Avalanche Hazard Map**  
Overland Estates  
Anglo Saxon Placer, Anglo Saxon No. 1 and No. 2, MS 16687  
Suspended, Township 42 North, Range 7 West, of  
the New Mexico Principal Meridian

**Anglo Saxon Properties, LLC**  
205 W 17th St., Apt. E  
Tulsa OK 74119-4640

FW 2023 SCF 35-23 Everts

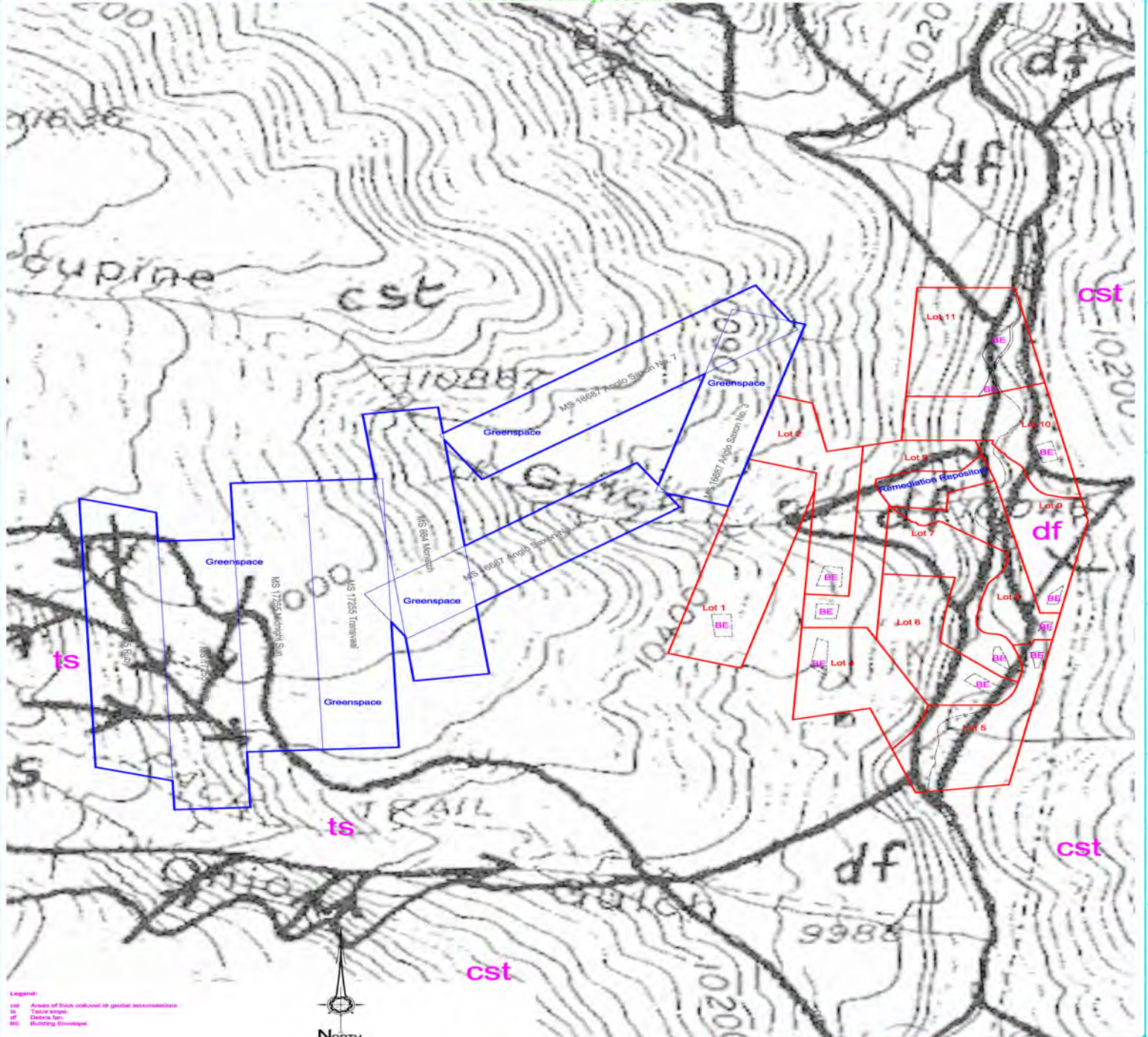


# Attachment B: Geo Hazard Maps (2)

Separate 24x36 Provided

## Geo Hazard Map

Monarch, MS 884, Anglo Saxon Placer, Anglo Saxon No. 1, No. 2, No. 3, No. 5 and No. 7, MS 16687, Transvaal, Midnight Sun, Freya and Ruby, MS 17255, Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian San Juan County, Colorado



**Legend**  
 ts Areas of thick talus or gentle inclinations  
 cst Talus slope  
 df Drought Factor  
 BE Building Envelope

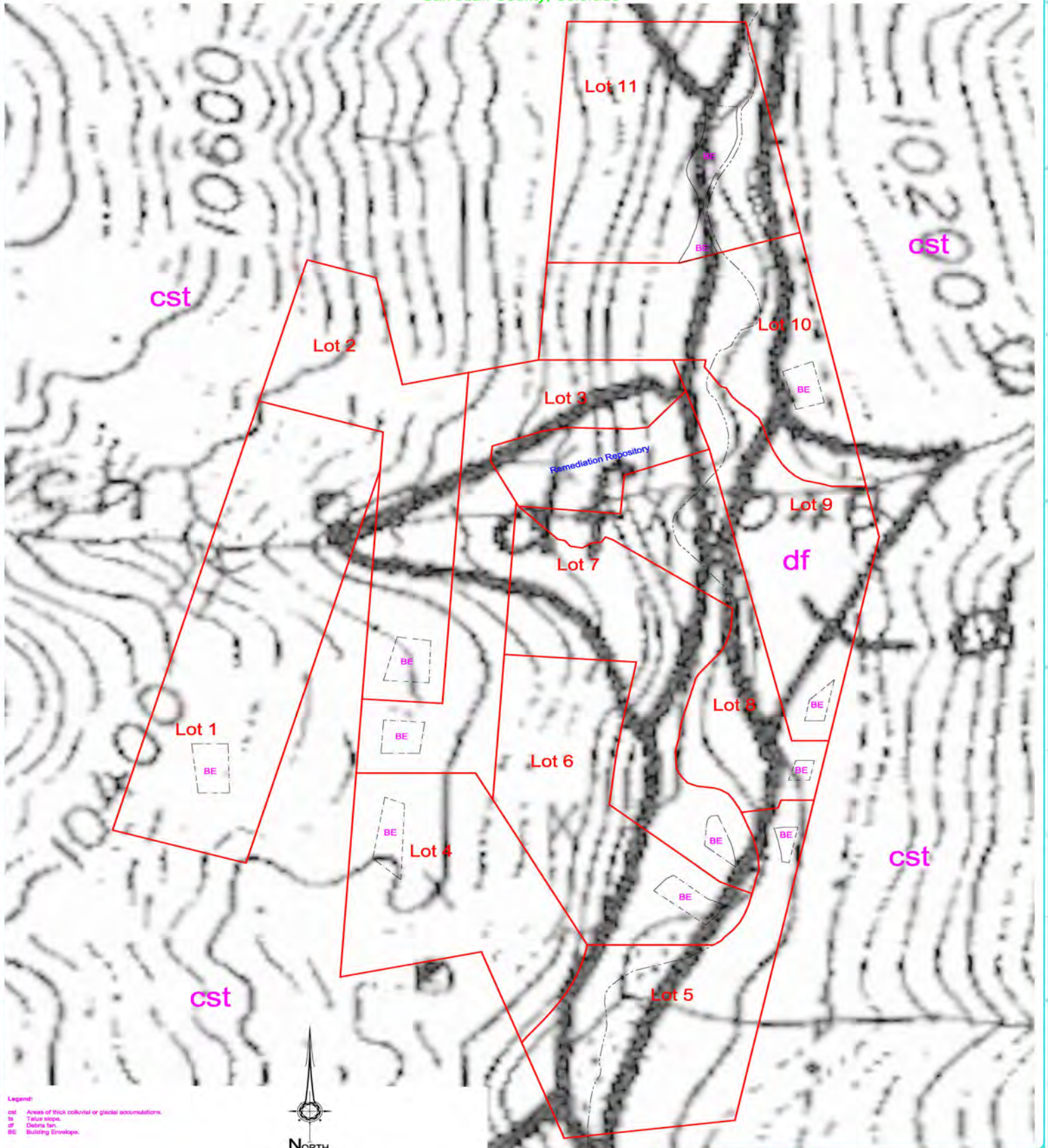
**Basis of Bearings:**  
 Lines 1 - 2 MS 16687 Anglo Saxon Placer is assumed to bear N. 12°31'18" W., and is monumented as shown hereon. All other bearings are relative thereto.

U.S. FEDERAL SURVEYORS REGISTERED LAND SURVEYORS IN COLORADO		<b>SouthWest LAND SURVEYING LLC</b> 12024 E. Galena, Suite, CO 81412 (970) 249-0000, (970) 249-0000 (970) 249-0000, (970) 249-0000	
PLAN SCALE: 1" = 200' U.S. Survey Feet	APPROXIMATE DATE OF CONVEYANCE: BEH, WWH COUNTY: SDH	<b>Geo Hazard Map</b> Monarch, MS 884, Anglo Saxon Placer, Anglo Saxon No. 1, No. 2, No. 3, No. 5 and No. 7, MS 16687, Transvaal, Midnight Sun, Freya and Ruby, MS 17255, Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian	Anglo Saxon Properties, LLC 205 W. 17th St., Apt. B Tulsa, OK, 74103-4845
SHEET: 1 OF 1		DATE: 2023	



# Geo Hazard Map

Anglo Saxon Placer, Anglo Saxon No. 1 and No. 2, MS 16687,  
Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian  
San Juan County, Colorado



**Legend:**  
 cst Areas of thick colluvial or glacial accumulations.  
 ts Talus slope.  
 df Debris fan.  
 BE Building Envelope.



**Basis of Bearing:**  
 Line 1-Z MS 16687 Anglo Saxon Placer is assumed to  
 bear N. 12°31'18" W., and is monumented as shown  
 hereon. All other bearings are relative thereto.

U.S. MINERAL SURVEYORS REGISTERED LAND SURVEYORS IN COLORADO	
PLAN SCALE: 1"=100 U.S. Survey Feet	REVISIONS:
FIELD BOOK: BDL WBH	
DATE PLOTTED: 2023	
SHEET 1 of 1	

**SouthWest LAND SURVEYING LLC**  
 1265 N Lane, Delta, CO 81416  
 (970) 874-0861 (970) 874-0860 (970) 874-0863 Fax EMAIL: dshar@swlandco.com

**Geo Hazard Map  
 Overland Estates**  
 Anglo Saxon Placer, Anglo Saxon No. 1 and No. 2, MS 16687  
 Suspended, Township 42 North, Range 7 West, of  
 the New Mexico Principal Meridian

**Anglo Saxon Properties, LLC**  
 205 W 170 St., Apt. E  
 Tulsa OK, 74118-4645

JUNE 2023 ESD #: 30-23 (Rev. 2)

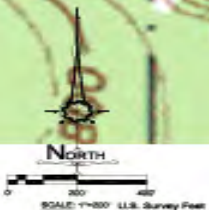


# Attachment B: Green Space Map

Separate 24x36 Provided

## Green Space Map

Monarch, MS 884, Anglo Saxon No. 3, Anglo Saxon No. 5 and Anglo Saxon No. 7, MS 16687 and Ruby, Freya, Midnight Sun and Transvaal, MS 17255, Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian San Juan County, Colorado



U.S. MEASUREMENTS REGISTERED LAND SURVEYORS IN COLORADO		<b>Southwest LAND SURVEYING LLC</b> 1201 N. 1st St., Durango, CO 81401 970-247-1234	
CLIENT: MONARCH PROJECT: U.S. Survey Trail DATE: 10/20/2023 DRAWN BY: [Name] CHECKED BY: [Name]	REVISIONS 1 2 3	Green Space Map Township 42 North, Range 7 West, of the New Mexico Principal Meridian San Juan County, Colorado	Anglo Saxon Properties, LLC 2021 N. 1st St., Durango, CO 81401 970-247-1234
SHEET 1 OF 1		PLOT 2023	

## Attachment B: Feasibility Report

**TRAUTNER GEOTECH LLC**

GEOTECHNICAL ENGINEERING, MATERIAL TESTING  
AND ENGINEERING GEOLOGY

LIMITED GEOLOGIC HAZARDS ASSESSMENT  
PROPOSED OVERLAND ESTATES SUBDIVISION  
SAN JUAN COUNTY, COLORADO

October 24, 2024

PREPARED FOR:

Lloyd Swartz  
Camino Real Estate Holdings, LLC  
505-252-0915  
[ravensnestates@gmail.com](mailto:ravensnestates@gmail.com)  
PROJECT NO. 58075GE

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## 1.2 Site Description and Current Scope of Development

The project area is located approximately 3 miles northwest of Silverton, Colorado in the Cement Creek Drainage. The project area is located on the east and west sides of Colorado State Highway 110 and is comprised of the Anglo Saxon Placer, Anglo Saxon No. 1, No. 2 and No. 4 Mine Sites (MS 16687). The total site acreage is approximately 68-acres; however, the actual development area is much less. Eleven total lots are currently planned with four building sites on the west side of Highway 110 and seven building sites on the east side of Highway 110. The site location is shown on Figure 1.1 and a site schematic showing the current property boundaries and proposed building envelopes is provided as Figure 1.2.



Figure 1.1: Site Location Schematic. Adapted from Google Earth (Image Date 7/27/2024).



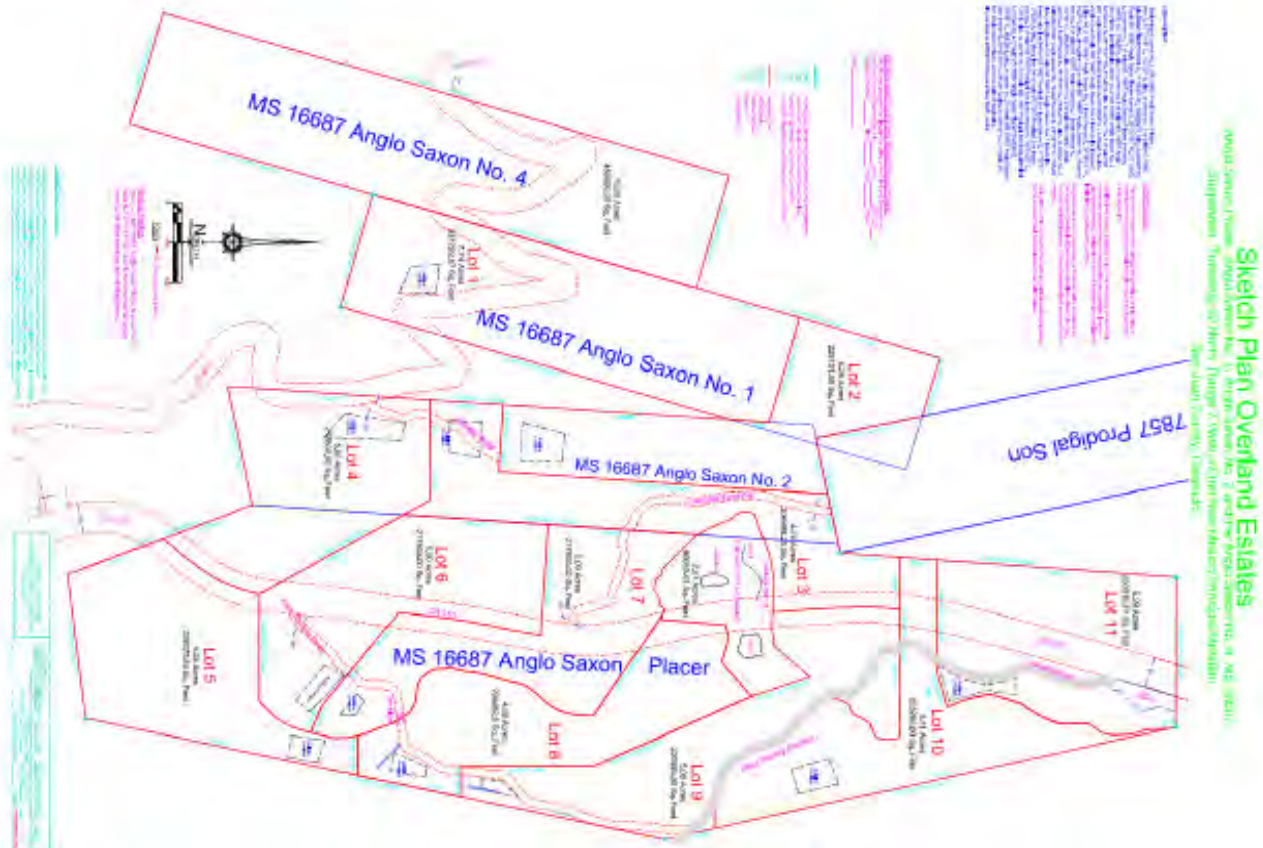


Figure 1.2: Site Schematic. Adapted from Southwest Land Surveying, LLC Sketch Plan.

## 2.0 GEOLOGIC OVERVIEW

This section provides an overview of our site reconnaissance and literature research for the project site. A description of the site assessment methodology is provided, followed by a discussion of the regional, local and site-specific geology.

### 2.1 Scope of Assessment

We performed a geologic field reconnaissance of the site on August 30, 2024. The geologic reconnaissance included detailed observations of the site to evaluate the existence and potential significance of geologic hazards that may influence the proposed development. The general scope of our study included the following:

- Literature and map review of the site.
- Geologic field observations and measurements including a description of the site topography, geologic character and geomorphology.
- Identification and analysis of geologic hazards that may influence the project development and proposed lot layout.

This study focused on the following geologic hazards (these are the hazards defined by HB 1041):

- **Avalanche**; an evaluation and discussion of the site exposure to avalanche hazards.

- **Landslides**; identification of landslides in the site vicinity including recommendations for analysis of these features if they exist in areas that will influence the proposed development.
- **Rockfall**; observations of potential rockfall source areas and identification of areas which may be influenced by rockfall. Computer modeling analysis was performed to quantify hazard potential.
- **Expansive soil and rock**; an evaluation of the potential for expansive soil and rock was performed based solely on surface observations. A geotechnical engineering study is required to evaluate the extent of the site expansive soil conditions.
- **Mudflow and debris fans**; identification of areas of the site which may be influenced by debris flow activity.
- **Unstable and potentially unstable slopes**; identification of potentially unstable and unstable slope areas based on our geologic field reconnaissance and available maps. This is also based on surface observations and is more completely analyzed as part of a geotechnical engineering study.
- **Radioactivity**; literature review regarding the potential for hazards associated with radiation.
- **Seismic effects**; identification of local faults and recent activity based on the available literature and field observations.
- **Ground subsidence**; identification of subsidence prone areas and recent activity based on the available literature and field observations.

A discussion of the hazards as they pertain to the project is included in Section 10.5 of this report.

## 2.2 Geologic Observations

We have provided a brief discussion of the regional and local geology followed by a more specific discussion of the site geology below to provide background information prior to discussing the site-specific geologic hazard considerations.

### 2.2.1 Regional Geology Discussion

The site is located in the San Juan Mountains of southwestern Colorado. There are diverse geologic conditions in the area, all of which may have an influence on geologic hazard considerations and land use.

Geologic rock units in the region range from Pre-Cambrian Granite and Gneiss to late Cretaceous to early Tertiary sedimentary shale and sandstone units. Middle to late tertiary volcanic units are common in the Alpine regions of the area. Later quaternary glacial, eolian soils and soil deposits produced by weathering overlying the rock units are common. The shale and sandstone rock units and associated soils produced from weathering of these materials are commonly encountered in developed areas.

During the middle to late Cretaceous approximately 80 to 66 million years ago a mountain building episode termed the "Laramide Orogeny" caused regional uplift of the area. The San Juan Dome was formed, the erosional remnant of which exists under the mountainous areas in the region. The San Juan Basin which has since filled with sediment was formed in the area south of



the San Juan Mountains. This activity caused upwarping and deformation of the geologic units in the area. This uplift is evidenced nearly everywhere in the region. The sedimentary unit bedding planes all dip (tilt) generally toward the south, and the center of the San Juan Basin. The numerous hogback ridges and cuestas in the area are formed by steeply dipping sedimentary units.

There have been several glacial episodes which have occurred in the area. Glacial moraine and outwash terrace deposits are common in the area. The U-shaped valleys in the region are a testament to the erosional forces imposed by the glaciers.

### 2.2.2 Local and Site Geology Discussion

The project area is bisected by Cement Creek which is a generally north-south trending valley. The Cement Creek valley and various smaller side drainage features are covered by Quaternary aged deposits of alluvium (Qal), glacial drift (Qd), alluvial cone (Qac) and landslide (Qs). These areas were once covered by Paleozoic and Mesozoic sedimentary rocks that were removed by erosional forces during the Laramide Orogeny between 70 and 40 million years ago. The erosional surface was then covered by Tertiary aged volcanic rocks then Quaternary aged sediments. The bedrock unit that lies beneath the site is the Burns Member (Tsb) volcanic unit. The slopes in the vicinity are generally covered with a relatively thin mantle of colluvial material. The area was extensively glaciated during the Pleistocene resulting in the peaks and ridges and U-shaped valleys seen today (Luedke and Burbank, 2000). A portion of the Geologic Map of the Silverton and Howardsville quadrangles, southwestern Colorado is provided below for reference.



Figure 2.1: Luedke, R.G., and Burbank, W.S., 2000. Geologic Map of the Silverton and Howardsville quadrangles, southwestern Colorado. Geologic Investigations Series Map I-2681. Map Scale 1:24,000.

Volcanic bedrock was observed exposed in the road cut on the west side of the site; however, the majority of the project site appears to be covered with some thickness of alluvium and colluvium. The project area on the west side of the Highway 110 is bound by Porcupine Gulch to the north and Ohio Gulch to the south. On the east side of the Highway, Grassy Gulch cuts through the north end of the project area. Illinois Gulch is located south of the project area. The south end of the project area is bounded by a large mapped landslide complex (Qs). This landslide complex



encompasses the southern end of Lot 5 on the proposed development plans as discussed below.

### 3.0 GEOLOGIC HAZARD DISCUSSION

This geologic hazard study presents our interpretation of the surface characteristics and geologic exposures at the project site. Our hazard assessment is based on our surface observations, a review of available literature, geologic mapping for the area, and on our experience in the area.

As discussed in the scope of service section above, we investigated for evidence that the following geologic hazards may influence the proposed project development:

- Avalanches
- Landslides
- Rockfall
- Expansive Soil and Rock
- Mudflows and Debris Fans
- Unstable or Potentially Unstable Slopes
- Radioactivity
- Seismic Effects
- Ground Subsidence

We have provided a brief discussion of the potential hazards, followed by the observed and predicted conditions.

#### 3.1 Avalanches

Avalanches typically occur on slopes between 30 and 45 degrees in gradient where there is enough snow to cover low-lying vegetation. Avalanche paths generally consist of three parts:

- **the starting zone**; where avalanches initiate,
- **the track**; where avalanches reach maximum velocity, and
- **the runout zone**; where avalanches decelerate and deposit snow and debris.

Avalanche paths can be unconfined, channelized, or a combination of both. In Colorado many avalanche paths are confined by gullies and with the limits of regular/recent activity being defined by the forested areas adjacent to the path.

Trautner Geotech does not provide detailed avalanche studies or mitigation recommendations. We have provided the information above to aid the reader in a general understanding of avalanche hazards. Our commentary below is based on our general geologic hazard experience and on our review of literature that is locally available in regard to avalanche hazards.

Slopes above the project development area exceed 30 degrees; however, the site is generally heavily treed in steeper areas and no evidence of avalanche activity except for the Grassy Gulch avalanche path. The Grassy Gulch avalanche path is mapped in the Avalanche Atlas, San Juan County, Colorado (Miller and others, 1976). The Grassy Gulch path is listed at Path Reference No. 157043 in the study. This path consists of an approximate 2,000 vertical foot and 4,600 linear

foot long path with a runout zone that cuts across Lot 9 and possibly into Lot 8. However, the building envelope for Lot 9 is roughly 200 feet north and roughly 40 foot vertically above the slide path. The building envelope for Lot 8 is roughly 500 feet south of the slide path. A schematic from the referenced Avalanche Atlas showing the Grassy Gulch slide path is provided below. We have also provided an aerial image showing the approximate building envelopes.

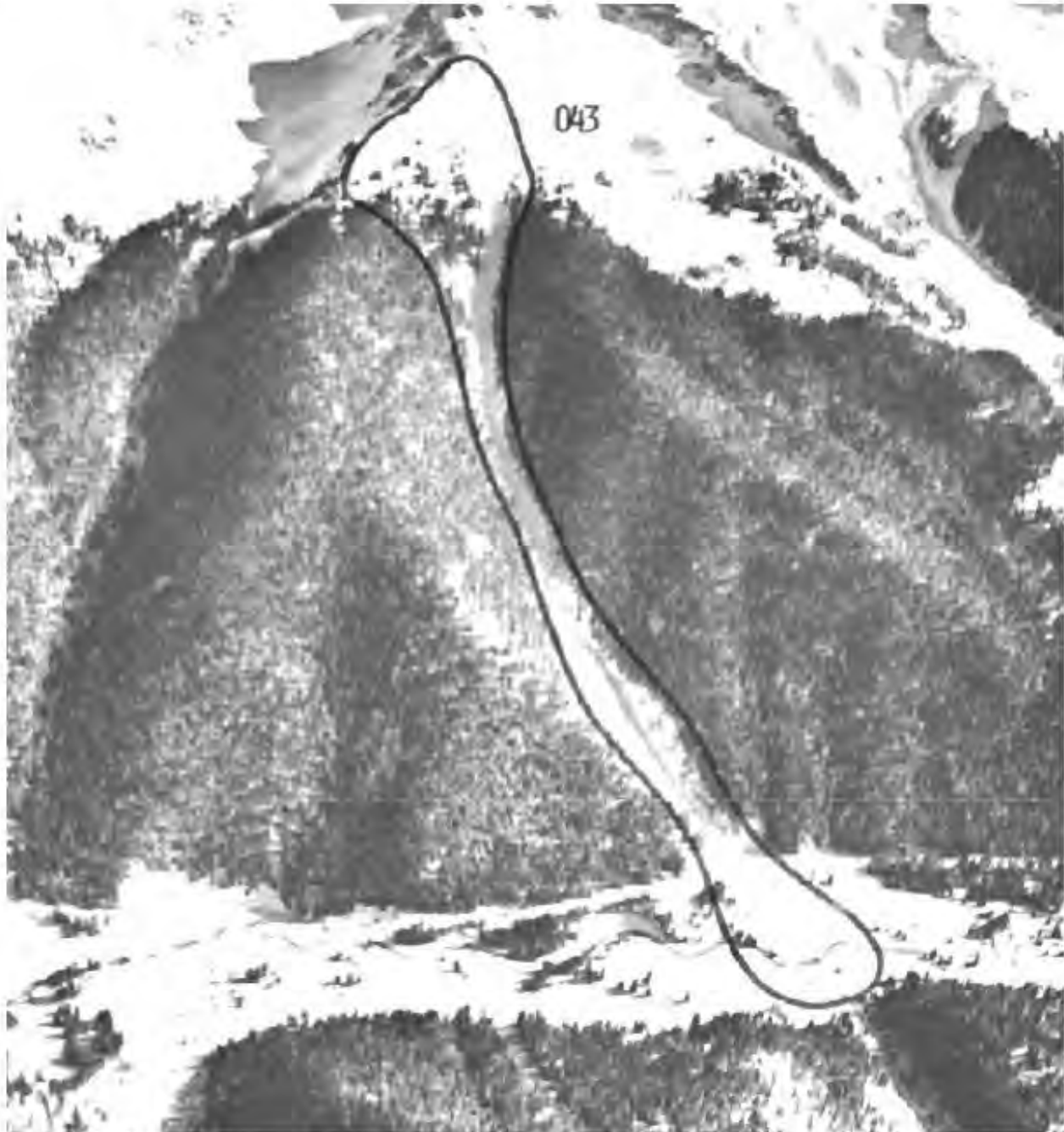


Figure 3.1: Schematic showing the Grassy Gulch slide path. Adapted from Avalanche Atlas, San Juan County, Colorado (Miller and others, 1976).



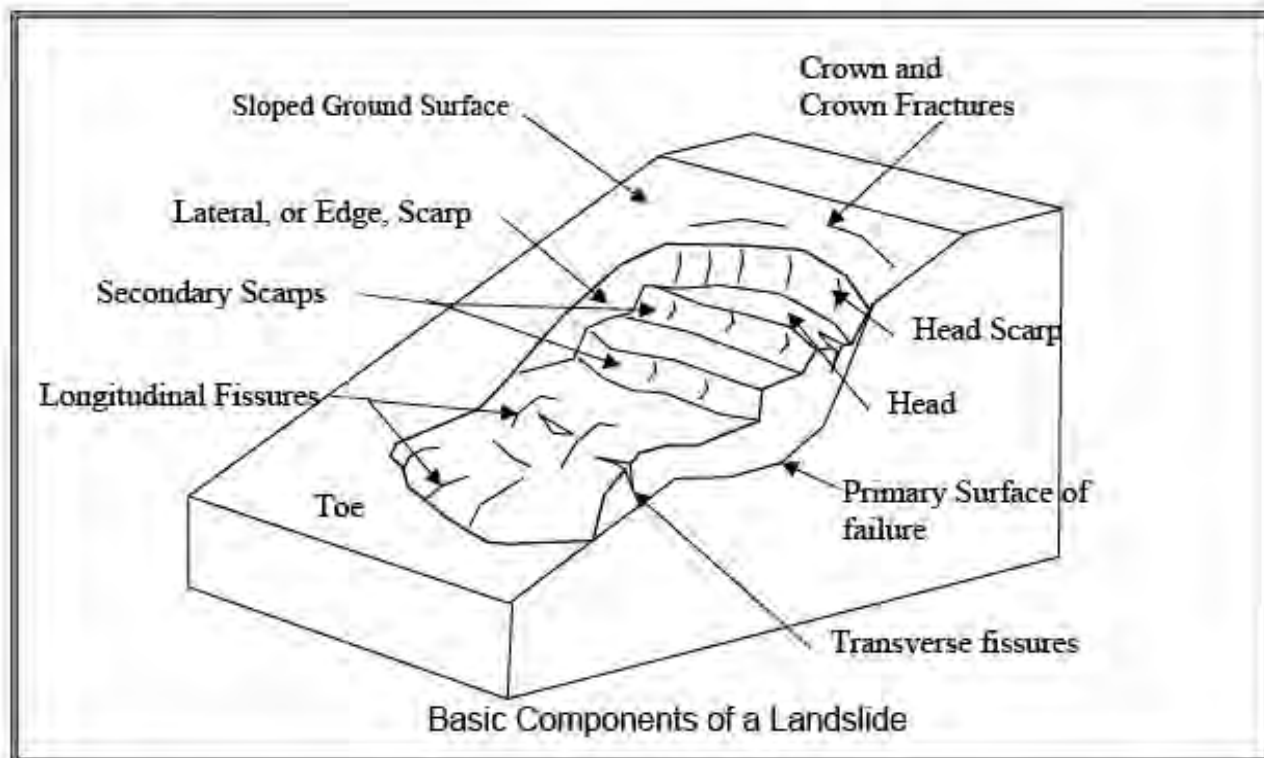


Figure 3.2: Schematic showing approximate relation of Lot 8 and 9 Building Envelopes to Grassy Gulch slide path. Location of slide path should be considered approximate and is based on interpretation of Avalanche Atlas drawing.

It is our opinion that avalanche is not a significant risk of development of the project site building envelopes; however, access to the proposed building sites will cross avalanche hazard areas. If the owner is concerned about avalanche risk at the project site, we recommend that an avalanche consultant be contacted if detailed information is desired for this project site.

### 3.2 Landslides

“Landslide” is a term to describe active slope movement. It is often used in a broad sense to describe any unstable slope or soil movement. A generalized depiction of a typical landslide is shown below.



Landslides may be relatively small slumps or may be larger scale slope failures. Mitigation of active landslides is often difficult and always costly. Evaluation of active landslide areas must include detailed subsurface investigation, laboratory analysis of the soils and detailed engineering analysis/computer modeling as the basis for mitigation design. The subsurface investigation typically includes placement of monitor well (piezometers) and often inclinometers at select locations on the project site.

We performed a site reconnaissance of the project area to identify potential mass movements within or adjacent to the project area and performed observations of the proposed building sites. The proposed building envelope on Lot 1 is on a relatively steep slope with existing slopes ranging from approximately 20 to 40 degrees. Additional analysis for Lot 1 is provided below in Section 3.6. The southern end of the project area on the east side of Cement Creek was found to show evidence of slope movement. This may be related to the large-scale mapped landslide noted on the Geologic Map of the Silverton and Howardsville Quadrangle. No recent slumps or scarp features were observed; however, evidence of slope creep was observed in pistol-butted trees along the slope. This study does not include detailed analysis of the global stability of this feature; however, for planning purposes we do not recommend any excavation into or near the slopes on the site without a detailed slope stability analyses. In lieu of detailed analysis, all building envelopes should be located outside of steeply sloping areas, particularly on Lots 5 and 8 based on current schematic development plans.

Concentrated or poor drainage resulting in saturated soils conditions could reduce the soil strength over the overburden colluvial debris throughout the development. This could increase the risk of future slope failures in steeper slopes. Additional analysis and recommendations are provided below in the Unstable or Potentially Unstable Slopes section of this report.



### 3.3 Rockfall

Rockfall hazard exists wherever rock has the potential to dislodge and move downhill by forces of gravity. This process is usually associated with a weathering of formational material. Freeze-thaw cycles and availability of free water promote rockfall; therefore, spring is the most active season for rockfall. The steep topography and fractured rock outcrops that are common to this region make rockfall a common hazard.

Rockfall can occur without warning and can be destructive to both life and property. Rockfall frequency is very difficult to predict, but modeling techniques allow us to estimate the trajectory and intensity of rockfall events. Simulation of rockfall events to provide an analysis of the potential destructive properties are typically performed using field mapping and observations in addition to computer modeling analysis. We did not observe any rockfall hazard areas that likely have the potential to affect the proposed building sites. We can provide additional observations and analysis as the project continues to the design phase.

### 3.4 Expansive Soil and Rock

Uplift associated with swelling soils typically occurs only where the foundation support soils have been exposed to water; therefore, the uplift may impose shear stresses in the foundation system. The magnitude of the imposed shear stress is related to the swell pressure of the support soil, but is difficult to estimate. We observed exploratory test pits throughout the proposed development. The soils encountered in the pits generally consisted of clayey sand (SC) and clayey gravel (GC) soils to the depth explored. Based on our preliminary observations, the soils encountered do not likely have high expansive properties; however, we recommend detailed geotechnical engineering studies that include subsurface exploration and laboratory testing be performed for all structures planned in the development.

### 3.5 Mud Flows, Debris Flows, Debris Fans and Flood

Mud flows and debris flows initiate in drainage basins during significant precipitation when large concentrations of sediment become entrained and flow down-slope, often carrying boulders and organic debris within a matrix of clay and water. Debris fans are areas where debris flows or mud flows deposit material that spreads out in a fan-like shape at the mouth of channels where the smaller, steeper channels meet larger, low gradient stream valleys. Debris flows and mud flows contain larger concentrations of entrained solids than floods and move with high energy down steep slopes, thus they can be very destructive. Historically, debris flows are more threatening to property than to life. Debris flows differ from mud flows in that they contain larger material (debris) the size and weight of which is mostly limited by availability and channel size, not the ability of the flow to transport. Because of this they tend to be more destructive and so debris flows will be the focus of this report.

Debris flows have return periods similar to floods, and often flooding occurs in conjunction with debris flow events. There are four conditions that must be present within a basin in order for it to be susceptible to debris flow (Mears, 1977).

- Sufficient loose sediment/debris



- Sufficient clay content of sediment
- Sufficient gradient of the channel and slopes
- Low ratio of available water to available debris

If all of these conditions are met, a precipitation event of sufficient intensity and/or duration can trigger a debris flow. Processes of damming and pooling can serve to increase the likelihood and/or magnitude of a debris flow event relative to the precipitation event that triggers it. Stream drainage basins that have been denuded of vegetation due to fire are particularly prone to debris flow activity. When present, these conditions combine to facilitate debris flows by increasing viscosity, strength, entrainment, and energy of captured precipitation. Otherwise, if the conditions are not met, the same precipitation event would instead trigger a flood.

Debris flows transport boulders and debris along the upper surfaces of flow (Mears, 1977). This means that the greatest impacts from debris flows occur along this upper surface elevation which can be several feet above ground level. Channelization of debris flows is not always a given, particularly at the debris fan below the mouth of the drainage. Debris flows can vacate a channel by a process known as avulsion, in which a previous debris deposit can block and divert subsequent flow. Debris flows also exhibit confined flow on unconfined surfaces due to shearing off of material from the margins leaving behind lateral levee deposits and thereby creating its own channel as it flows. These factors dictate that the entirety of a debris fan surface is susceptible to flow hazards that can exist several feet above the ground. Often development and proposed development that is affected by debris flow hazard is located on these debris fans.

Based on our site reconnaissance, the existing and proposed building sites do not appear to be located in a debris flow hazard area and no areas currently subject to debris flows were identified with the exception of Grassy Gulch. However, Grassy Gulch is located outside of planned building envelopes. If there is a debris flow potential, access roadways may be affected but structures would lie outside of debris flow potential areas. Given the relatively steep slopes of some of the proposed development areas and areas above building envelopes, sheet flows should be anticipated, especially when the soils have been disturbed. The project civil engineering consultant is responsible for development appropriate drainage throughout the development.

### 3.6 Unstable and Potentially Unstable Slopes

As a general standard, any slope with a gradient of 30 degrees or greater is considered potentially unstable, although flatter slopes can be potentially unstable depending on the soil characteristics and subsurface water conditions. Any slope that exhibits evidence of prior movement is considered unstable. Mechanisms of movement in unstable slopes include falls, topples, slides, spreads, and flows. These mechanisms can all be categorized as other hazards discussed in this report. We previously discussed slides and spreads as “landslides” (Section 3.2), falls and topples as “rockfall” (Section 3.3) and flows as “mudflow, debris flow, and debris fans” (Section 3.4). Unstable slope areas may be distinguished from other geologic hazards by the lack of associated definable features; however, the physical processes are analogous. As noted in Section 3.2, Lot 5 is located within a mapped landslide area and disturbance of the steep slopes adjacent to this landslide complex should be avoided. Lot 1 however is located on a steep slope. We have provided a limited analysis of the existing stability conditions on Lot 1 below.



### 3.6.1 Lot 1 Limited Slope Stability Analysis

This section of the report provides conceptual stability modeling based on our observations of the existing conditions. We obtained measurements of the existing slopes during our field study. This analysis shows existing conditions only and does not model anticipated excavation cuts for future planned development. A detailed stability analysis should be completed once design plans have been established. The specific design of slope stabilization and shoring structures for the project is beyond our scope of services. The following analyses and concepts presented below are limited in nature and are intended to provide general stabilization techniques that are applicable for the subject project. The specific design of the retaining and excavation shoring structures should be performed by a retaining/shoring system specialist. There are firms local to the area that specialize in the design and construction of these systems. We are available to assist you in selecting competent design professionals for the project.

We anticipate that seasonal subsurface water may be present within the slope mass during periods of snow melt or periods of heavy precipitation and included a water table in our analysis. Adequate surface drainage must be constructed in conjunction with the cut/fills to prevent the accumulation of water and hydrostatic pressures.

The geometry of the slope cross section that we analyzed is based on site measurements obtained during our field study.

There are numerous methods and techniques available for slope stability analysis. Most methods include an evaluation of:

- the strength of the soil materials within the slope,
- anisotropies within the slope materials, such as formational material bedding planes, and anomalous soil contacts,
- the subsurface water and soil moisture conditions, and,
- the pre-construction and post-construction geometry of the slope areas where development and construction are proposed.

The data developed during the analysis is condensed and used to estimate the forces within a soil mass that tend to drive movement and the forces that tend to resist movement. The ratio of resisting forces to driving forces is often referred to as the “theoretical slope factor of safety” (FOS) which is a somewhat misleading term to describe this ratio. The ratio is not a true factor of safety, but is a useful mathematical characterization of the forces within a soil mass and the associated stability condition of the slope being analyzed.

A ratio of less than 1.0 indicates that the driving forces within a soil mass are greater than the resisting forces, therefore movement of the slope is occurring. A ratio of 1.0 indicates that the driving forces are equal to the resisting forces, which indicates that movement within the soil can be triggered by only slight increases in the driving forces or slight reductions in the resisting forces. A ratio of greater than 1.0 is an indication that the driving forces are less than the resisting forces and the slope is not moving. Since there are numerous variables and incongruities within most soil masses, a slope is generally not considered as stable unless the ratio is about 1.5 or greater. Generally, slopes or slope/structure combinations with a theoretical factor of safety that is greater



than 1.5 are considered appropriate for sites where structures are planned. A factor of safety greater than about 1.3 is often considered as being stable for roadways and other inhabitable structures. A ratio of 1.2 is often considered suitable for temporary excavation stability.

We used Slide® slope stability software to evaluate the stability of computer modeled slope cross sections of select portions of this site. We primarily used the Modified Bishop's Method of slices to analyze the computer modeled slopes. The Modified Bishop's Method of Slices evaluates the resisting and driving forces within slices of the sloped soil mass along a theoretical semi-circular failure plane. The semicircular failure plane with the lowest theoretical factor of safety is labeled the critical circle.

We have utilized one basic soil horizon in our analyses below. Subsurface exploration including exploratory borings may be required to perform a more detailed analysis and to determine where the soils-bedrock interface lies. The yellow-colored region represents the colluvial overburden soil material. We estimated an angle of internal friction ( $\phi$ ) of 38 degrees, drained cohesion of 135 pounds per square foot (psf), and soil density of 115 pounds per cubic foot.

We analyzed the estimated worst case cross section across the project area located (A-A') as shown below on Figure 2.



Figure 3.3. Location of Stability Model Cross Section.

The slope profile and analysis for cross section A-A' is shown below on Figure 3.

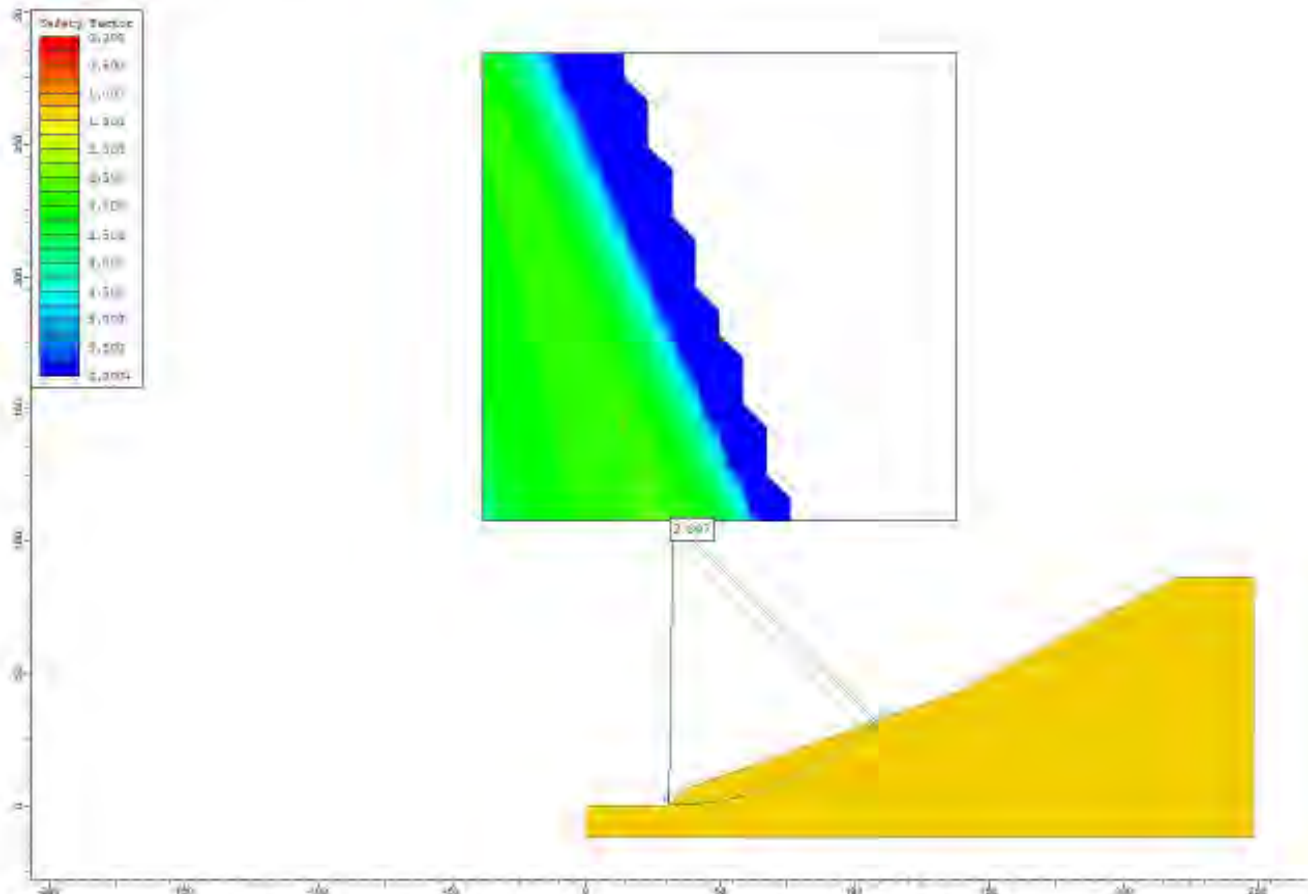


Figure 3.4: Theoretical F.O.S. for the existing slope conditions (Section A-A'), FOS=2.697.

The analysis above indicates the estimated factor of safety for cross section A-A' is 2.697, which should be considered stable given the current excavation cut and site soil and water conditions.

Analysis of proposed cut slopes and specific design of slope stabilization and shoring structures for the project is beyond our scope of services. The specific design of any retaining and excavation shoring structures should be performed by a retaining/shoring system specialist/engineer. There are firms local to the area that specialize in the design and construction of these systems. We are available to assist you in selecting competent design professionals for the project.

This section of our report provides geotechnical engineering design parameters but does not provide shoring design. The project designer must be contacted to provide a design based on the information presented in this report.

Once development plans for the lot, including proposed cut and fill slopes, a detailed geotechnical and stability analysis should be completed for the site. We are available to review and tailor our recommendations as the project progresses and additional information which may influence our recommendations becomes available.

### 3.7 Radioactivity (Radon Issues)

Many soils and formational materials in western Colorado produce radon gas. Radon is a



radioactive gas that forms from the natural breakdown of uranium in soil, rock and water. There are no known sources of radioactivity on the site. However, according to the San Juan Basin Public Health Department, the average radon level in San Juan County homes exceed 4pCi/L. The Environmental Protection Agency recommends radon mitigation in homes with levels higher than 4 pCi/L. Radon tends to accumulate in poorly ventilated areas below ground level; however, radon may accumulate inside any above- or below-grade construction. According to the EPA, elevated radon levels in buildings can be reduced by several methods, including pressurization of the building using a heating, ventilating and air-conditioning system, sealing of cracks in foundation walls and floor slabs which may allow entry of radon, and using active soil depressurization (ASD) systems. If radon gas is a concern in the completed structures, as specialist in radon mitigation should be consulted.

### 3.8 Seismic Effects

Seismic effects manifest in the form of earthquakes and volcanic activity. Seismic effects are evidenced in the geologic record by faulting and jointing of formational materials. Earthquakes experienced by humans in recent history have been monitored, recorded, and compiled in databases; locally the "Colorado Geological Survey's Colorado Late Cenozoic Fault, Fold and Earthquake Database". Earthquakes cause damage by ground shaking, surface rupture and other deformation, liquefaction, and Tsunamis. The orogenic history of the region (refer to Section 3) was accompanied with a multitude of seismic effects. These seismic effects have since largely subdued. Colorado is considered to be outside of the high risk area of the western US (Nuhfer et al., 1993). The modern seismic environment in the region is relatively benign, however not insignificant. Several formidable events have been recorded in the Dulce, New Mexico area south of Pagosa Springs. Mitigation of seismic effects is typically included in the structural design and requirements are based on zoning.

The most recent earthquake activity in the region of the project site occurred along the Ridgway Fault on November 21, 2006 with a magnitude of 3.3 on the Richter scale and a Modified Mercalli Intensity of III. The Ridgway fault is defined by a 1,500 foot high fault-line scarp, but there is no observable surface rupture in middle to late Quaternary deposits indicating no recent activity that has manifested at the ground surface. Although this fault is considered to be potentially active, the recent activity on the fault, such as the 2006 event mentioned above as well as the November 19, 1989 event with a magnitude of 3.0, are low intensity, non-destructive

events. Other seismic activity in the region occurred in Ouray, Colorado on November 22, 1989 with a magnitude of 2.9 on the Richter scale, and in the Telluride vicinity in 1894. Based on newspaper accounts from this time it was rated as IV on the Modified Mercalli Scale. This information was obtained from the Colorado Geologic Survey, Earthquake and Late Cenozoic Map Server.

Although seismic activity has occurred in recent history, the low magnitude and lack of proximity to plate boundaries indicate that there is a low hazard related to seismicity at the project site. Due to the low seismic effect hazard at this site we do not feel that mitigation practices outside of that which is required by building codes is necessary.



### 3.9 Ground Subsidence

Ground subsidence is the process by which ground level rapidly drops. This drop is often related to an undermining of the material present at the surface but may also occur from tectonic processes and hydrocompaction (a process related to increased water content of soils). Undermining of material is caused by solubility, karst topography, fluid withdrawal, and mining. Subsidence due to undermining is often termed a “sinkhole”, descriptive of the manifestation of the subsidence at the surface as the once overlying material collapses into a void beneath. Mined localities are particularly susceptible to ground subsidence because of the unnatural state in which they are fashioned (Coduto, 1999).

Mine sites in the region likely present the highest risk areas for ground subsidence. No known mine adits or subsidence prone materials exist at or under the project site. There is no evidence of ground subsidence at the project site. Therefore, it is our opinion that ground subsidence is not a significant hazard affecting this project site. However, site specific geotechnical studies should be completed for each development site. This should include continued consultation with the geotechnical engineer during construction to determine if cavities may exist beneath planned structures.

## 4.0 CONCLUSIONS

Based on our site observations and analysis, it does not appear as though geologic hazard considerations would be considered a fatal flaw to the proposed site development and subdivision. As discussed in Section 3, there are considerations regarding geologic hazards and future site development may require additional analysis. Site-specific geotechnical engineering studies should be provided for any planned structures within the project area.

## 5.0 LIMITATIONS

This study has been conducted based on the engineering geology standards of care in this area at the time this report was prepared. We make no warranty as to the analysis contained in this report, either expressed or implied. The information presented in this report is based on our understanding of the proposed subdivision that was provided to us and on the data obtained from our field study.

The information presented within this report should be considered limited and preliminary since actual development plans for individual lots are not known at this time. Site-specific geotechnical engineering studies including subsurface exploration (drilling), laboratory analysis and detailed slope analysis, where appropriate, should be completed for all building sites once development plans have been established.

The analysis presented above are intended to be used only for this project site and the proposed construction which was provided to us. The analysis presented above are not suitable for adjacent project sites, or for proposed construction that is different than that outlined for this study.

This report does not provide an environmental assessment nor does it provide environmental recommendations such as those relating to Radon or mold considerations. If recommendation relative to these or other environmental topics are needed and environmental specialist should be

Project No. 58075GE  
October 24, 2024

contacted.

The findings of this report are valid as of the present date. However, changes in the conditions of the property can occur with the passage of time. The changes may be due to natural processes or to the works of man, on the project site or adjacent properties. In addition, changes in applicable or appropriate standards can occur, whether they result from legislation or the broadening of knowledge. Therefore, the recommendations presented in this report should not be relied upon after a period of two years from the issue date without our review.

We are available to review and tailor our recommendations as the project progresses and additional information which may influence our recommendations becomes available.

Please contact us if you have any questions, or if we may be of additional service.

Respectfully,  
TRAUTNER GEOTECH



Jason A. Deem, P.G.  
Principal Engineering Geologist

## 6.0 REFERENCES

Luedke, R.G., and Burbank, W.S., 2000. Geologic Map of the Silverton and Howardsville quadrangles, southwestern Colorado. Geologic Investigations Series Map I-2681. Map Scale 1:24,000.

Miller, Len, Armstong, Betsy R., and Armstrong, Richard L. 1976. Avalanche Atlas, San Juan County, Colorado, United States Program on Man and the Biosphere, Unesco MAB Project 6, Institute of Arctic and Alpine Research, University of Colorado.



## **Attachment C: Access Photos**

### **Anglo Saxon Access Points**

Bench Access from County Road 21 Existing



Country Road 110 to County Road 21 Existing



## Attachment C: Access Photos

New Access Point to County Road 110





## Attachment C: Access Photos

County Road 110 to Existing Road North End of Anglo Saxon Placer to lot #11

(Note: Aerie Lodge Parking Easement is across Creek/culvert)



A Video Drive through on County Road 110 is available at

<https://youtu.be/FMj7eUMMyN8>



## **Attachment D: View Shed Photos**

Anglo Saxon

View Shed Photos for potential Cabin Sites and Avalanche Run

### **Attachment D: Anglo Saxon**

View Shed Photos for potential Cabin Sites and Avalanche Run

**Lots 2**







**Anglo Saxon 4 and Lot 1 Similar**





**Lots 5 and 6**







**Lot 11**





**Towards Lots 5,7, 8,9 across creek**



**Existing Cabin, Avalanche run and lot 10 left on hill**





## Anglo Saxon Suggested Cabin Sites

Excludes Anglo Saxon 1 (lot 1) and Anglo Saxon 4 further up Hill

Lot #2 End of Road



Lot #3 on Bench





Lot #4 Bench



Lot #5 East Side of Bridge





Lot #6 East Side of Bridge



Lots #5 and #9 Sample (Towards #5 and #9)





Towards Lot #8 (In trees Fen in front)



Lot #10 on Hill (all the way back past power lines on hill)



Lot #11 North End







## Attachment F: Army Corp Nationwide Permit



DEPARTMENT OF THE ARMY  
ALBUQUERQUE REGULATORY DIVISION, SOUTHERN COLORADO BRANCH  
DURANGO OFFICE  
1970 E 3RD AVE, SUITE 109  
DURANGO, CO 81301-5025

April 11, 2024

Regulatory Division

SUBJECT: Nationwide Permit Verification (SPA-2023-00492)

Attn: Lloyd Swartz  
Camino Real Estate Holdings  
35 Canoncito Road Northeast  
Albuquerque, NM 87122  
[RavensNestEstates@gmail.com](mailto:RavensNestEstates@gmail.com)

Dear Mr. Swartz:

The U.S. Army Corps of Engineers (Corps), Albuquerque District, is responding to your pre-construction notification (PCN) submitted to us for verification of authorization under Nationwide Permit (NWP) for the *Overland Estates* project. The project site is located in wetlands tributary to Cement Creek, a perennial stream that is tributary to the Animas River, at approximately latitude 37.85758°, longitude -107.67544°, approximately four (4) miles north of the Town of Silverton, San Juan County, Colorado.

Based on the information provided, we have determined that the *Overland Estates* project involves the discharge of dredged or fill material into waters of the United States (WOTUS) for the purpose of constructing a residential driveway, subject to Section 404 of the Clean Water Act. The specific activity that requires Corps authorization is the discharge of structural roadbed fill material overlaid with gravel into palustrine emergent wetlands (PEM) at three (3) separate locations. These activities will result in permanent impacts to a combined total of 0.03 acre of PEM. The activities would be constructed in accordance with the updated PCN materials dated January 30, 2024.

We have determined that activities in WOTUS associated with the project are authorized by 2021 NWP 14 – *Linear Transportation Projects*. A summary of this permit and the Colorado Regional Conditions are available on our website at <http://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/NWP/>. Please refer to our website at <http://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/Water-Quality-Certification/> for specific information regarding compliance with state water quality certification requirements. The permittee must ensure that the work complies with the terms and conditions of the permit, including Colorado Regional Conditions. As required by General Condition 30, you shall sign the enclosed Compliance Certification (Enclosure 1) and return it to this office within 30 days after completion of the authorized work.

Our review of this project also addressed its effects on threatened and endangered species and historic properties in accordance with General Conditions 18 and 20. Based on the information provided, we have determined that this project will have no effect to federally listed species or their critical habitat. Additionally, the project has no potential to cause effects on historic properties. However, these determinations may be invalidated if the project is not completed as authorized or you did not provide accurate information in your PCN.

This permit verification is valid until March 14, 2026, unless the NWP is modified, suspended, reissued, or revoked prior to that date. Continued confirmation that an activity complies with the terms and conditions, and any changes to the NWP, is the responsibility of the permittee. Activities that have commenced, or are under contract to commence, in reliance on an NWP will remain authorized provided the activity is completed within 12 months of the date of the NWP's expiration, modification, or revocation.

This letter does not constitute approval of the project design features, nor does it imply that the construction is adequate for its intended purpose. This permit does not authorize any injury to property or invasion of rights or any infringement of federal, state, local, or tribal laws or regulations. The permittee and/or any contractors acting on behalf of the permittee must possess the authority and any other approvals required by law, including property rights, to undertake the proposed work.

The landowner must allow Corps representatives to inspect the authorized activity at any time deemed necessary to ensure that it is being, or has been, accomplished in accordance with the terms and conditions of the permit.

Please refer to identification number SPA-2023-00492 in any correspondence concerning this project. If you have any questions, please contact me by email at [Tucker.J.Feyder@usace.army.mil](mailto:Tucker.J.Feyder@usace.army.mil), or telephone at (970) 259-1604 ext. 2.

Sincerely,

A handwritten signature in black ink, appearing to read "Tucker Feyder". The signature is stylized with a large, sweeping initial "T" and "F".

Tucker J. Feyder  
Sr. Project Manager  
Southern Colorado Branch

Enclosures



## COMPLIANCE CERTIFICATION

Action Number: SPA-2023-00492

Name of Permittee: Attn: Lloyd Swartz, Camino Real Estate Holdings

Nationwide Permit: 14 – Linear Transportation Projects

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

U.S. Army Corps of Engineers, Albuquerque District  
Southern Colorado Branch  
1970 East 3<sup>rd</sup> Avenue, Suite 109  
Durango, CO 81301  
[spa-rd-co@usace.army.mil](mailto:spa-rd-co@usace.army.mil)

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit, you are subject to permit suspension, modification, or revocation.

***I hereby certify that the work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation was completed in accordance with the permit conditions.***

Date Work Started \_\_\_\_\_

Date Work Completed \_\_\_\_\_

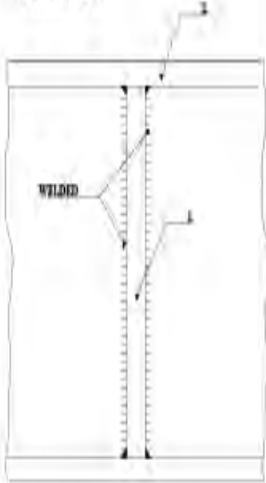
\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

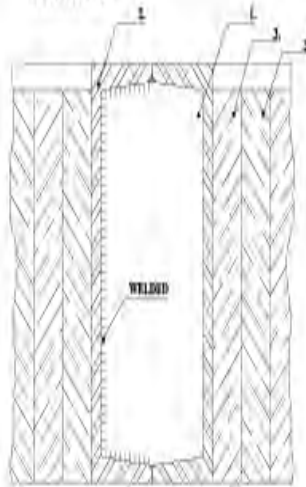


# Attachment G: Bridge Engineers Drawings

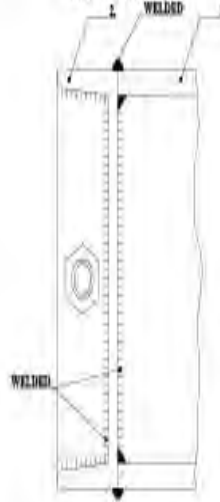
SECTION B-B



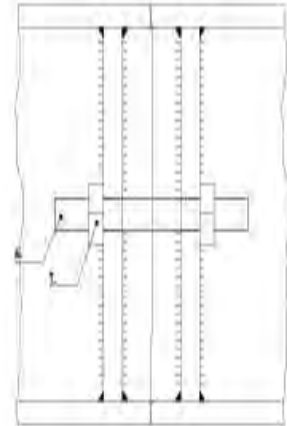
SECTION A-A



SECTION F-F



SECTION E-E



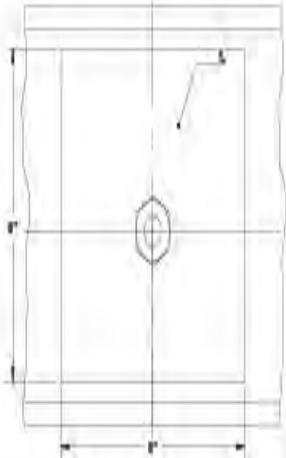
**SHEAR KEY DETAIL**

NOT TO SCALE

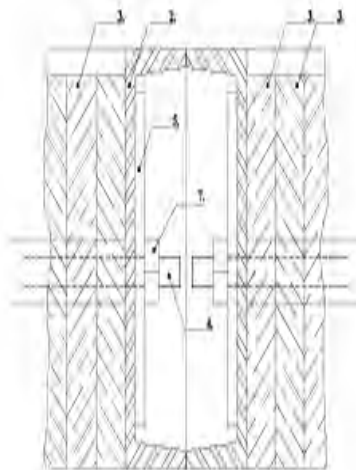
**END BLOCK DETAIL**

NOT TO SCALE

SECTION D-D



SECTION C-C



- LEGEND:**
1. STEEL SHEAR KEY
  2. STEEL CHANNEL
  3. WOOD DUCK
  4. THREAD ROD OR PRESTRESSING BAR
  5. STEEL BEARING PLATE
  6. CONTINUOUS Y THREAD ROD
  7. HEXAGONAL NUT

**BEARING PLATE DETAIL**

NOT TO SCALE

NO.	BY	DATE	DESCRIPTION



E&H MANUFACTURING, INC.  
 401 SOUTH 10TH AVENUE, SUITE 100  
 DENVER, CO 80202  
 (303) 733-4444

DATE	
DRAWN	
CHECKED	
APPROVED	
DATE BY	



PROJECT NO.	
CONTRACT NO.	

E&H MANUFACTURING, INC.  
 CUSTOMER PLAN SHEETS  
 SL30-10-40  
 30' ENGINEERED BRIDGE  
 DETAILS





## Attachment H: Bridge Information Flyer



# PORTABLE TIMBER BRIDGE SYSTEMS

- Temporary or permanent bridge solutions
- 40 ton weight capacity
- AASHTO HS-20 load rated
- Applications for timber, coal, oil and gas, industrial, agricultural, residential, State and Federal governments, emergency response organizations, land developers, etc.
- Leasing programs and Lease/Purchase options available

### Oil & Gas Industry

Oil and gas exploration and production activities can be greatly simplified through the use of timber bridges by:

- Providing access to well sites without stream disturbance
- Simplifying the permitting process and reducing time and expenses where stream crossings exist

- Providing access to well pads for drilling rigs and service equipment up to 80,000 pounds
- Easy installation and removal with standard oilfield construction equipment

### Logging Industry

Our bridges provide loggers with many benefits such as:

- Portability and reuse
- 30 and 40 foot bridges available
- Can be used to skid or truck timber across
- Easy installation with conventional logging equipment such as skidder or dozer
- Exceeds existing BMPs for stream crossings

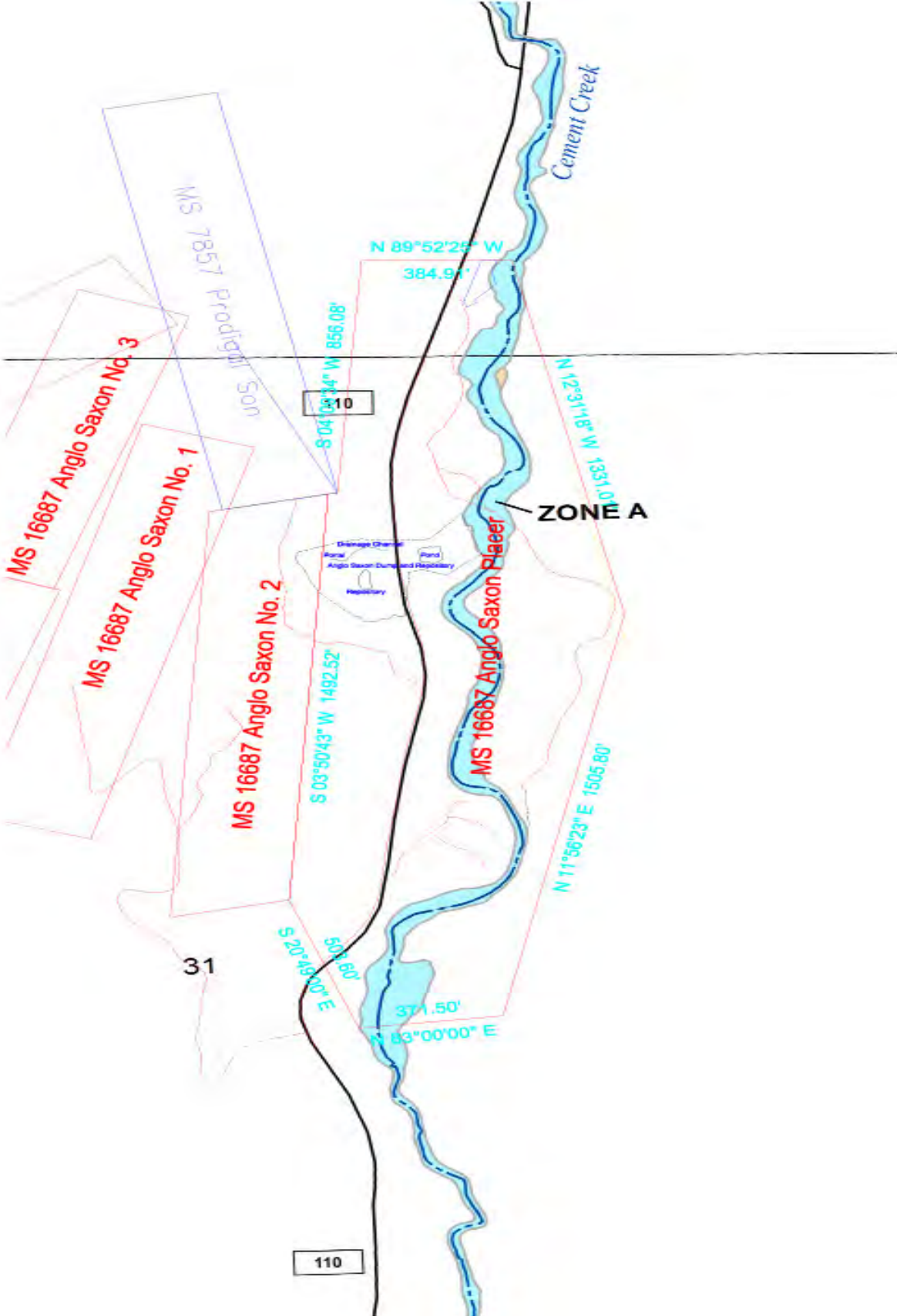
### Other Industries

- Great for providing access to farms, camps, golf courses, parks, etc.
- Ideal temporary access for mobile homes, construction equipment, materials, concrete and other heavy or oversize loads.
- Can be used to replace or overlay older weight-restricted bridges. E&H's bridges are recognized as the only AASHTO rated timber bridges in North America
- Suitable for emergency relief situations. Can be used to replace washed-out bridges, overlay damaged bridges, access flood ravaged areas, or provide quick access for emergency vehicles or rescue teams.

Additional details of the bridges can be found on our website at [EandHManufacturing.com](http://EandHManufacturing.com), and in a DVD that is available upon request. Please feel free to call or email us for a quote, to discuss a particular application, or ask any questions.

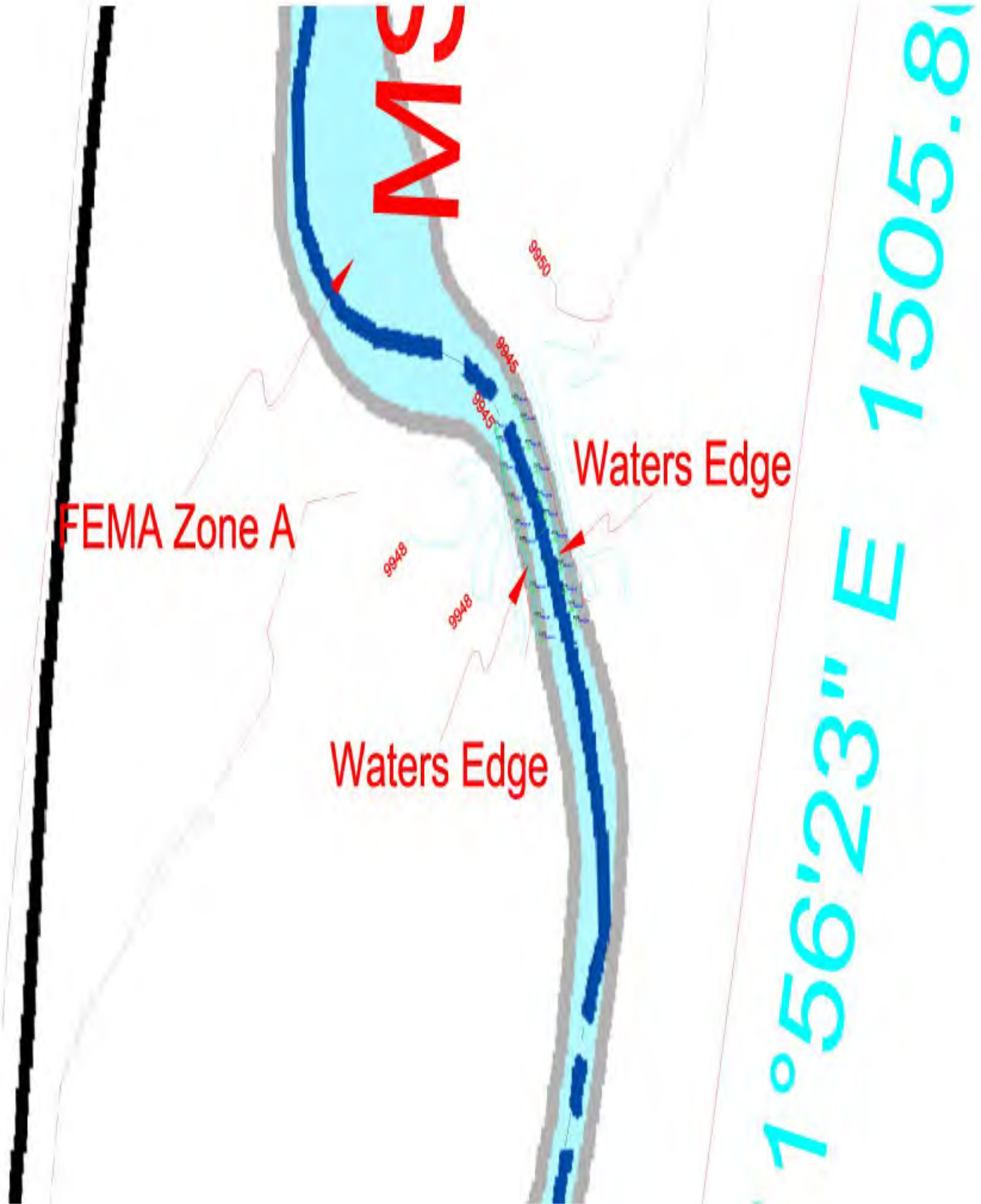
# Attachment I: FEMA Flood Overlap Map

Separate 24x36 Provided





Attachment J: Bridge Survey



## Attachment K: Geotech Report

**TRAUTNER GEOTECH LLC**  
GEOTECHNICAL ENGINEERING, MATERIAL TESTING  
AND ENGINEERING GEOLOGY

November 30, 2023

Lloyd Swartz  
Camino Real Estate Holdings, LLC  
505-252-0915  
[ravensnestates@gmail.com](mailto:ravensnestates@gmail.com)

PN:58075GE

Subject: Summary of Subsurface Conditions  
Cement Creek Bridge – Overland Project  
Silverton, Colorado

Dear Mr. Swartz:

This letter presents the geotechnical exploration drilling completed on October 12, 2023 and presents our preliminary subsurface observations for the Cement Creek Bridge – Overland Project near Silverton, Colorado. The services were completed in accordance with our proposal to you dated September 25, 2023, Proposal No. 23345P. We understand that you have elected to terminate our agreement and would like to be billed for only the time we have into the project to date.

We understand the proposed project will consist of construction of a 35 to 40 foot bridge over Cement Creek which will be used to access a 12 lot subdivision. We understand the bridge that is currently being considered does not require a foundation. If plans change and foundation design parameters are desired, please contact us for additional information. A schematic showing the locations of our exploratory borings is provided below.



Figure 1: Locations of Exploratory Borings. Adapted from Google Earth.

PN:58075GE  
November 30, 2023  
Page 2

We advanced two test borings (TB) on the project site at the approximate locations shown on Figure 1 above. The subsurface conditions encountered are presented in the attached test boring logs. The logs present our interpretation of the subsurface conditions encountered in the test borings at the time of our field work. Subsurface soil and water conditions are often variable across relatively short distances. It is likely that variable subsurface soil and water conditions will be encountered.

Free subsurface water was measured in both TB-1 and TB-2 at depths of approximately 5 feet and 6 feet after drilling, respectively.

The laboratory study had been already initiated at the time of the request to terminate our agreement and the results of the laboratory tests are attached below.

This study presents the subsurface conditions at the locations indicated at the time of drilling. This letter does not present any geotechnical engineering recommendations. We make no warranty as to the findings of this report, either expressed or implied. Our analysis is based on limited subsurface exploration.

Please contact us if you have any questions or if we may provide additional information.

Respectfully,  
TRAUTNER GEOTECH



Tom R. Harrison  
Principal Geotechnical Engineer

Attachments: Logs of Exploratory Borings  
Sieve and Atterberg Limits Test Results  
Swell/Consolidation Test Results  
Soluble Sulfate/PH/Chloride Ion Test Results (Performed By Green Analytical Lab)



# Attachment L: Sketch Plan Proposed Overland Estates Subdivision Maps (2-Additional 24x36 Provided) & (1) Shaded Boundary for Clarity

## Sketch Plan Overland Estates Anglo Saxon Placer, Anglo Saxon No. 1 and Anglo Saxon No. 2, MS 16687 Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian San Juan County, Colorado



**GENERAL NOTES:**  
 The survey was performed without the benefit of a title policy or  
 examination and does not constitute a title search by Southern  
 Land Surveying.  
 Certifications herein shall run only to the person(s) for whom this  
 survey was prepared and on his behalf to the agencies based on  
 this/their affidavit(s). Certifications are not transferable to additional  
 individuals or subsequent owners.  
 No guarantee as to the accuracy of the information contained on  
 the attached drawing is either stated or implied unless the copy  
 bears an original signature of the professional land surveyor thereon.  
 Only prints of this survey marked with an original seal and signature  
 by the surveyor shall be considered true, valid copies.  
 Utilities will run with access easements, unless property owners  
 install their own or easements.  
 Area County Road 110 - 4.88 Acres  
 Area Access Easements - 3.82 Acres  
 Area County Road #1 - 1.14 Acres  
 Area San Miguel Power Line Easement - 0.39 Acres  
 Area of Existing Easements, including Easement - 1.90 Acres  
 Area of Utility Easements - 1.37 Acres

**Legal Description:**  
 Beginning at corner no. 2, MS 16687 Anglo Saxon Placer;  
 thence S. 12°31'18" E., 1331.01 ft. dist., to corner no. 1 of said MS 16687  
 Anglo Saxon Placer; thence S. 11°52'27" W., 1900.80 ft. dist., to corner no.  
 8 of said MS 16687 Anglo Saxon Placer; thence S. 83°00'00" W., 371.50 ft.  
 dist., to corner no. 7 of said MS 16687 Anglo Saxon Placer; thence N.  
 20°49'00" W., 803.60 ft. dist., to corner no. 6 of said MS 16687 Anglo  
 Saxon Placer; identical with corner no. 2, MS 16687 Anglo Saxon No. 2  
 lot; thence S. 78°12'37" W., 311.52 ft. dist., to corner no. 3 of said MS  
 16687 Anglo Saxon No. 2 lot; thence N. 02°02'00" E., 1282.81 ft. dist.,  
 along line 3-4 of said MS 16687 Anglo Saxon No. 2 lot to its intersection  
 with line 1-2 of said MS 16687 Anglo Saxon No. 1 lot; thence N.  
 1034.27 ft. dist., along line 1-2 of said MS 16687 Anglo Saxon No. 1 lot to  
 corner no. 2 of said MS 16687 Anglo Saxon No. 1 lot; thence N.  
 73°52'18" W., 289.85 ft. dist., to corner no. 3 of said MS 16687 Anglo  
 Saxon No. 1 lot; thence N. 18°18'28" E., 1800.00 ft. dist., to corner no. 4  
 of said MS 16687 Anglo Saxon No. 1 lot; thence S. 73°15'15" E., 155.49  
 ft. dist., along line 4-1 of said MS 16687 Anglo Saxon No. 1 lot to its  
 intersection with line 3-4 of said MS 16687 Anglo Saxon No. 1 lot; thence  
 S. 11°52'27" W., 276.05 ft. dist., along line 3-4 of said MS 16687 Anglo Saxon  
 No. 1 lot to corner no. 3 of said MS 16687 Anglo Saxon No. 1 lot; thence N.  
 78°12'37" W., 323.02 ft. dist., to corner no. 2 of said MS 16687 Anglo Saxon  
 No. 1 lot; thence S. 78°12'37" W., 855.08 ft. dist., to corner no. 3 of said MS  
 16687 Anglo Saxon Placer; thence S. 18°12'37" W., 384.91 ft. dist., to corner no. 2 of said MS  
 16687 Anglo Saxon Placer; and this point of beginning.  
 16687 Anglo Saxon Placer, and this point of beginning.  
 having an area of 3655407.73 square feet, 83.91 acres.

**SAN JUAN COUNTY CLERK AND RECORDER'S ACCEPTANCE:**  
 This plan was accepted for filing in the office of the Clerk and Recorder of  
 San Juan County, Colorado, on this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_  
 Recitation Number \_\_\_\_\_ Time \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_

**LEGEND:**  
 (Symbol) Found a 30" Aluminum cap (Bureau of Land Management)  
 (Symbol) Found a 30" Aluminum cap (U.S. Forest Service)  
 (Symbol) Set a 25" Aluminum Cap 80 nails - U.S. 26597  
 (Symbol) Set a 25" Aluminum Cap 80 nails - U.S. 26597  
 (Symbol) Boundary Line  
 N.T.S. Not to Scale  
 W.C. Witness Corner  
 (R) Railroad  
 CR County Road

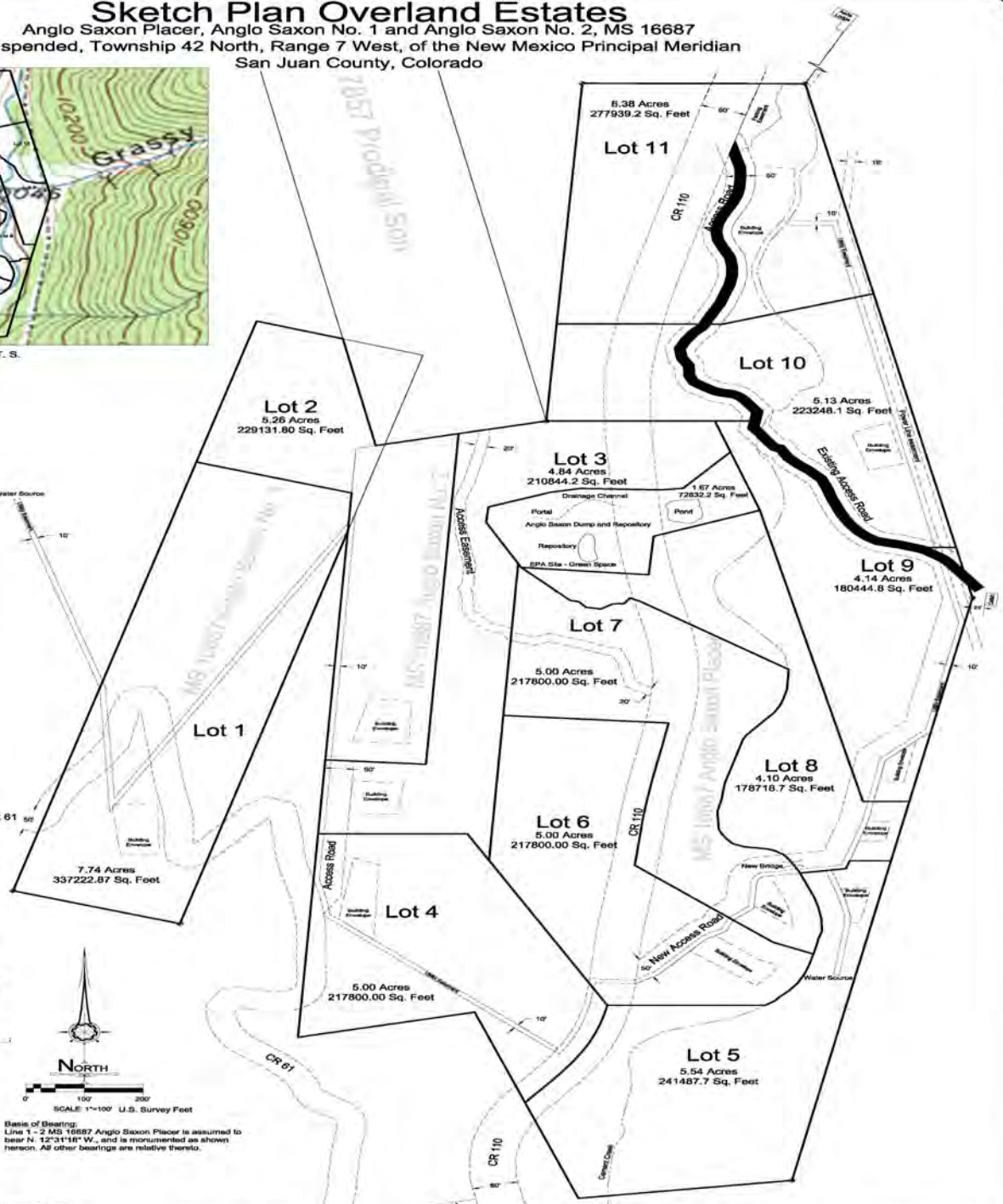


**Basis of Bearing:**  
 Lines 1 - 2 MS 16687 Anglo Saxon Placer is assumed to  
 bear N. 12°31'18" E., and is monumented as shown  
 hereon. All other bearings are relative thereto.

**CERTIFICATE OF SURVEY:**  
 I, Brian Dirk Hattler, a Registered Land Surveyor in the State of Colorado do hereby certify that  
 this plan accurately represents that the surveying services addressed herein have been  
 performed by the professional land surveyor or under the professional land surveyor in charge, or  
 based upon the professional land surveyor's knowledge, information and belief, is in  
 accordance with applicable standards of practice. It is not a warranty or warranty, either expressed  
 or implied. I further certify that the monuments shown hereon actually exist, and that their  
 positions are as shown.

Signature: ELS No. 26697 Date: \_\_\_\_\_ Seal: \_\_\_\_\_

NOTED: This is not a title policy and does not constitute a title search by Southern Land Surveying. It is not a warranty or warranty, either expressed or implied. It is not a warranty or warranty, either expressed or implied. It is not a warranty or warranty, either expressed or implied.



<b>U.S. MINERAL SURVEYORS                  REGISTERED LAND SURVEYORS                  IN COLORADO</b>		<b>SOUTHWEST LAND SURVEYING LLC</b> 2805 W 17th St., Apt. 2 Tulsa OK 74116-8585 (918) 474-2663 (918) 474-2663 (918) 474-2663	
PLAN SCALE 1"=100' U.S. Survey Feet	REVISIONS:	Sketch Plan Overland Estates Anglo Saxon Placer, Anglo Saxon No. 1 and Anglo Saxon No. 2, MS 16687 Township 42 North, Range 7 West, of the New Mexico Principal Meridian	Anglo Saxon Properties, LLC 285 W 17th St., Apt. 2 Tulsa OK 74116-8585
FIELD NOTES BENCH MARK ELEVATION BENCH	DATE: _____ BY: _____	SHEET 1 OF 1	PWS 2013 -L227- 58-23 Survey



# Sketch Plan Overland Estates

Anglo Saxon Placer, Anglo Saxon No. 1 and Anglo Saxon No. 2, MS 16687  
Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian  
San Juan County, Colorado



Vicinity Map N. T. S.

**GENERAL NOTES:**

This survey was performed without the benefit of a title policy or commitment and does not constitute a title search by Southwest Land Surveying.

Certifications hereon shall run only to the person(s) for whom this survey was prepared and on his behalf to the agencies listed on the/theses sheet(s). Certifications are not transferable to additional institutions or subsequent owners.

No guarantee as to the accuracy of the information contained on the attached drawing is either stated or implied unless this copy bears an original signature of the professional land surveyor hereon named.

Only prints of this survey marked with an original seal and signature by the surveyor shall be considered true, valid copies.

Utilities will run with access easements, unless property owners install solar and/or starting.

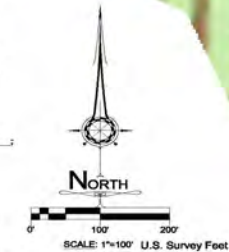
Area County Road 110 - 4.86 Acres  
Area Access Easements - 3.52 Acres  
Area County Road 81 - 1.14 Acres  
Area San Miguel Power Line Easement - 0.39 Acres  
Area of building Envelopes/Living Space - 1.90 Acres  
Area of Utility Easements - 1.37 Acres

**Legal Description:**

Beginning at corner no. 2, MS 16687 Anglo Saxon Placer; thence S. 12°31'18" E., 1331.01 ft. dist., to corner no. 1 of said MS 16687 Anglo Saxon Placer; thence S. 11°56'23" W., 1505.80 ft. dist., to corner no. 8 of said MS 16687 Anglo Saxon Placer; thence S. 83°00'00" W., 371.50 ft. dist., to corner no. 7 of said MS 16687 Anglo Saxon Placer; thence N. 20°49'00" W., 503.60 ft. dist., to corner no. 6 of said MS 16687 Anglo Saxon Placer; identical with corner no. 2 MS 16687 Anglo Saxon No. 2; thence S. 78°13'27" W., 311.52 ft. dist., to corner no. 3 of said MS 16687 Anglo Saxon No. 2; thence N. 03°50'53" E., 1282.91 ft. dist., along line 3-4 of said MS 16687 Anglo Saxon No. 2; to its intersection with line 1-2 of MS 16687 Anglo Saxon No. 1; thence S. 16°16'33" W., 1034.27 ft. dist., along line 1-2 of said MS 16687 Anglo Saxon No. 1; to corner no. 2 of said MS 16687 Anglo Saxon No. 1; thence N. 73°52'18" W., 299.85 ft. dist., to corner no. 3 of said MS 16687 Anglo Saxon No. 1; thence N. 84°16'09" E., 1500.00 ft. dist., to corner no. 4 of said MS 16687 Anglo Saxon No. 1; thence S. 73°10'15" E., 155.49 ft. dist., along line 4-1 of said MS 16687 Anglo Saxon No. 1; to its intersection with line 3-4 of MS 7857 Prudigal Son; thence S. 11°51'17" E., 278.05 ft. dist., along line 3-4 of said MS 7857 Prudigal Son; to corner no. 3 of said MS 7857 Prudigal Son; thence N. 78°32'22" E., 301.00 ft. dist., to corner no. 2 of said MS 7857 Prudigal Son; identical with corner no. 4 of said MS 16687 Anglo Saxon Placer; thence N. 04°02'44" E., 658.08 ft. dist., to corner no. 3 of said MS 16687 Anglo Saxon Placer; thence S. 89°52'23" E., 384.91 ft. dist., to corner no. 2 of said MS 16687 Anglo Saxon Placer; and the point of beginning, having an area of 2605407.73 square feet, 59.81 acres

**SAN JUAN COUNTY CLERK AND RECORDERS ACCEPTANCE:**  
This plat was accepted for filing in the office of the Clerk and Recorder of San Juan County, Colorado, on this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_  
Reception Number \_\_\_\_\_ Time \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_  
Date \_\_\_\_\_

- LEGEND**
- Found a 3/4" Aluminum cap - Bureau of Land Management
  - Found a 3/4" Aluminum Cap - U.S. Forest Service
  - Set a 2 1/2" Aluminum Cap #6 rebar - LS 26597
  - Set a 2 1/2" Aluminum Cap #6 rebar as W.C. - LS 26597
- Boundary Line  
N.T.S. Not to Scale  
W.C. Witness Corner  
(R) Record  
CR County Road

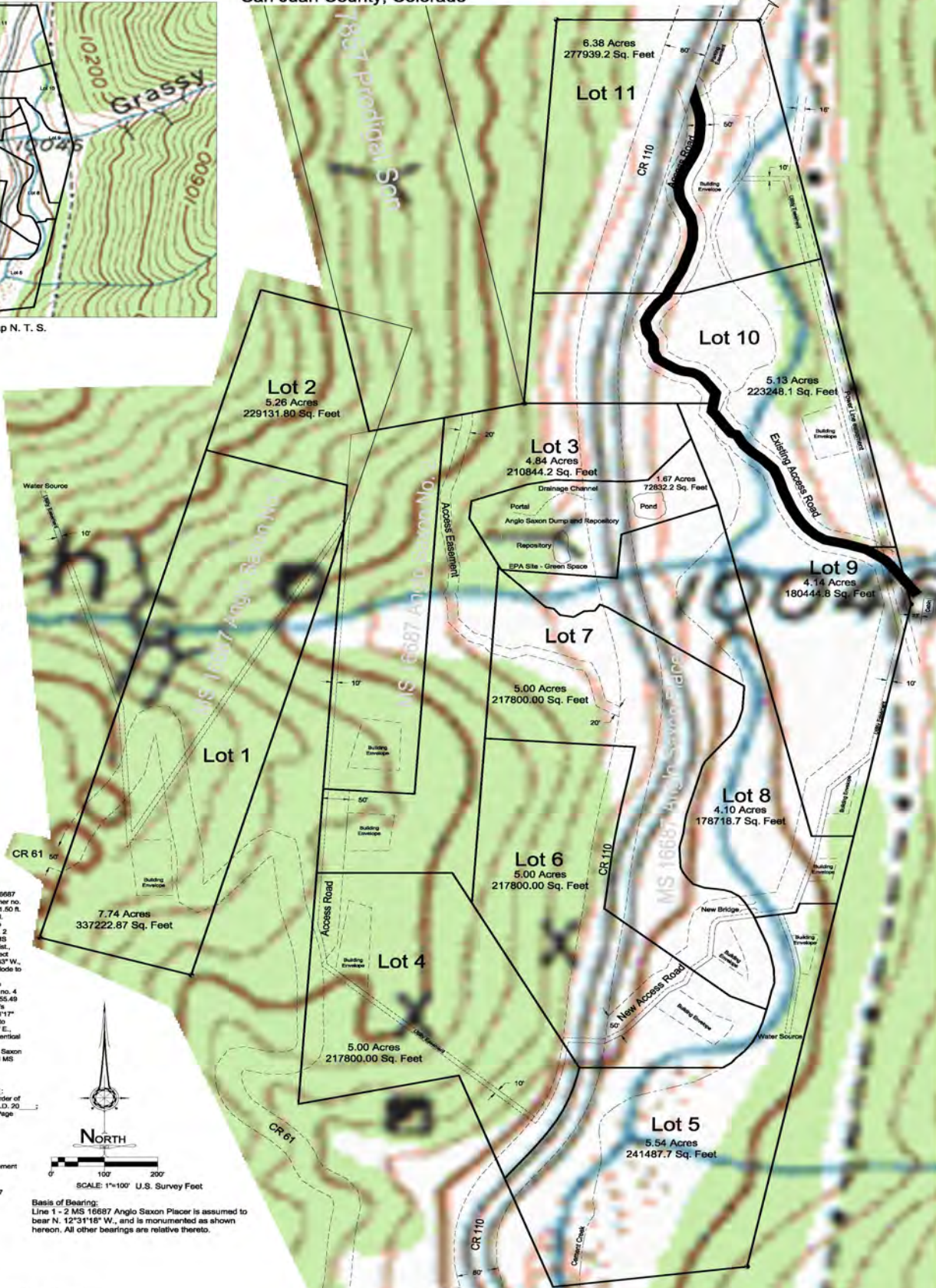


**Basis of Bearing:**  
Line 1 - 2 MS 16687 Anglo Saxon Placer is assumed to bear N. 12°31'18" W., and is monumented as shown hereon. All other bearings are relative thereto.

**CERTIFICATE OF SURVEY:**

I, Brian Dirk Hatter, a Registered Land Surveyor in the State of Colorado do hereby certify that this plat accurately represents that the surveying services addressed herein have been performed by the professional land surveyor or under the professional land surveyor in charge, is based upon the professional land surveyor's knowledge, information and belief, is in accordance with applicable standards of practice, is not a guaranty or warranty, either expressed or implied. I further certify that the monuments shown hereon actually exist, and that their positions are as shown.

Signature \_\_\_\_\_ Date \_\_\_\_\_ Seal \_\_\_\_\_  
PLS No. 26597



U.S. MINERAL SURVEYORS  
REGISTERED LAND SURVEYORS  
IN COLORADO

**SouthWest LAND SURVEYING LLC**  
1205 H Lane, Delta, CO 81416  
(970) 874-0565, Silverton (970) 874-2680, Delta  
(970) 874-0853, Fax EMAIL: brian@swlandsurveying.com

PLAN SCALE: 1"=100' U.S. Survey Feet  
FIELD NOTES: BDH, WSH  
DRAFTER: BDH  
SHEET 1 of 1

Sketch Plan  
Overland Estates  
Anglo Saxon Placer, Anglo Saxon No. 1  
and Anglo Saxon No. 2, MS 16687  
Suspended, Township 42 North, Range 7 West, of  
the New Mexico Principal Meridian

Anglo Saxon Properties, LLC  
208 W 11th St, Apt. 5  
Tulsa OK, 74116-4646  
PWS 2023 KSP #: 38-53 Swartz

NOTICE: IT IS THE POLICY OF SWLS TO PROVIDE A HIGH QUALITY SERVICE AND TO MAINTAIN THE INTEGRITY OF THE SURVEYING PROFESSION. ANY ATTEMPT TO REPRODUCE OR TRANSMIT THIS INFORMATION IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF SWLS IS STRICTLY PROHIBITED. SWLS ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR IN THIS SURVEY OR FOR ANY DAMAGE TO PERSONS OR PROPERTY THAT MAY BE CAUSED BY THE USE OF THIS SURVEY OR FOR ANY DAMAGE TO PERSONS OR PROPERTY THAT MAY BE CAUSED BY THE USE OF THIS SURVEY.







# Attachment M: Septic and Water Resource Letter from Engineer

**dudley ashwood, p.e.**  
c i v i l e n g i n e e r

July 18, 2024, revised 8/27/2024

## FEASIBILITY REVIEW FOR ON-SITE WATER AND WASTEWATER UTILITIES

PROPERTY: OVERLAND ESTATES  
CR 110  
SILVERTON, CO

Overland Estates is a planned residential development of 11 properties on portions of the Anglo Saxon claims, located approximately 3 miles north from the Town of Silverton, along County Road 110. Preliminary planning is as shown on an attached LOCATION PLAN. Individual properties are planned to be served with on-site water and wastewater utilities consisting of wells or cisterns, and on-site wastewater treatment systems (OWTSs).

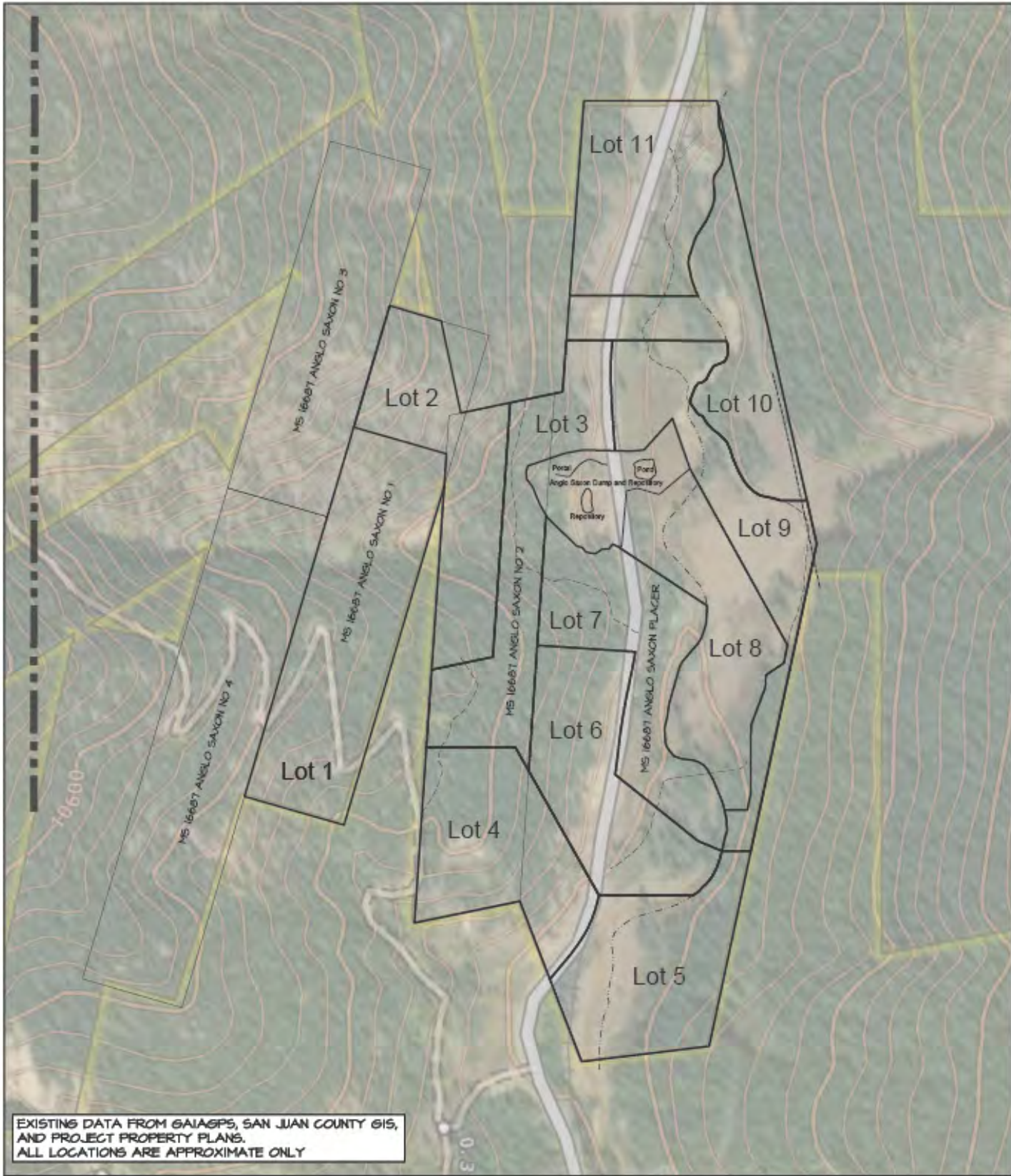
I have reviewed property planning, inspected the site from the road and by aerial drone surveillance, reviewed available resource mapping, and offer the following opinion of the feasibility of individual properties to support on-site water and wastewater utilities.

While the region is generally suitable for on-site well development for water supply, yield and quality can vary. The limited number of wells that exist nearby evidence suitable supply. It is expected that on-site well development is available and will be successful for all planned properties. *From Colorado Department of Water Resources Information, the project area is not a water critical area, nor an over appropriated area, therefore each lot can obtain a water well permit.* The alternative of an on-site water cistern, supplied with off-site hauled water, is also available.

Suitable site and soil conditions appear available for planning on-site wastewater treatment systems (OWTS) on all planned properties in the areas of planned building construction. The major soil type reported by the NCRS is a Needleton stony loam, which is typically well suited for sanitary planning. NCRS mapping and soil description is attached. All OWTSs must be designed by a Professional Engineer at the time of permitting and construction, and reviewed and approved by the San Juan County Public Health Agency, ensuring proper planning and compliance with environmental standards. Individual design will vary based on site specific site selection and soil testing.



**Attachment M: Septic and Water Resource Letter from Engineer  
Maps (2)**



**dudley ashwood, p.e.**

civil engineer

1961 thunderbird road . hesperus . co . 81326  
970.903.9811 - dudley.ashwood@gmail.com



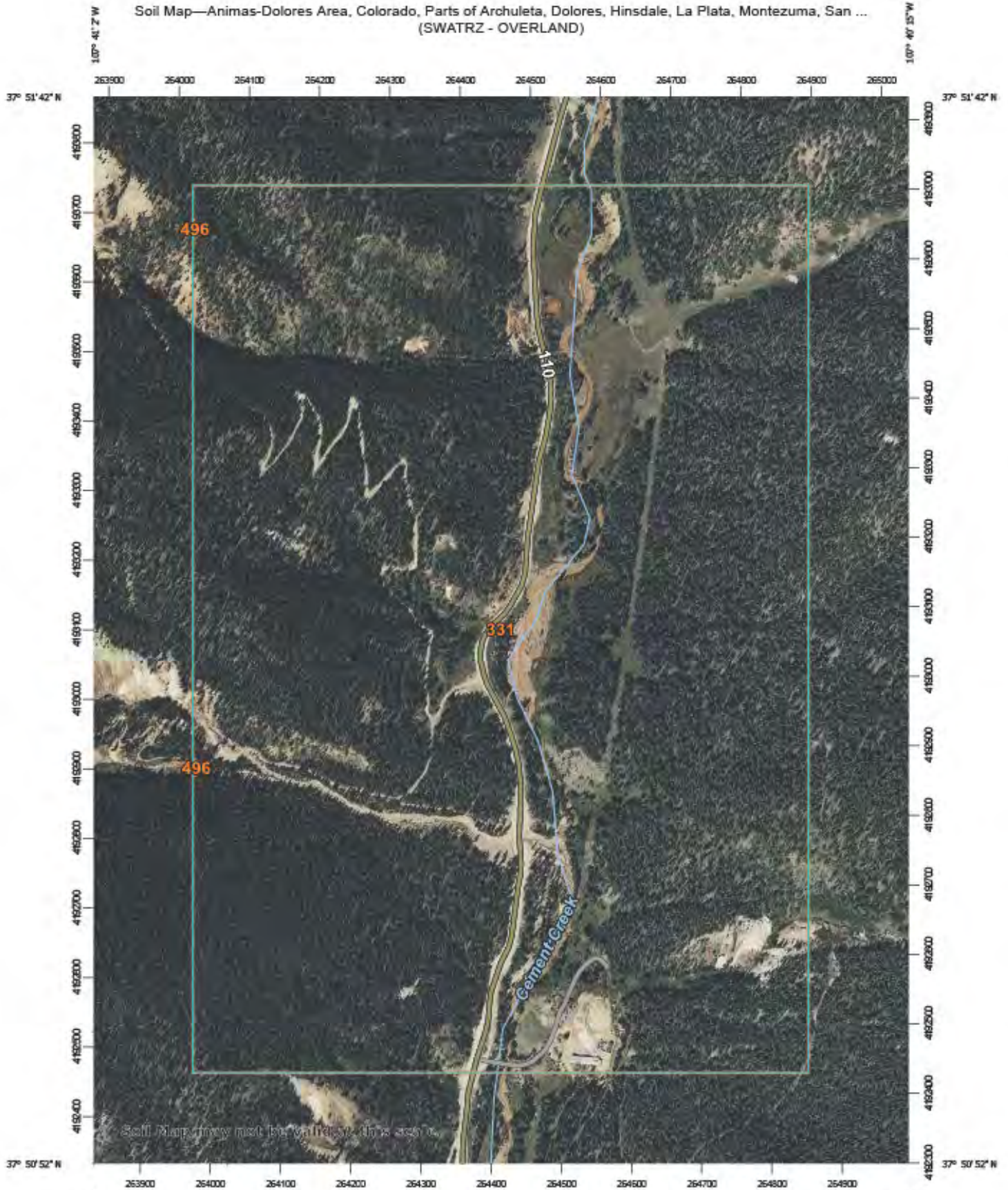
**LOCATION PLAN**  
OVERLAND ESTATES  
CR 110  
SILVERTON, CO

JUNE 18, 2024  
SCALE 1" = 400'

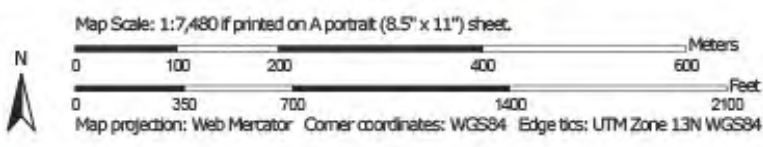




Soil Map—Animas-Dolores Area, Colorado, Parts of Archuleta, Dolores, Hinsdale, La Plata, Montezuma, San ...  
(SWATRZ - OVERLAND)



Soil Map may not be valid at this scale.



## MAP LEGEND

- Area of Interest (AOI)
- Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points
- Special Point Features**
  - Blowout
  - Borrow Pit
  - Clay Spot
  - Closed Depression
  - Gravel Pit
  - Gravelly Spot
  - Landfill
  - Lava Flow
  - Marsh or swamp
  - Mine or Quarry
  - Miscellaneous Water
  - Perennial Water
  - Rock Outcrop
  - Saline Spot
  - Sandy Spot
  - Severely Eroded Spot
  - Sinkhole
  - Slide or Slip
  - Sodic Spot
- Water Features**
  - Streams and Canals
- Transportation**
  - Rails
  - Interstate Highways
  - US Routes
  - Major Roads
  - Local Roads
- Background**
  - Aerial Photography
- Spot Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features**

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Animas-Dolores Area, Colorado, Parts of Archuleta, Dolores, Hinsdale, La Plata, Montezuma, San Juan, and San Miguel Counties  
 Survey Area Date: Version 18, Aug 22, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 6, 2021—Sep 17, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
331	Needleton stony loam, 30 to 85 percent slopes	277.4	100.0%
486	Rock outcrop	0.1	0.0%
<b>Totals for Area of Interest</b>		<b>277.4</b>	<b>100.0%</b>



## Animas-Dolores Area, Colorado, Parts of Archuleta, Dolores, Hinsdale, La Plata, Montezuma, San Juan, and San Miguel Counties

### 331—Needleton stony loam, 30 to 65 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2w4zp

*Elevation:* 8,800 to 11,500 feet

*Mean annual precipitation:* 30 to 45 inches

*Mean annual air temperature:* 32 to 38 degrees F

*Frost-free period:* 45 to 65 days

*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Needleton, stony, and similar soils:* 80 percent

*Minor components:* 20 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Needleton, Stony

##### Setting

*Landform:* Mountain slopes

*Landform position (three-dimensional):* Mountainflank

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Parent material:* Colluvium derived from rhyolite and/or colluvium derived from sandstone

##### Typical profile

*O<sub>i</sub> - 0 to 2 inches:* slightly decomposed plant material

*E - 2 to 16 inches:* stony loam

*B/E - 16 to 26 inches:* very cobbly sandy clay loam

*Bt<sub>1</sub> - 26 to 48 inches:* very stony sandy clay loam

*Bt<sub>2</sub> - 48 to 62 inches:* very cobbly clay loam

##### Properties and qualities

*Slope:* 30 to 65 percent

*Surface area covered with cobbles, stones or boulders:* 0.1 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Well drained

*Capacity of the most limiting layer to transmit water*

*(K<sub>sat</sub>):* Moderately high (0.21 to 0.71 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Maximum salinity:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

*Available water supply, 0 to 60 inches:* Low (about 6.0 inches)

### **Interpretive groups**

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 7e

*Hydrologic Soil Group:* B

*Ecological site:* F048AY918CO - Spruce-Fir Woodland

*Other vegetative classification:* Subalpine fir - Engelmann spruce/  
myrtle whortleberry (ABLA-PIEN/VAMY2) (C0320)

*Hydric soil rating:* No

### **Minor Components**

#### **Snowdon, extremely stony**

*Percent of map unit:* 10 percent

*Landform:* Mountain slopes

*Landform position (three-dimensional):* Mountainflank

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Other vegetative classification:* Subalpine fir - Engelmann spruce/  
myrtle whortleberry (ABLA-PIEN/VAMY2) (C0320)

*Hydric soil rating:* No

#### **Quazar, extremely stony**

*Percent of map unit:* 5 percent

*Landform:* Mountain slopes

*Landform position (three-dimensional):* Mountainbase

*Down-slope shape:* Concave

*Across-slope shape:* Linear

*Ecological site:* R048AY250CO - Subalpine Loam

*Hydric soil rating:* No

#### **Rock outcrop**

*Percent of map unit:* 5 percent

*Hydric soil rating:* Unranked

## **Data Source Information**

Soil Survey Area: Animas-Dolores Area, Colorado, Parts of Archuleta, Dolores, Hinsdale, La Plata, Montezuma, San Juan, and San Miguel Counties

Survey Area Data: Version 18, Aug 22, 2023

## Attachment N: EPA Waiver of Liability



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

1595 Wynkoop Street  
Denver, CO 80202-1129  
Phone 800-227-8917  
[www.epa.gov/region08](http://www.epa.gov/region08)

**CONSENT FOR ACCESS TO PROPERTY**

**Bonita Peak Mining District Superfund Site, San Juan County, Colorado**

**Name of Property Owner:** Lloyd Swartz

**Property Description (Address or Mineral Survey Name or Number):**

Mineral Survey Number: 16687

**Claims:**

Anglo Saxon #1  
Anglo Saxon #2  
Anglo Saxon #3  
Anglo Saxon #4  
Anglo Saxon #5  
Anglo Saxon #7  
Anglo Saxon Placer

I hereby give my consent to employees and authorized representatives and contractors of the U.S. Environmental Protection Agency, U.S. Department of Interior, U.S. Department of Agriculture, the U.S. Army Corps of Engineers, and the State of Colorado entering and having continued access to the above referenced property for the following purposes, hereinafter referred to as the "Work":

1. Conducting field inspections and investigations to evaluate the mine waste, adit discharges and related seepage, and the associated impacted lands, and cultural resource surveys;
2. Sampling and monitoring water, soil, and mine waste material from waste rock dumps, tailings impoundments, and mine workings or other areas as necessary to evaluate releases of hazardous substances;
3. Conducting remedial actions associated with the interim record of decision for Operable Unit 1 of the Bonita Peak Mining District Superfund Site signed on May 20, 2019<sup>1</sup>; and
4. Any other actions the EPA determines are necessary to address releases of hazardous substances from the Bonita Peak Mining District Superfund Site.

<sup>1</sup> The interim record of decision for OUI of the Bonita Peak Mining District Superfund Site and its associated documents can be found at EPA's website: [www.epa.gov/superfund/bonita-peak](http://www.epa.gov/superfund/bonita-peak).



## Attachment N: EPA Waiver of Liability

This Consent for Access shall remain in effect until the EPA completes the remedial investigation/feasibility study for the Site or December 31, 2027. The EPA represents that the contractor performing Work is required by the EPA to obtain and maintain for the duration of the Work commercial general liability insurance (including coverage for bodily injury, death, property damage, and contractual liability).

By granting access to the property for the Work described herein, the property owner assumes no liability for any claims which may be asserted against the property owner by third parties solely as a result of the Work authorized under this Consent for Access.

The EPA may allow visitors to access the property for tours as long as an EPA employee, authorized representative or contractor is present at the property and accompany the visitors on the tour.

I recognize these actions are undertaken pursuant to the EPA's response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9601 *et seq.*, as amended. The undersigned certifies that he/she is authorized to grant the access provided herein on behalf of Owner.

  
Signature of Property Owner

10/18/22  
Date

Mailing Address: 35 Conocito Rd NE Albuquerque NM 87122  
Email Address: snomyrivercave@gmail.com  
Daytime Phone No. 505-252-0915

## Attachment O: Water Rights Information

DATE FILED: January 21, 2016

District Court, Water Division No. 7, State of Colorado Court Address: 1060 East 2 <sup>nd</sup> Ave., #106 Durango, CO 81301 Phone Number: 970-247-2304	<b>FILED</b> IN DISTRICT COURT WATER DIVISION 7  <b>JAN 21 2016</b> DURANGO COLORADO _____ CLERK
<b>CONCERNING THE APPLICATION FOR WATER RIGHTS OF ANGLO SAXON PROPERTIES, LLC, fka ANGLO SAXON PROPERTIES, LTD. AND TRANSVAAL PROPERTIES, LLC, fka TRANSVAAL PROPERTIES, LTD.</b>	<b>▲ COURT USE ONLY ▲</b>
<b>IN SAN JUAN COUNTY</b>	Case Number: <b>15-CW-003008</b>  (Ref 06-CW-116)
	Division:                      Courtroom:
<b>RULING OF REFEREE AND DECREE</b>	

THIS MATTER, having come before the Court on Application For Finding of Reasonable Diligence (the "Application") filed on March 31, 2015. The undersigned Referee, having considered the pleadings and having made such investigations as are necessary to determine whether or not the statements in the Application are true, and otherwise being advised in the premises, hereby makes the following findings and rulings:

### FINDINGS OF FACT

i. Name, Address and Telephone Number of Applicant:

Name of Applicant	Mailing Address	Email address	Telephone Number
Anglo Saxon Properties, LLC, fka Anglo Saxon Properties, Ltd. and Transvaal Properties, LLC fka Transvaal Properties, Ltd.	205 West 17 <sup>th</sup> Street Suite E Tulsa, OK 74119-4645		
Send all Pleadings and Correspondence	Hockersmith Law, P.C., P.O. Box 646, 645 Second Street, Ouray, CO 81427-	michael@mdhlawpc.com	970.325.4414

## Attachment O: Water Rights Information

to: Michael D. Hockersmith	0646		
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2. **Notice and Jurisdiction:** The Application was filed with the Clerk of the Water Court, Water Division No. 7 on March 31, 2015. All notices required by law for the filing of this application have been fulfilled and the Court has jurisdiction over the Application, the parties, and all persons who may be affected by these proceedings who have not appeared.
3. **Opposition:** The time for filing of statements of opposition has expired. A Statement of Opposition was filed by M. Catherine Condon on behalf of the Southern Ute Indian Tribe.
4. The Division Engineer filed his Consultation Report with the Court on June 30, 2015, and his amended Consultation Report with the Court on July 10, 2015, pursuant to C.R.S., §37-92-302(4) and that report has been considered by the Referee in rendering this ruling.
5. In Case Number 06CW116, the Applicant was granted a conditional water right for residential use for the Anglo Saxon Pond, Anglo 1 Well and Anglo 2 Well. The conditional right for the Anglo Saxon Pond for reservoir capacity adequate for storage and release of 20 acre feet of water if call is placed. The pond to be filled by pump from the two wells with a diversion from Cement Creek to the Anglo Saxon Pond by a direct headgate for up to 2.5 cfs during periods of spring runoff and fill and refill at other times in priority. An outlet structure was to be constructed from the bottom of the reservoir or direct release to Cement Creek by or at the instructions of the Division Engineer. The Anglo 1 Well and Anglo 2 Well were granted a conditional right of 50 gpm from each well, maximum of 100 gpm combined withdrawal. A maximum of 2.5 cfs from Cement creek in priority for 140 dwellings with four occupants per dwelling on a continuous year round basis and totals an annual demand of 56.46 acre feet per year. Discharge of such uses to be a treatment plant. The Applicant was also granted a conditional right of 2.46 acre feet per year of water for the commercial facilities. Discharge to the same treatment plant as the residential uses. The decree further granted the rights to a storage reservoir in the immediate vicinity of Cement Creek with a two acre surface storage area to be constructed on Applicant's property for purposes of storage and release of augmentation water. The two acre surface augmentation pond and one, one acre treatment pond will incur a total net evaporation of 3.20 acre feet per year. Total demand and consumption use for all sources on a one hundred percent occupation and use basis will not exceed 68.14 acre feet per year. The augmentation pond will require having 20 acre feet available at maximum build out for release to the Animas River, if a call is placed. Further, in order to provide adequate quantities of water to offset annual consumptive use of the project, Applicant will construct a reservoir, approximately two surface acres in size, capable of storing a total volume of 20 acre feet. The reservoir will be constructed off channel so that it can be filled during high flow spring runoff times of the year and refill in priority, stored in isolation from other surface water impacts and released to the stream system at the direction of the Division Engineer should the Animal River system come on call by as water right senior to bottom drain structure installed in addition to typical engineered



## Attachment O: Water Rights Information

spillways, overflows and outlet structures. The reservoir will contain active storage of 20 acre feet for the release to the system.

6. The Applicant has not yet applied for the well permits and the pond has not yet been constructed.

7. The Court finds that the Applicant is entitled to an appropriation date of February 28, 2005 for the rights granted herein.

8. The source of water for the Anglo 1 Well and the Anglo 2 Well is groundwater tributary to Cement Creek which is tributary to the Animas River. The source of water for the Anglo Saxon Pond is tributary flow to Cement Creek, tributary to the Animas River.

9. Legal description of Anglo 1 Well:

<b>Required Description:</b> San Juan County	SW1/4 SW1/4	NE1/4	Section 31	Township 42N	Range 7W	Principal Meridian N.M.P.M.
<p>Distance from section lines (section lines are typically not property lines)                  Original Decreed Location: 2288 feet from the north section line and 2202 feet from the east section line of said Section 31. Also described in the UTM NAD83 Zone 13S format as follows: Northing 4193148 and Easting 264448. This location was derived from the best possible mapping available at the time of the original application, however, recent modifications to the State mapping program (Aquamap) allows for more accurate (and more logical) location which is closer to Cement Creek.                  New Decreed Location: SW<math>\frac{1}{4}</math>NE<math>\frac{1}{4}</math>, Sec. 31, T 42N, R 7W, N.M.P.M., 2120 feet from north section line and 2015 from the east section line of Sec. 31. This new decreed location is entirely on Applicant's property.</p>						

10. Legal description of Anglo 2 Well:

<b>Required Description:</b> San Juan County	SW1/4 NW1/4	NE1/4	Section 31	Township 42N	Range 7W	Principal Meridian N.M.P.M.
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## Attachment O: Water Rights Information

Distance from section lines (section lines are typically not property lines)

Original Decreed Location 1245 feet from the north section line and 2333 feet from the east section line of said Section 31. Also described in the UTM NAD83 Zone 13S format as follows: Northing 4193467 and Easting 264416. This location was derived from the best possible mapping available at the time of the original application, however, recent modifications to the State mapping program (Aquamap) allows for more accurate (and more logical) location which is closer to Cement Creek.

New Decreed Location: SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 31, T 42N, R 7W, N.M.P.M., 960 feet from north section line and 1910 from the east section line of Sec. 31. This new decreed location is entirely on Applicant's property.

### 11. Legal description of Anglo Saxon Pond:

<b>Required Description:</b> San Juan County	NW1/4	NE1/4	Section 31	Township 42N	Range 7W	Principal Meridian N.M.P.M.
---	-------	-------	---------------	-----------------	-------------	--------------------------------

Distance from section lines (section lines are typically not property lines)

558 feet from the north section line and 1943 feet from the east section line of said Section 31. Also described in the UTM NAD83 Zone 13S format as follows: Northing 4193673 and Easting 264540.

12. Based upon the documented efforts of the Applicant, the Court finds that the Applicant has established reasonable diligence.

### RULING

1. The terms and conditions of the foregoing findings of fact are specifically incorporated herein.
2. The conditional water right for Anglo 1 Well and Anglo 2 Well for 50 gpm from each well, maximum of 100 gpm combined withdrawal for residential use which will provide volumes of water for the 140 dwellings, with four occupants per dwelling on a continuous year-round basis, and totals an annual demand of 56.46 acre feet per year. Discharge of such uses to be to a treatment plant. The commercial use will utilize 2.46 acre feet per year of water for the commercial facilities. Discharge shall be by the same treatment plant as the residential uses is HEREBY CONTINUED, in full force and effect.
3. The conditional water right for Anglo Saxon Pond for a maximum of 2.5 cfs to fill from Cement Creek in priority and approximately two surface acres and 20 acre feet volume for storage, fire protection and evaporation is HEREBY CONTINUED, in full force and effect.

## Attachment O: Water Rights Information

4. Prior to or during the month of January, 2022, and every six years thereafter until the conditional right is decreed absolutely, the owner or user thereof, if it is desired to maintain the same, shall file an application for finding of reasonable diligence with this Court. Applicant shall notify this Court of any change in mailing address. Upon the sale or transfer of this conditional right, the transferee shall file with this Court a notice of transfer which shall state:

- a. The title and case number of this case;
- b. The description of the water right transferred;
- c. The name of the transferor;
- d. The name and mailing address of the transferee.

5. Applicant shall notify any transferees of the requirements of this paragraph.

6. THE APPLICANT SHALL COMPLY WITH THE ORDERS OF THE DIVISION ENGINEER TO INSTALL NECESSARY MEASURING DEVICES AND ADMINISTRATIVE STRUCTURE, AND SHALL KEEP RECORDS AND MAKE REPORTS AS REASONABLY REQUESTED BY THE DIVISION ENGINEER.

THE WATER RIGHTS WILL BE SUBJECT TO ADMINISTRATION IN PRIORITY OF THE ANIMAS RIVER DRAINAGE AND ITS TRIBUTARIES.

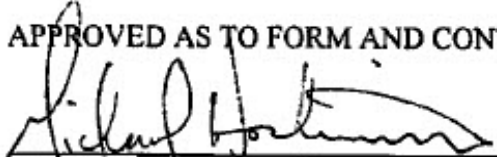
7. Pursuant to C.R.S. 37-92-304, the Court shall retain jurisdiction of the matter herein and the Decree shall be subject to reconsideration by the Water Judge on question of injury to vested rights of others for a period of three years after entry of this Decree to preclude or remedy any such injury.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

BY THE COURT:

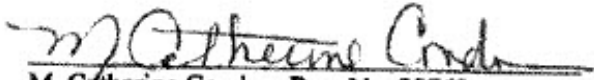
\_\_\_\_\_  
Water Referee, Division No. 7

APPROVED AS TO FORM AND CONTENT:

  
\_\_\_\_\_  
Michael D. Hockersmith, Reg. No. 6377  
Attorney for Applicant  
PO Box 646, Ouray, CO 81427-0646  
970-325-4414



## Attachment O: Water Rights Information



M. Catherine Condon, Reg. No. 20763  
Attorney for Southern Ute Indian Tribe  
1007 Pearl Street, Suite 220, Boulder, CO 80302  
303-442-2021

APPROVED AS TO FORM AND ADMINISTERABILITY:

 1-8-16

Robert B. Genualdi, Division Engineer  
Water Division No. 7  
Colorado Division of Water Resources  
160 Rockpoint Drive, Suite E, Durango, CO 81301  
970-247-1845

The foregoing ruling is confirmed and approved and is made the judgment and decree of this Court.

Dated: January 21, 2016

  
Water Judge, Division No. 7

# Attachment P: Sample of HOA Requirement

Overland Estates Homeowners Association

## Rules and Regulations

Revised 9/15/24

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### Establishment of a Home Owners Association

- Upon 2 or more homes being constructed a formal community HOA shall be formally established.

### Reason for HOA and Limitations

- Establishment of an HOA is required by County Subdivision regulations and shall be primarily limited to providing for the maintenance of roads, bridge, snow removal, and community cooperation.

### Rules on Association Dues

- Association dues are payable by the first day of each month. Amount to be determined when formal HOA is established.
  - Homeowners are given 15 days as a grace period to settle their monthly dues.
  - Should a homeowner fail to pay by the 15th of the month, the association shall charge a late fee amounting to \$20.00.
  - Failure to pay outstanding dues can result in the account being handed over to a collection agency.
- 

### Construction of Home and Improvements

- No permanent structures or other improvements without a permit from San Juan County.
- All future improvements must adhere to San Juan County rules and regulations.
- Size, appearance or anything other design criteria shall NOT be governed by this HOA.
- View sheds, wetlands, avalanche hazard, flood hazard and other condition must be considered as a part of a San Juan County permit application.

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### Common Area Rules

- County Road 61 shall remain open to the general public as well as conservation easement areas
- Owners on North side of Cement creek may elect to add a traffic control gate near the bridge with access provided to San Juan County first responders. Old road across creek shall remain un-impeded for emergencies.
- Easements for power, phone, cable shall not be impeded

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### Yearly Meetings

- A Yearly meeting around a campfire is required for all owners at a date and time and location to be determined.

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### Snow Removal and Road Maintenance

- Snow removal costs shall be divided equitably among owners and may be self-performed or hired out.
  - Snow removal is only required to homes with year around residents.
  - Owners may elect to break out costs equitably between residents on the North side of CR 110 and the South side of CR110 separately.
  - Summer Road Maintenance costs shall be divided equitably among *ALL* owner and may be self-performed or hired out.
  - Loop Road on Placer is Private and will not be maintained by the County
  - CR61 is summer maintenance only by County. Future Snow removal will require an agreement with County Road Department.
-



### Bridge Maintenance

- Year inspections of tension bolts and decking is required and may be performed by a trained community member.
  - Should any concerns as to the bridge integrity be noted a licensed engineer shall be engaged to inspect the bridge.
- 

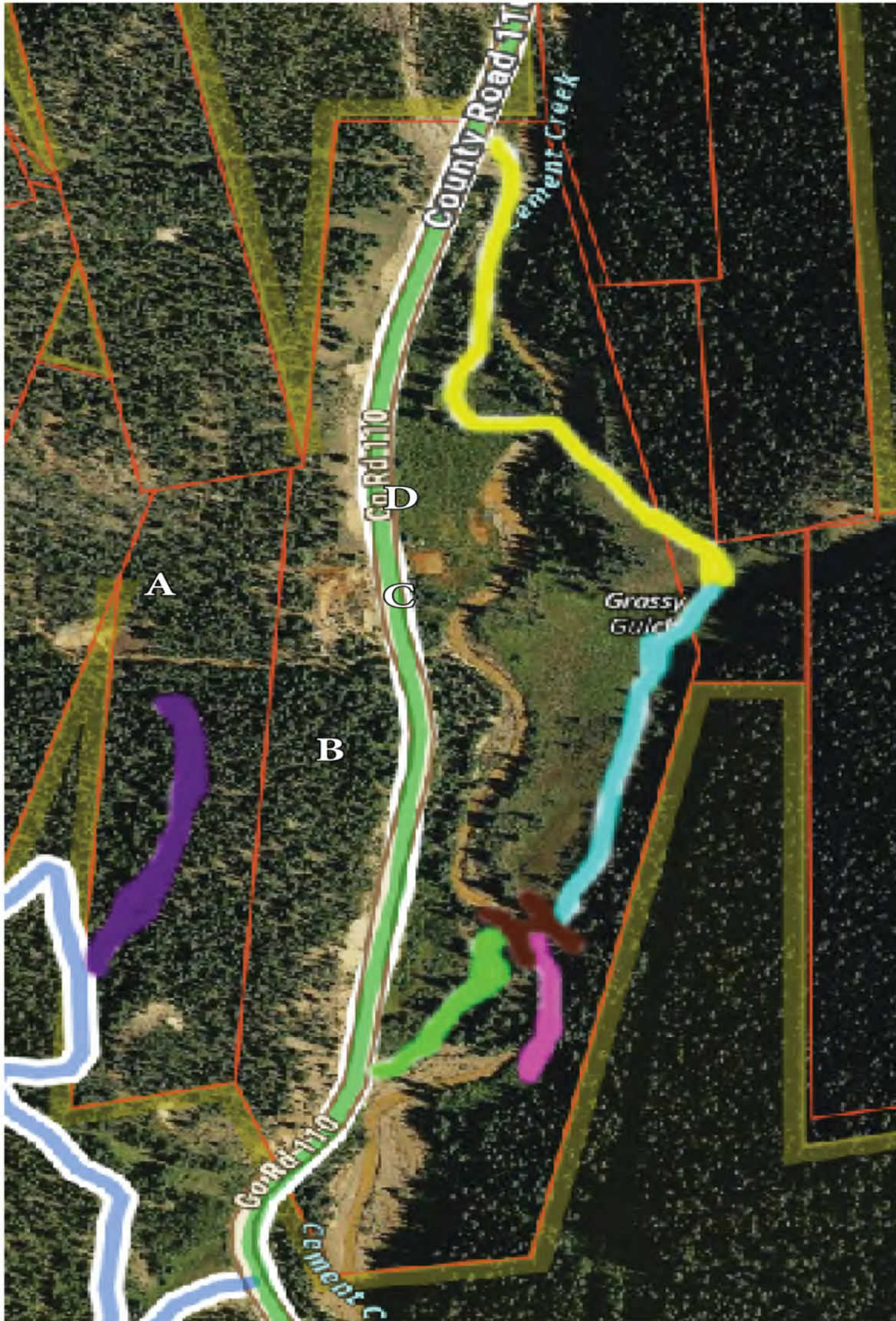
### Water Power and Sewer

- Septic systems are required and must be permitted by the Department of Health
  - Water can be by well or surface water
  - There is no community water or sewer
  - Connection costs to power by owner
- 

### Trash and Waste Management Rules

- Trash must be hauled to the transfer station in Silverton

## Attachment Q: Tree Removal Summary Map



### Attachment Q Estimated Tree Removal Quantities

**Section A:** On Bench Existing Road Maximum 10 trees up to 6" Diameter for Proper Road alignment

**Section B:** Approx. 33 Trees up to 6" diameter average from CR110 to Bridge

**Section C:** Bridge to Existing Cabin Approximately 178 trees up to 5.5" diameter average to Keep road in tree line out of emerging wetlands & view

**Section D:** Existing Road cabin to CR110 9 trees 4" Diameter average to improve overgrowth

# **Attachment R: Cumulative Impact Report**

## **Proposed Minor Subdivision for Overland Estates**

**ANGLO SAXON PLACER - 16687, ANGLO SAXON #1 - 16687, ANGLO SAXON #2 - 16687, ANGLO SAXON #3 - 16687, ANGLO SAXON #4 - 16687, ANGLO SAXON #5 - 16687, ANGLO SAXON #7 - 16687, MONARCH - 884, FREYA - 17255, MIDNIGHT SUN - 17255, RUBY - 17255, TRANSVAAL - 17255**

**Location: approximately 2.5 Miles from Silverton on County Road 110 just before the Aire lodge on the right and left.**

**San Juan County, Colorado**

### **Applicant/Owner:**

Lloyd and Esther Swartz  
35 Canoncito RD NE  
Albuquerque, NM 87122  
505-980-3016

### **Prepared On:**

June 24<sup>th</sup>, 2024



# Attachment R: Cumulative Impact Report

*Proposed Cole Cabin, Mineral King Lode USMS No. 2051 County Road 35,  
Prospect Gulch, San Juan County, Colorado*

**Engineer Mountain, Inc.**

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# **Attachment R: Cumulative Impact Report**

## **The Overland Estates Anglo Saxon Loads**

### **1. Introduction**

This is a Cumulative Impacts Report for the proposed Anglo Saxon Estate Subdivision approximately 2.5 miles from Silverton on County Road 110

Administrator Willy Tookey noted that a Cumulative Impacts Report is required for this County Improvement Permit Application.

### **County Zoning and Land Use Regulations Section 4-103**

We have prepared this report in accordance with the County Zoning and Land Use Regulations Section 4-103.

A Cumulative Impacts Report is required for this project, according to the County regulations. The range of area to be considered was changed in recent years from all properties within a two- mile radius to a "relevant area."

Section 4-103, regarding cumulative impacts, is on the following two pages for your review.

# Attachment R: Cumulative Impact Report

## Proposed Overland Estates Subdivision

### Anglo Saxon Loads

#### STANDARDS FOR REVIEW

The following general standards will be applied to any proposed development in the County.

- .1 The County recognizes that development or use of individual properties may have impacts on other properties, including County roads. Further, the County recognizes that the cumulative impact of individual development or use of properties within an area may create impacts and service demands different from or greater than the impacts and service demands of an individual development proposal. Finally, the County recognizes that unless the potential cumulative effects of development are considered in connection with each development or use proposal, future development and use of properties may be adversely affected or precluded because of effects caused by development or uses that are approved without consideration of cumulative impacts. For these reasons, the review process described herein requires the consideration of cumulative impacts of all potential development and uses within an area in connection with any proposal being reviewed under this Chapter.
- .2 In conducting a review under Chapter 4 of the Code, the County shall consider all proposals in the context of all existing or potential uses of other properties in the vicinity of the proposed use. Unless a greater or lesser distance is required by the unique characteristics of a particular area, the vicinity of a proposed use shall be defined to be within a two mile radius of the proposed use or development. This shall require consideration of each of the factors listed herein not just for the proposed use in isolation but rather in conjunction with all existing and potential uses of other properties in the vicinity so as to permit the County to assess the overall impacts of development in the general area of the proposed use.
- .3 All applications for review under this Chapter will be examined initially to determine whether the proposal is consistent with the County's Master Plan. If consistent with the Master Plan, all applications will be reviewed to determine whether, based upon the objective facts contained within the record before the reviewing body:
  - (a) The proposal will have any adverse impact on public health, safety, morals or welfare.
  - (b) Adequate potable water is available or can be developed to safely support the proposed use, including fire control and suppression.
  - (c) Adequate sewage disposal can be provided to support the proposed use.
  - (d) The proposed use will have any adverse effect on public or private property in the vicinity of the development.



# Attachment R: Cumulative Impact Report

## Proposed Overland Estates Subdivision

### Anglo Saxon Loads

- (e) The proposed use will have any adverse effect on scenic values, historic sites or structures, air or water or environmental quality. Wildlife (including habitat, food sources, migration routes, bunting, etc.), erosion or other geological condition.
  - (f) Adequate road access exists or can be developed to ensure access appropriate to the use, including access for emergency services.
  - (g) Adequate utilities are or can be made available for the proposed use, unless deemed unnecessary or not practical.
  - (h) Adequate emergency services exist to serve the proposed use, unless deemed unnecessary or not practical.
  - (i) There are natural hazards which may adversely affect the site or the proposed use of the site. (see Chapters 8-11 of this Code).
- 4 In addition to all other powers which the County may have with regard to review under this Chapter, the County shall have the authority to:
- (a) Require the applicant to provide evaluations, studies, reports, designs or opinions from qualified experts, approved by the County, with regard to any of the factors listed above or with regard to the design or siting of any proposed development or use.
  - (b) Require the proponent to provide additional information with regard to any factor listed above to permit the County to make an informed decision regarding the application.
  - (c) Condition approval of a proposal on the elimination of any hazard, condition or effect identified by the review process or in Sections 1 - 113 through Section 1-116 of this Code.
  - (d) Require as a condition of approval the mitigation (either on the property where the use is proposed or on public or private property, with the consent of the owner) of any hazard, condition or effect identified by the review process or in Sections 1 - 113 through Section 1 - 116 of this Code.
  - (e) Reject the application because of hazards, conditions or effects identified in the review process or in Sections 1 - 113 through Section 1- 116 of this Code. In the event the County denies approval after review, the denial of an application pursuant to this provision shall identify the hazard, condition or effect on which **the** denial is based. \* \*\*

A Land Use or Improvement Permit must be issued by the County when the County finds that the applicant has sustained the burden of proof that the proposed development, activity or use, including best management practices, if any, does not present or create an adverse effect to the resources should it to be protected or utilized within the overlay district, or districts. Such a permit will be denied when the County determines that the applicant has not sustained such burden of proof.

# Attachment R: Cumulative Impact Report

## Scope of Report

The County regulations above (section 4-103) requires:

*The County shall consider all proposals in the context of all existing or potential\_ uses of other Properties in the vicinity of the proposed use. Unless a greater or lesser distance vs required by The unique characteristics of a particular area, the vicinity of a proposed use shall be defined to be within the relevant area of the proposed use or development. ...*

The "proposal" currently being reviewed by the County is a Minor Subdivision of equal number of build sites to original number of mining claims with building enveloped re-located from higher elevations to lower elevations for better access, safety and reduced impacts.

This report contains information on the existing and potential development in the vicinity of the project site.

For this report we evaluated the Adjacent Land Owner properties within 1500 feet of the exterior boundaries of the project site. This includes all but one piece of privately owned

For the purposes of this report we first have an overview of the "proposal." Then we have attempted to evaluate existing, proposed, and potential development of the properties in the "relevant area" vicinity of the project site. Then the criteria listed in the County regulations were used to evaluate the proposal and potential impacts.

The scope of this report is to allow the County to review this proposal ... *in the context of all existing or potential uses of other properties in the vicinity of the proposed use.*

## 2. The "Proposal"

The "Proposal," as described in County regulations section 4-103 above, is the proposed Overland Minor Subdivision, On The Anglo Saxon Claims 2.5 Miles up County Road 110 from Silverton in San Juan County, Colorado.

A Preliminary Improvement Permit Application has been prepared by Lloyd Swartz which is being submitted to the County Administrator in May 2024, along with this report.

For additional information please refer to the original Application binder, and the Preliminary-Final Plan Application attachments.

## **Attachment R: Cumulative Impact Report**

A summary of the "Proposal" is the subdividing of 3 Mining claims (one is a 40 acre Placer Claim) to create an equal number of claims or buildable 4-5 acre parcels that currently exist, (11) plus 1 whole claim being retained, accessed via an existing road on County Road 110 and 61 with year around plowed access from CR 110. This will include a section of new road, re-grading and a bridge over Cement Creek. Any Future Construction will require additional permitting and approval. Any homes proposed will require "engineered" septic system, well or a cistern for domestic water. Power and Phone are available to property lines. The site is approximately 148 acres and has been evaluated by and wetlands expert. 8 Claims and an Anglo Saxon EPA carve out will be set aside as green space.

Please refer to the previously submitted documents and attached documents for additional information regarding the "Proposal."

### **3. The "Vicinity"**

The "relevant area" we have selected for the "vicinity," in order to evaluate development potential surrounding the project site, includes the properties located within 1500' of the Anglo Saxon and Transvaal claims plus the Tungston Load generally accessed from County Road 110. This encompasses all the closely associated mining claims in this area. There is a fairly sizeable public lands buffer between these properties and any other private in-holdings.

As an overview of the properties in the vicinity of the project site, we have included some maps and plans on the following five pages. These are included in the original proposal and packet. Maps and plans for your reference on the following pages include the following:

- Adjacent Land Owner Map
- USGS Topo Quad Map with proposed plat overlay
- Anglo Saxon Property Map with Proposed Building Envelopes, Roads, Right of Ways and Bridge Location
- Map with Estimated Tree Removal Quantities
- Anglo Saxon Claims County Avalanche Hazards Map
- Anglo Saxon Claims Geohazards Map
- Photos of building envelopes and access points
- County/CDPHE Environmental Liability release Document

The plans and documents following this page were used to evaluate the approximate existing and potential development of properties in the "relevant area" or vicinity of the project site.



## Adjacent Landowners Map

Anglo Saxon Placer, Anglo Saxon No. 1, Anglo Saxon No. 2 and the Anglo Saxon No. 4, MS 16687  
Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian  
San Juan County, Colorado



D

BLUE 61RD MINING & MIT.UNG CO C/O CAROLYN MOODIE SCHADEN, 5565 JAGUAR WAY- HIGHLANOS RANCH, CO 80130

• NOTE: ALL THESE CLAIMS WERE RECENTLY ACQUIRED BY MINERAL KING, LLC

SALEM MINEAAS INC, 15100 J=OOTHILL RD- GOLDEN, CO 80401-2064

BROWN MARK D & DELIZABETH, . 35505 ROAD H5 • MANCOS, CO 81328-9323

GREENFIELD ENVIRONMENTAL MIJITIS11ffTRVST LLC/ GALUSHA, HIGGINS & GALUSHA, PO BOX 1189 - HELENA, MT 59624-1189

FIELD MICHAEL F & JAMES R / KEEFE: FAMILY REVOCABIE TRUST, 6219 SADOLE'TREE LN-YO!IBA LINDA, CA 92886

MCINTOSH & OMAS E, 815 SAGE RD- MONTROSE, CO 81403

BOY MINING CO, 20 TIMBER LN • DURANGO, CO 81303-3&26

MORRIS RICH MINES INC C/O DAVID LANDAU, 559 NCENTRAL AVf. - SAINT LOUIS, MO 63130-3907

BAUMGARTNER F / OSIRIS GOLD INC/ SIAL EXPLOATAION INC/ CARIBOU RESOURCES, 415E JEWELL AVf. S11: 1001 - DENVER, CO 80222-4514

### Map and List of Adjacent Landowners

<p>U.S. NATIONAL SURVEYORS ASSOCIATED LAND SURVEYORS OF COLORADO</p> <p>PLAT NUMBER: 17-020 U.S. Survey Plat</p> <p>PROJECTION: NAD 83, UTM</p> <p>SCALE: AS SHOWN</p> <p>DATE: 2022</p>	<p style="text-align: center;"><b>SOUTHWEST LAND SURVEYING LLC</b></p> <p style="text-align: center;">1001 N. 1st St. Suite 100, Durango, CO 81301 970.242.1111</p> <p><b>Adjacent Landowners Map</b></p> <p>Anglo Saxon Placer, Anglo Saxon No. 1, Anglo Saxon No. 2 and the Anglo Saxon No. 4, MS 16687, Township 42 North, Range 7 West of the New Mexico Principal Meridian</p> <p style="text-align: right;"><b>Anglo Saxon Properties, LLC</b> 2000 N. 1st St., Suite 100 Durango, CO 81301</p>
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# Attachment R: Cumulative Impact Report

## ORDINANCE NO. 2020-01

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

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

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

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

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

# Attachment R: Cumulative Impact Report

## 4. Existing and Potential Development of "Vicinity" Properties

The County regulations require that we include within this report a description of the existing and potential development in the Vicinity of the project site.

### List of Criteria Used to Evaluate the Development Potential of "Vicinity" Properties

We have prepared a table listing in alphabetical order the properties in the "relevant area" vicinity of the project site. The table includes the following property information and criteria used to provide a cursory evaluation of the existing and potential development of the properties.

- Property Name

The names of the claims were determined using the County Assessor website. The property cards on the Assessor website were used to review each parcel.

- United States Mineral Survey Number

All available US Mineral Survey Plats associated with these claims were obtained and reviewed, using the BLM GLO website. These USMS Plats are the original surveys from approximately 100 years ago. They were reviewed in order to fill in the names of the mining claims.

- Owner(s)

Ownership of the majority of mining claims in this clustered area are by Lloyd and Esther Swartz as part of the subject parcels.

- Acreage

Most claims are 10 Acres or slightly less due to senior claim overlaps.



## Attachment R: Cumulative Impact Report

- Access

Our evaluation of the mining claims in the vicinity included a check to see if each property appears to have a County Road pass through its property boundaries, indicating the property currently appears to have legal written access. Both CR 61 and CR 110 were evaluated. All but 2 claims would require new roads, right of way permission from the Anglo-Saxon owners and in some cases the BLM. The Aire lodge and Ajax have direct access to CR 110 and existing structures consisting of a cabin and a small lodge with a handful of guest rooms. The lodge is still under construction. Additionally, there is a seldom used, seasonal Cabin on the Munzer Claim, originally built on BLM land but gained legal status with a BLM settlement in 2023. This cabin has no legal access at this time, the owners cross the Anglo-Saxon properties through the creek. In theory the Porcupine could access the end of CR 61. However, it is a vertical, unstable cliff and is unlikely to see a road or driveway. An easement for parking on the Anglo Saxon Claims was granted to Aire Lodge and a proposed easement for the Prodigal Sun has been surveyed. Owners are open to granting further easements should they be requested. However, we have been communicating with the property owners most likely to need access by road. The Prodigal Son and Munzer. Other properties may be completely impractical, or extremely expensive to build roads to and may never see development.

- Tundra

The Peerless and Queen City Lie above tree line. According to the interpretation of current County regulations, requiring adequate screening of new structures, and prohibiting almost all development occurring on ridgelines and/or located on alpine tundra, these claims which are mostly tundra can be considered unlikely to be developed.

- Potential Avalanche and Geologic Hazards

We have utilized the County's adopted Avalanche Hazard Map and the County's adopted Geologic Hazards Map to provide cursory information regarding potential hazards for each of the mining claims in "The Vicinity". Some private properties would be required to obtain a site-specific avalanche and geo hazards study, prepared by a qualified expert. Properties that appear to be located almost entirely in probable avalanche red zone areas, properties that are located almost entirely in the floodplain, directly below rock fall areas, and/or in known debris flow (mudslide) areas, can generally be considered unlikely to be developed.

- Cursory Evaluation of Reasons a Property Is or Is Not Likely to be Developed

A cursory evaluation is provided on the table, listing the reason(s) likely to allow for, or limit, future potential development of a property, which in this instance primarily has to do with challenging access and road construction requirements. In one case geologic hazards could play a part, but Tundra, Mine waste, and Ownership really do not play a role with most of these

## **Attachment R: Cumulative Impact Report**

- Development Potential

We have summarized the likely overall potential for development on each property.

### **Table of Vicinity Properties and Cursory Evaluation of Development Potential**

The table on the following page summarizes the existing and potential likely future development in the "vicinity" of the project site.

# Attachment R: Cumulative Impact Report Chart

## CUMULATIVE IMPACTS REPORT

### Attachment R: CUMULATIVE IMPACTS REPORT

#### Proposed Overland Estates Subdivision Anglo Saxon Loads

#### PROPOSED OVERLAND ESTATES MINOR SUBDIVISION PROPOSAL

#### CURSORY EVALUATION OF DEVELOPMENT POTENTIAL ON PRIVATELY OWNED LAND WITHIN THE RELAY AREA SURROUNDING THE PROJECT SITE FOR CUMULATIVE IMPACTS REPORT

#	PROPERTY	USMS NUMBER	OWNER	ACRES	CURSORY EVALUATION OF DEVELOPMENT POTENTIAL ON PRIVATELY OWNED LAND WITHIN THE RELAY AREA SURROUNDING THE PROJECT SITE FOR CUMULATIVE IMPACTS REPORT		HAZARDS ISSUES	REASONS IT IS NOT DEVELOPABLE	POTENTIAL+ PROPERTY
					APPROX ACRES	TUNDRA CDPHE SIGNOFF REQUIRES			
1	Pearless Lodge	726	Outdoor Adventure Club	9.1	No	No	Avalanche, Tahn Slope (TS)	Unlikely to be developed due to location and apparent hazards	Probably unbuildable Pearless Lodge
2	Queen City Lodge	727	Outdoor Adventure Club and Janet Sealey	10.3	No	No	Avalanche, TS	Unlikely to be developed due to location and apparent hazards	Probably unbuildable Queen City Lodge
3	Perceptive Lodge	1292	Van Dusen Kathleen and David	10.3	No	No	Tahn Slope (Collateral Slope Accelerated)	Unlikely to be developed due to access and apparent hazards	Probably unbuildable Percipue Lodge
4	Pride of the Rockies Lodge	2204	Lucky Jim LLC	10.3	No	No	TS	No access, Vertical	Probably unbuildable Pride of the Rockies Lodge
5	Prodigal Son Lodge	7857	Graham Steven Lee Chandler Michael	10.3	Yes	No	CSA	Wide trail and right of way for road from Anglo Saxon	Likely future cabin Prodigal Son Lodge
6	Tungsten Lodge	19780	Reese Orla	20.66	No	No	Avalanche, TS, CSARF	N/A	Probably unbuildable Tungsten Lodge
7	Ajax MS Lodge	1692	Niallan Douglas A & Dana A C&G Alpine Partners LLC	5.0	Yes	No	N/A	Existing Cabin	Existing Cabin Ajax MS Lodge
8	Hidden Treasure Lodge	19018		18.08	Yes	No	N/A	Small Lodge Under Construction	Lodge being built Hidden Treasures
9	Gold Bug #2 Lodge	18619	Frank and Catherine Newman	10.16	No	No	CSA	No legal access	Possible future cabin Gold Bug #2
10	Pride of Cement	2460	Fee-Wick Properties	10.3	No	No	CSA	No access, would require multiple easements and long road across BLM	Unlikely future cabin Pride of Cement
11	Gold Bug Lodge	18619	Cook David	6.47	No	No	CSA	No access, would require multiple easements and road construction	Unlikely future cabin Gold Bug Lodge
12	Moose Lodge	18619	Dana Hillier	14.21	Yes	No	N/A	Has small seasonal cabin use existing rough mine road no legal access	Existing Cabin Moose Lodge
13	Mildoon Lodge	18619	Houghton Land	4.2	No	No	CSA	Preservation Trust	Probably Unlikely Mildoon Lodge
14	Gold Bug #1 Lodge	2459	Preservation Houghton Land Preservation	1	No	No	CSA	Preservation Trust	Probably Unlikely Gold Bug #1
15	Independence Lodge	2458	Gang Peter Riley	10.16	No	No	CSA	Unlikely to be developed due to access and location	Probably unbuildable Independence
16	Colorado Balls	10.0	Gang Peter Riley	10.0	No	No	CSA	Unlikely to be developed due to access and location	Probably unbuildable Colorado Balls



## **Attachment R: Cumulative Impact Report**

The table on the preceding page lists the properties included in the "relevant area" or vicinity of the project site.

Here is a summary of the cursory evaluation of the existing and potential development.

### **Existing Cabins**

The following 3 properties known to have an existing residential cabin structure:

- Ajax MS Lode, owned by Nielsen Douglas A and Dana A of Arvada CO. Small, newer cabin of good condition.
- Munzor Lode, owned by Daren Hillery of Albuquerque New Mexico. Cabin was illegally built on BLM land in the 1950's and in 2023 arrangements were made to expand the parcel with the BLM. Currently has no legal access and uses an existing 4x4 road to cross cement creek. We anticipate granting a ROW at some point across Overland upon request. Cabin is small, and rarely ever visited.
- Treasure Lode, Aire Lodge owned by C&G Alpine Partners. Currently under construction scheduled for completion 2025 with room for up to 12 guests. Winter Time parking is via an easement on the Anglo Saxon Placer of Overland Estates.

### **Vacant But Likely to Be Approved**

- Prodigal Son Lode, Owned by Graham Steven Lee and Chandler Michael of Pagosa Colorado. Overland Estates has issues a right of way for a road across the Anglo Saxon claims to access their mule trail. And the have expressed intentions for a future, seasonal cabin.

### **Properties Which Could Be Developable**

The following 2 properties appear to be potentially "buildable," and could be approved in the future for proposed residential use:

- The Gold Bug #2, Owned by Frank and Catherine Newman which could be buildable, pending acquisition of rights of way.
- The Gold Bug, Owned by Cook David of Colorado Springs which could be buildable, pending acquisition of rights of way.

## **Attachment R: Cumulative Impact Report**

### **Possibly Developable, But Unlikely to be Listed for Sale**

The following 2 properties could possibly be developable, depending on results of closer site evaluation; however, they are unlikely to be sold individually for residential development, because they are currently owned by a mining environmental trust agency managed by lawyers. These two claims are held by an ownership type which is historically unlikely to sell, and they are located far away from legal access.

- Muldoon Lode
- Gold Bug #1 Lode

### **Properties Which Appear to Be Unbuildable/Unable to Comply with County Regulations**

The following properties appear unlikely to be developed, based on cursory evaluation, due to lack of feasible access, apparent significant avalanche and/or geologic hazards, lack of acreage, predominantly located above tree line on alpine tundra, etc. The following properties appear unlikely to ever be developed:

- Peerless Lode
- Queen City Lode
- Porcupine Lode
- Pride of The Rockies Lode
- Pride of Cement Lode
- Colorado Belle Lode
- Independence Lode
- Tungston Lode

# Attachment R: Cumulative Impact Report

## Summary of Development Potential of Vicinity Properties

In summary, the vicinity has the following estimated development potential:

- 3 Property Known to Have an Existing Cabin
  - 1 Property Likely to Be Approved for a Proposed Cabin
  - 2 Possible Future Cabins
  - 2 Possibly Buildable but Unlikely to Be Sold
  - 8 Probably Not Developable Claims
- 16 Total Vicinity Properties Evaluated (Including One Project Site).

Therefore, based on a cursory evaluation of the 16 properties in the selected "relevant area" or "vicinity," we would foresee a total of perhaps three cabins being constructed in the future, in addition to 3 known existing cabins in the area.

The County regulations (on page 2 of this report for your reference) state that *"the County shall consider all proposals in the context of all existing or potential uses of other properties in the vicinity of the proposed use."*



## Attachment R: Cumulative Impact Report

### 5. Evaluation of the "Proposal" Using the Criteria Listed in the County Regulations

The County regulations (included on pages 2 and 3 of this report) require the County to evaluate the "proposal" (the Proposed Overland Estates Subdivision on the Anglo Saxon Loads) *"in the context of all existing or potential uses of other properties in the vicinity of the proposed use."*

The individual factors listed in the County regulations to be evaluated for the "proposal" (in the context of the existing and potential vicinity development) are the following:

- *if the proposal will have any adverse impact on public health, safety, morals or welfare*
- *if adequate potable water is available or can be developed to safely support the proposed use, including fire control and suppression*
- *if adequate sewage disposal can be provided to support the proposed use*
- *if the proposed use will have any adverse effect on public or private property in the vicinity*
- *if the proposed use will have any adverse effect on scenic values, historic sites or structures, air or water or environmental quality, wildlife (including habitat, food sources, migration routes, hunting, etc.), erosion or other geological condition*
- *if adequate road access exists or can be developed to ensure access appropriate to the use, including access for emergency services*
- *if adequate utilities are or can be made available for the proposed use, unless deemed unnecessary or not practical*
- *if adequate emergency services exist to serve the proposed use, unless deemed unnecessary or not practical*
- *if there are natural hazards which may adversely affect the site or the proposed use of the site*

The County regulations state that

*An ...Improvement Permit must be issued by the County when the County finds that the applicant has sustained the burden of proof that the proposed development, activity or use, including best management practices, if any, does not present or create an adverse effect to the resources sought to be protected or utilized...*

This section of the report includes evaluation of the above listed criteria.

#### **Impact of the Proposal on Public Health, Safety, Morals, and Welfare** The

County regulations require that you consider the following:

*...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...*

*...if the proposal will have any adverse impact on public health, safety, morals or welfare.*

## **Attachment R: Cumulative Impact Report**

The "proposal" is the Proposed Overland Estates Subdivision on the Anglo Saxon Loads. The overall impacts to public health, safety, morals and welfare which could be caused by approval of this project are expected to be negligible. The Maximum number of potential cabins is 12 spread out over approximately 80 acres with an additional 68 acres of green space as well as most surrounding land being public land in the thousands of acres. It can be assumed that there will be very little traffic generated by the additional of 12 seasonal or in a few cases year around cabins. County Road 110 is a large road with significant capacity and currently serves the Gladstone Mining District, Silverton Mountain and a number of other homes and businesses. It may be a decade or more before homes are built and not all will likely be year around inhabited. We do not expect that the Applicant will be doing anything in the proposed minor subdivision would negatively affect the morals or welfare of the public. The proposed minor subdivision if approved could generate some local jobs, and an increase in sales tax/County taxes, and 12 potential YEAR AROUND homes sites which are in severe demand and which could positively affect the public welfare. We believe that all proposed activities and uses will have some impact or effects. For the purposes of the County review process, we believe the County could consider if a project is relatively modest and reasonable, and if the Applicant has taken steps to minimize all of the impacts which are possible to control. Overall, this project can probably be expected to have a negligible impact on public health, safety, morals, and welfare.

### **Adequate Water**

The County regulations require that you consider the following:

*...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...*

*... if adequate potable water is available or can be developed to safely support the proposed use, including fire control and suppression*

The "proposal" does not include provisions for water, but does include water rights far beyond what is required and individuals may choose to use surface supplace, hauling or wells. There is a creek, and ponds close enough to serve any fire fighting resource needs. Overall, it appears that the Applicant is attempting to provide *adequate potable water to safely support the proposed use.*

### **Adequate Sewage Disposal**

The County regulations require that you consider the following:

*...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...*

*...if adequate sewage disposal can be provided to support the proposed use.*

Any future cabins would require an approved septic system to be designed in accordance with the State and local regulations. The Maximum number of potentials cabins is 12 spread out over approximately 80 acres with an additional 68 acres of green space as well as most surrounding land being public land in the thousands of acres. Overall, it appears that *adequate sewage disposal can be provided to support the proposed use.*

### **Effect of the Proposal on Public or Private Property in the Vicinity**

The County regulations require that you consider the following:

*...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...*

*...if the proposed use will have any adverse effect on public or private property in the vicinity.*

The section of County regulations above asks, will this project have any adverse impact on public or private property? All building envelopes and even roads will be very hard to see if at all from the nearby County Road system, which creates no impact to the nearby public and private land. Additionally building envelopes have been evaluated as having little to no visibility from the existing, seldom used Munzor Load cabin, and are not visible to any other existing structures. The owners asked we include a provision to install a gate on the new access road in the future to prevent additional traffic and potential break ins to their cabin. This is noted in our proposal.

Overall, the project appears to be reasonably modest, with the anticipated impacts to the nearby public and private lands expected to be minimal.

### **Effect of the Proposal on Scenic Values, Historic Sites and Structures**

The County regulations require that you consider the following:

*...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...*

*...if the proposed use will have any adverse effect on scenic values, historic sites or structures,  
...*



## **Attachment R: Cumulative Impact Report**

The Applicant has selected the least visible location for the proposed building envelopes using areas of on-site existing vegetation to minimize visual scenic impact. The only true historical structure is the cribbing wall on CR 110 and the nearest building envelope has extensive screening with more growing in. Overall, the impact to scenic values, historic sites and structures is expected to be minimal.

### **Effect of the Proposal on Air, Water and Environmental Quality**

The County regulations require that you consider the following:

*...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...*

*...if the proposed use will have any adverse effect on ... air or water or environmental quality.*

Since any future cabin construction is required to be in compliance with all applicable Local, State, and Federal regulations, regarding air, water, and the environment, the impacts of the proposal to the air, water, and environmental quality are expected to be minimal.

### **Effect of the Proposal on Wildlife, Erosion, and Geological Conditions**

The County regulations require that you consider the following:

CUMULATIVE IMPACTS REPORT

Proposed Overland Estates Subdivision

Anglo Saxon Loads

*...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...*

*...if the proposed use will have any adverse effect on ... wildlife (including habitat, food sources, migration routes, hunting, etc.), erosion or other geological condition.*

## **Attachment R: Cumulative Impact Report**

All existing/proposed activities/uses have some sort of impact. The effects of this project, however, on wildlife, hunting, migration routes, habitat, and animal food sources are expected to be minimal. There is not any significant tree clearing proposed for this project, which is expected to keep effects on wildlife to a minimum. Erosion is not expected, as road lay outs are mostly on flat ground and designed to minimize run off.

SME engineering was hired to conduct a survey of wetlands and environmental impacts.

Some Fens were found and tested to confirm the existence. All proposed roads and building envelopes were laid out to give these areas a wide berth. Additionally, “emergent” wetlands, or areas with wetlands type vegetation were discovered. Despite the impacts to these areas being minimized we are well under .03 of an acre is anticipated to be impacted after numerous revisions to our lay out. Despite the limited impacts we did acquire a Army Corps of Engineers permit to assure compliance and a structure of rules to avoid excessive impacts.

Given the limited density of construction of roads and future potential build sites habitat, food sources and migration are not expected to be affected. Not to mention most surrounding land is non-developable as public land.

Additionally, by setting aside nearly 50% of the acreage as Green Space we are able to have responsible development while;

- Limiting future, new road construction and related impacts
- Preserving high-altitude wetlands and Fens
- Preserving important high-altitude habitat and Tundra
- Support the EPAs ongoing water quality improvements

### **Adequate Road Access**

The County regulations require that you consider the following:

*...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...*

*...if adequate road access exists or can be developed to ensure access appropriate to the use, including access for emergency services.*

## Attachment R: Cumulative Impact Report

County Road 110 passes through the project site. The site has legal access via the existing County Road system. The proposed minor subdivision will be accessed from a loop road on the North Side consisting of a new section of road and a bridge on the new section to provide for first responder access to existing properties and cabin as well as new that does not currently have adequate access. This loop will provide summer time emergency egress and an avalanche free escape route for 7 of 12 Parcels. For 5 Parcels a summer-maintained CR 61 of good condition will provide short access from CR 110. It appears that *adequate road access exists to ensure access appropriate to the use.*

### Adequate Utilities

The County regulations require that you consider the following:

*...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...*

*...if adequate utilities are or can be made available for the proposed use, unless deemed unnecessary or not practical.*

Water will be hauled and placed into a proposed cistern, or wells drilled if someone chooses to build a future cabin and a septic system is being designed by a Licensed Professional Engineer. On 5 acre remote lots a septic system with an approved engineered design may be installed. Power is available to the property lines as well as phone and cable. Additional options for solar and star link access also exist. Overall, it appears that *adequate utilities ... can be made available for the proposed use.*

### Adequate Emergency Services

The County regulations require that you consider the following:

*...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...*

*...if adequate emergency services exist to serve the proposed use, unless deemed unnecessary or not practical.*



## **Attachment R: Cumulative Impact Report**

Access for emergency services is comparable with most other developed claims, and appears relatively adequate for the proposed use. There will be times of no vehicular access, due to avalanche/debris flow related County Road closures of County Road 110, and non-plowing of County Road 61. It is possible that private plowing of CR 61 may be negotiated in the future since it only accesses this private set of build sites and does not offer any snow mobile or ski trails use. The new road includes an 80,000lb rated bridge to accommodate emergency services and is easily plowed privately. Emergency services are less than 3 miles across all plowed county and city roads to the property with under 10 minutes response time.

### **Natural Hazards**

The County regulations require that you consider the following:

*...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...*

*...if there are natural hazards which may adversely affect the site or the proposed use of the site.*

There are natural hazards at the site, including the nearby Grassy Gulch avalanche area. However not is not expected to preclude development or adversely affect any future structures as building envelopes are far outside of the mapped slide zone. An existing cabin from the 1950s has further not seen any damage despite being in a likely “Blue Zone” near the mouth of this limited slide..

### **6. Summary**

This is a Cumulative Impacts Report for the proposed Overland Estates Minor Subdivision, located on the Anglos Saxon Loads in San Juan County, Colorado.

The Sketch Plan application for a San Juan County Improvement Permit Application was prepared by Feeney Architects. A Preliminary plat and application for a San Juan County Improvement Permit and building permit Application has been submitted to the County Administrator with this Cumulative impact supplement. An Improvement Permit is required in order to use a mining claim for residential use, and would be the responsibility of future owners wishing to build a cabin or permanent structure. This Cumulative Impacts Report has been prepared by Lloyd Swartz with Camino Real Estate Holdings, LLC.

## Attachment R: Cumulative Impact Report

County Zoning and Land Use Regulations Section 4-103 requires that all proposals be reviewed

*...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...*

The properties in the vicinity of the project site have been evaluated for development potential. We evaluated 16 properties in the Vicinity. Our evaluation was cursory based on Assessor information, original mineral surveys available on the BLM GLO website, and available maps. Closer evaluation of an individual property including a survey could produce different results.

We found that 3 nearby properties are known to have an existing cabin, one additional property is likely to be approved for residential use, two additional properties could possibly support a cabin sometime in the future, two properties appear possibly buildable but are unlikely to be sold individually by the mining environmental trust legal firm, and the remainder of the properties in the vicinity appear to be unbuildable. Development evaluation criteria generally included: access, avalanche hazards, acreage, prevalence of treeless tundra, and the ownership. In summary, we would anticipate that perhaps no more than three additional cabins are likely to be constructed in the future in Anglo Saxon Claims Vicinity, with a maximum of 12 on 148 acres of the subject property. The majority of the parcels near the project site appear unlikely to ever be developed, mostly due to a combination of obstacles such as avalanche, tundra, ownership, and lack of access.

We then evaluated the "proposal" using the factors listed in the County regulations, which are to be considered *...in the context of all existing or potential uses of other properties in the vicinity of the proposed use...* These factors included impacts of the proposal to: public health, safety, morals, and welfare, public and private properties, scenic values, historic sites and structures, air, water, and environmental quality; adequate site access, water, sewer, utilities, and emergency services; and presence of natural hazards - when considered in the context of nearby existing and potential development. Overall, although we believe that all uses and activities of any kind cause some impact, it appears that the proposal has been thoughtfully designed by the Applicant and the Project Architects to create as little as possible impact on the public health, safety, and welfare, and surrounding properties.

The County regulations state that

*An Improvement Permit must be issued by the County when the County finds that the applicant has sustained the burden of proof that the proposed development, activity or use, including best management practices, if any, does not present or create an adverse effect to the resources sought to be protected or utilized...*

## Attachment R: Cumulative Impact Report

It appears that the Applicant *has sustained the burden of proof* that the anticipated impacts will be relatively minimal, and that efforts have been taken to limit any impacts. We suggest that the minor subdivision proposal for the Anglo Saxon Load Claims can be approved by the County, in accordance with the San Juan County Zoning and Land Use Regulations Section 4-103.

Please contact Applicant/Owner Lloyd Swartz if you have any questions.

Thank you,

Lloyd Swartz



## Attachment S: Will Serve Telecommunications Letter from Lumen

LUMEN

5325 Zuni Street  
Denver, Colorado, 80221  
August 16, 2024

Raven's Nest Estates  
c/o Lloyd Swartz  
1038 Empire Street  
Silverton, CO 81433

RE: New Residential Developments near Silverton, Colorado

Recently you approached Lumen about providing a "Will Serve" letter to serve 12 potential build sites in the Anglo Saxon Claims (Overland Estates subdivision) near the Town of Silverton, San Juan County, State of Colorado. Lumen appreciates the opportunity to provide Raven's Nest Estates with its future communication needs.

In response to the request for a commitment to serve, Lumen will work with Raven's Nest Estates to determine what the needs will be. Upon such determination, Lumen will undertake an analysis of the construction required and the cost to complete that construction. It is only at that point and given the prevailing Tariffs, that Lumen will make a determination whether it can or cannot provide service.

As you may or may not know, many of the Telecommunications services provided by Lumen are regulated and the services you request will be provided under the tariffs on file with the Colorado Public Utilities Commission.

If there are any further questions, or if I can be of any help, please do not hesitate to contact me.

Regards,

*Guy J. O'Nan*

Guy O'Nan  
Network Implementation Engineer II  
Guy.ONan1@Lumen.com

## Attachment T: Will Serve Power/Utilities Letter San Miguel Power Association

From: Scott Davidson <[sdavidson@smpa.coop](mailto:sdavidson@smpa.coop)>

Sent: Tuesday, September 17, 2024 11:48 AM

To: [ravensneststates@gmail.com](mailto:ravensneststates@gmail.com)

Subject: WILL SERVE

Good Morning

San Miguel Power has a primary 3 phase line that goes up through and past the ski area in Silverton and I believe at this time that we will be able to serve these lots with power. Thank you.

*Scott Davidson*

Service Planner



P.O. Box 1150

Ridgway, CO 81432

Office: 970-626-5549

Cell: 970-729-2482

[www.smpa.com](http://www.smpa.com)



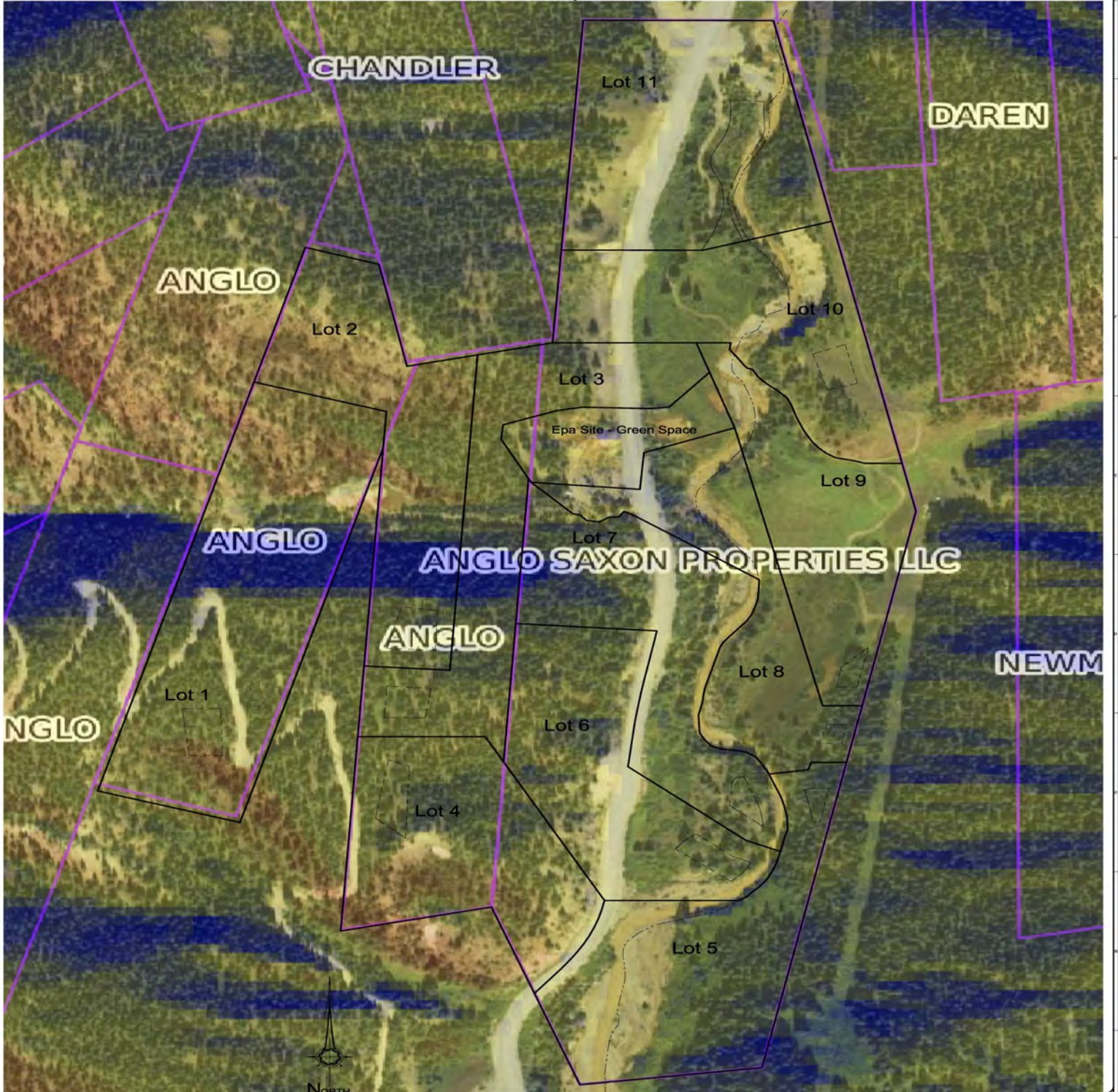
*It is the Mission of San Miguel Power Association, Inc. to demonstrate corporate responsibility and community service while providing our members with safe, reliable, cost-effective, and environmentally responsible electrical service.*

SMPA is an equal opportunity provider and employer.



# Attachment U: Solar Shading Maps (5)

**December Average Solar Input Map**  
 Anglo Saxon Placer, Anglo Saxon No. 1 and the Anglo Saxon No. 2, MS 16687  
 Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian  
 San Juan County, Colorado



NOTICE: THIS IS A PRELIMINARY SURVEY. THE INFORMATION HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. THE SURVEYOR'S OFFICE SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE SURVEYOR'S OFFICE SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE SURVEYOR'S OFFICE SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.

**Basis of Bearing:**  
 Line 1 - 2 MS 16687 Anglo Saxon Placer is assumed to bear N 12°31'18" W, and is monumented as shown hereon. All other bearings are relative thereto.

**U.S. MINERAL SURVEYORS  
 REGISTERED LAND SURVEYORS  
 IN COLORADO**

PLAN SCALE: 1"=100' U.S. Survey Feet  
 FIELD CREW: BDH, WBH  
 DRAFTER: BDH  
 SHEET 1 of 1

**SOUTHWEST LAND SURVEYING LLC**  
 1205 H Lane, Delta, CO 81416  
 (970) 337-0000 (970) 874-3000 (970) 874-0883 fax  
 EMAIL: info@swlandsurveying.com

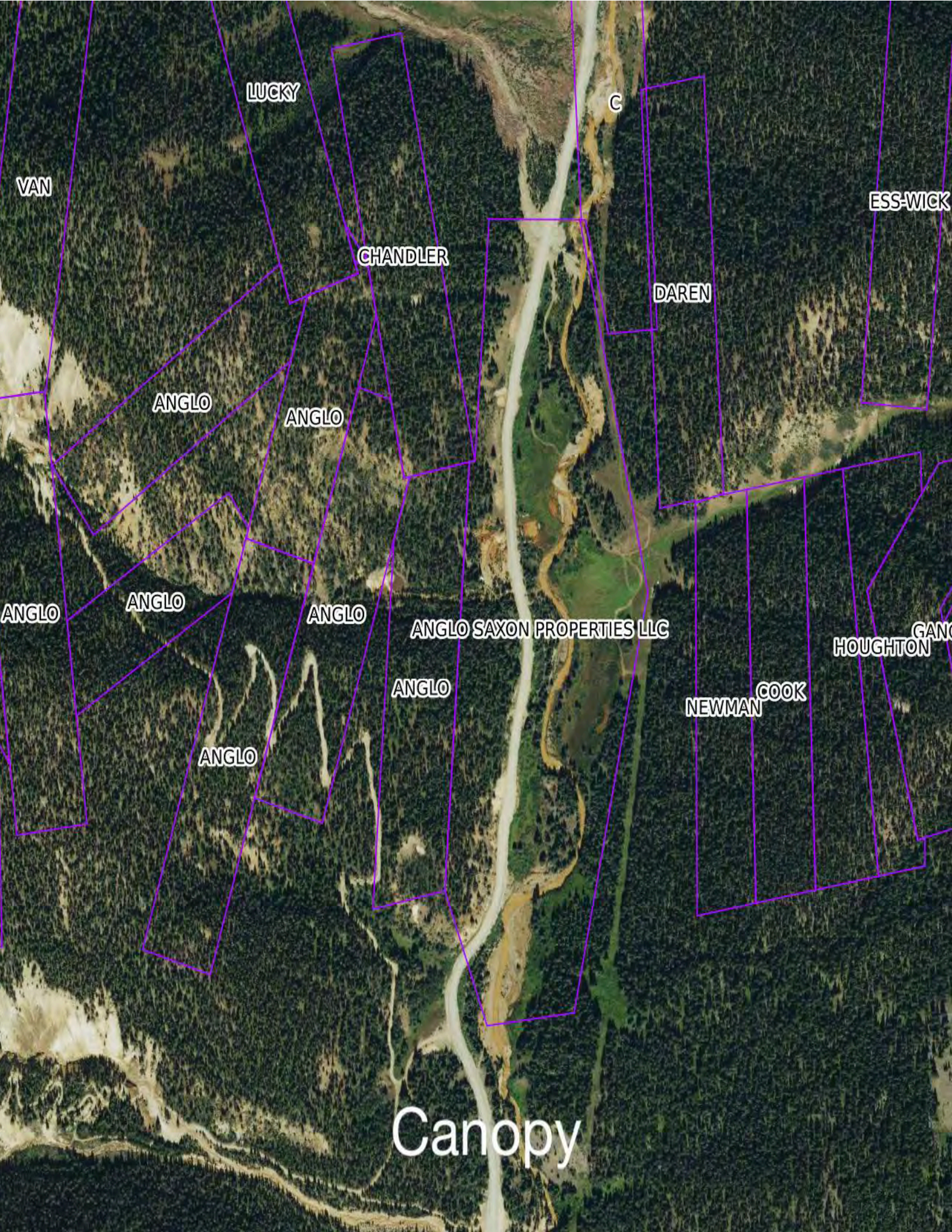
**December Average Solar Input Map**

Anglo Saxon Placer, Anglo Saxon No. 1 and Anglo Saxon No. 2, MS 16687  
 Suspended, Township 42 North, Range 7 West, of the New Mexico Principal Meridian

Anglo Saxon Properties, LLC  
 205 W 17th St., Apt. E  
 Tulsa OK, 74119-4963

FWP 2023 JCOF 7: 10-23 Sheet 1





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ANGLO SAXON PROPERTIES LLC

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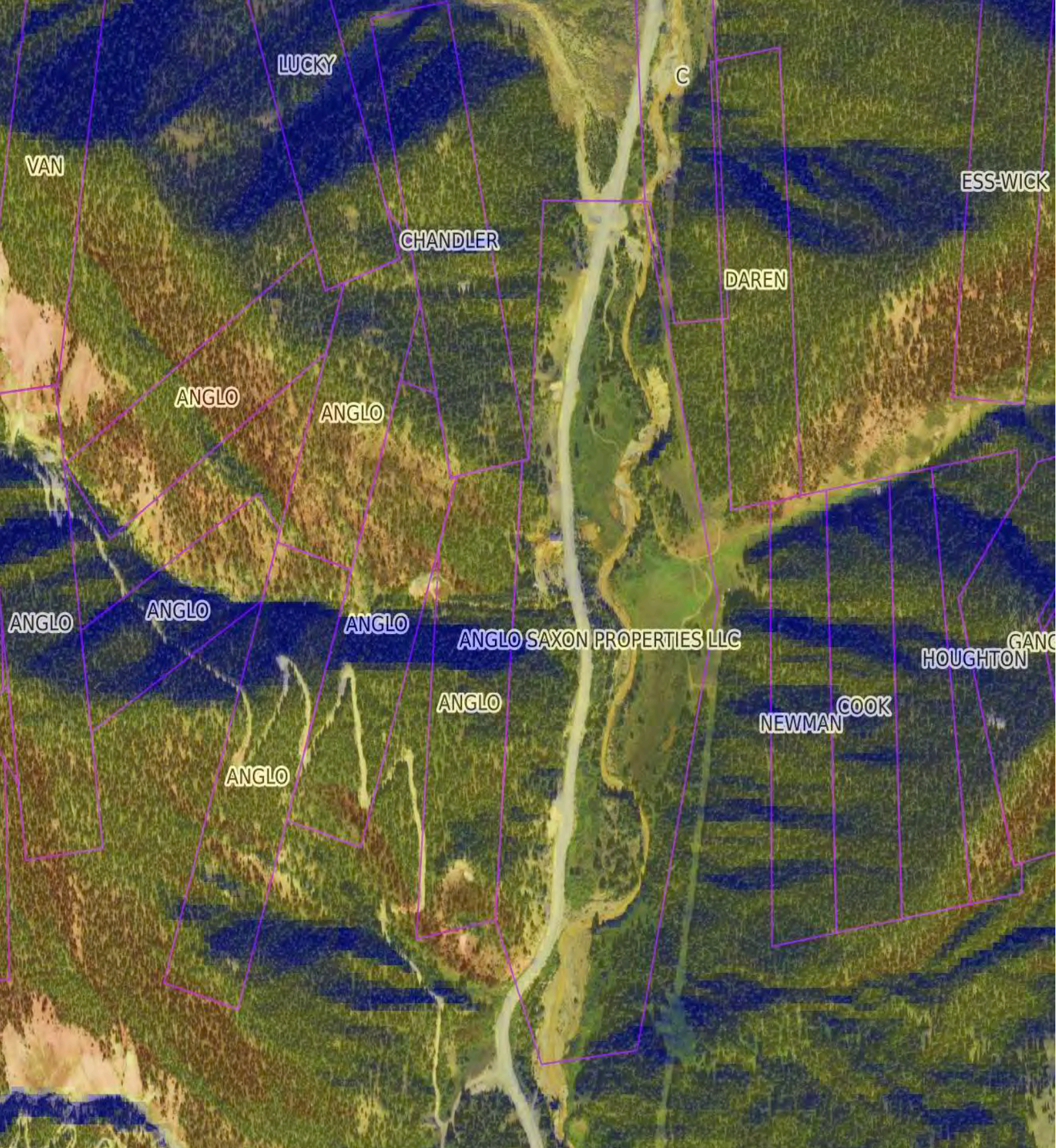
NEWMAN

COOK

ANGLO

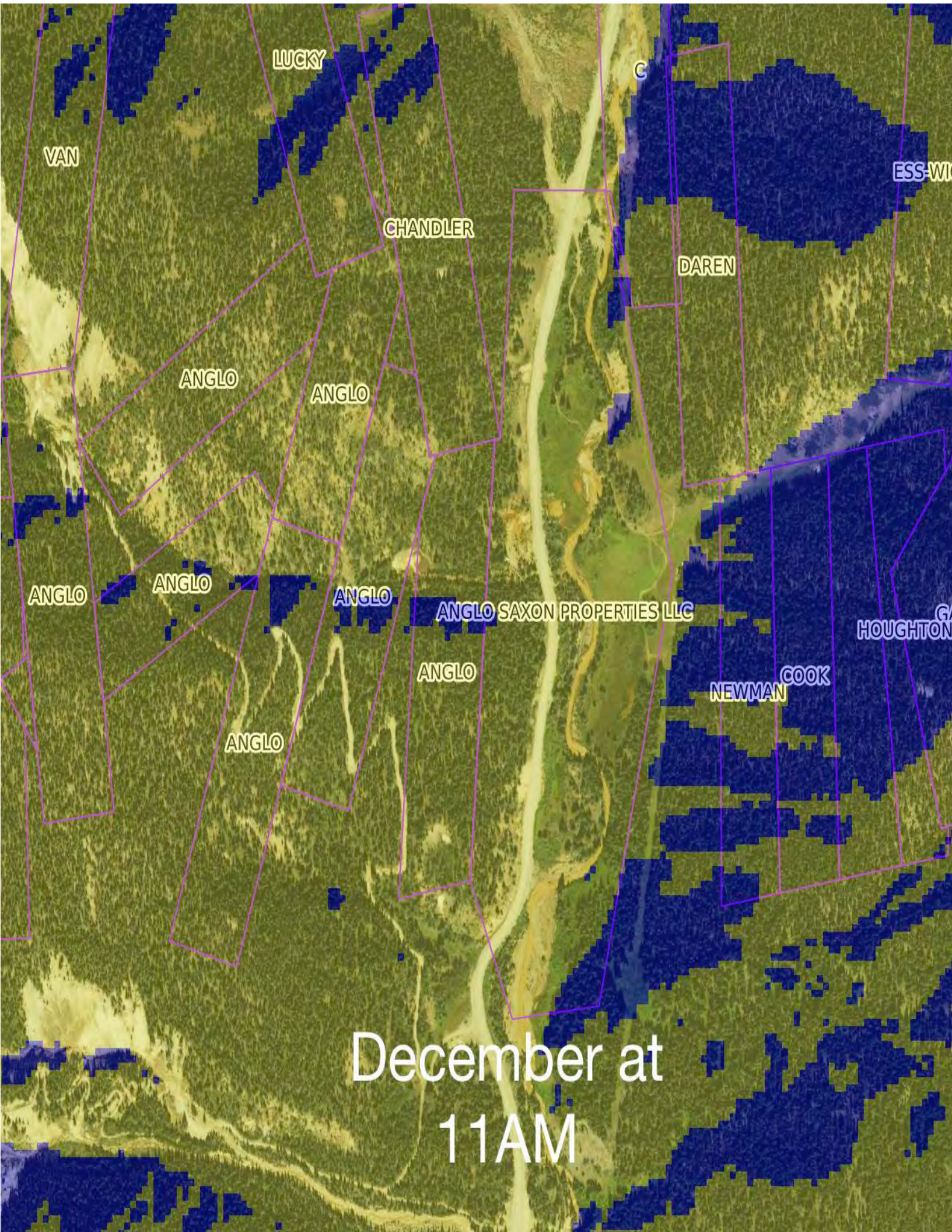
Canopy





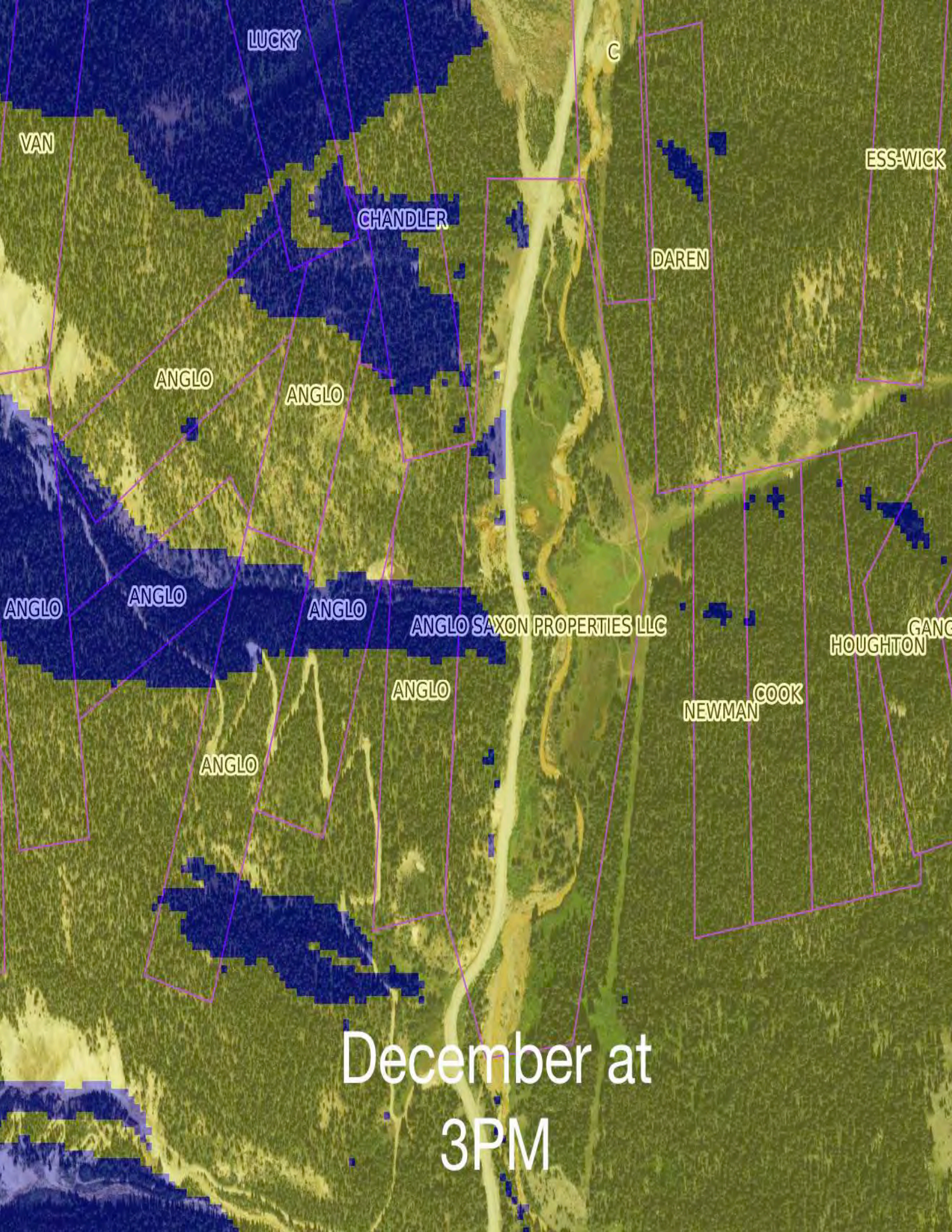
December average solar input map





December at  
11AM





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ANGLO SAXON PROPERTIES LLC

HUGHTON

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NEWMAN

COOK

ANGLO

December at  
3PM







































# Attachment V: USDA Soil Conservation Service Soil Types & Boundaries Map





# Attachment V: USDA Soil Conservation Service Soil Types & Boundaries

Soil Map—Animas-Dolores Area, Colorado, Parts of Archuleta, Dolores, Hinsdale, La Plata, Montezuma, San Juan, and San Miguel Counties  
(Proposed Overland Subdivision Soil Types)

MAP LEGEND		MAP INFORMATION	
<p><b>Area of Interest (AOI)</b></p> <p> Area of Interest (AOI)</p> <p><b>Soils</b></p> <p> Soil Map Unit Polygons</p> <p> Soil Map Unit Lines</p> <p> Soil Map Unit Points</p> <p><b>Special Point Features</b></p> <p> Blowout</p> <p> Borrow Pit</p> <p> Clay Spot</p> <p> Closed Depression</p> <p> Gravel Pit</p> <p> Gravelly Spot</p> <p> Landfill</p> <p> Lava Flow</p> <p> Marsh or swamp</p> <p> Mine or Quarry</p> <p> Miscellaneous Water</p> <p> Perennial Water</p> <p> Rock Outcrop</p> <p> Saline Spot</p> <p> Sandy Spot</p> <p> Severely Eroded Spot</p> <p> Sinkhole</p> <p> Slide or Slip</p> <p> Sodic Spot</p>	<p> Spoil Area</p> <p> Stony Spot</p> <p> Very Stony Spot</p> <p> Wet Spot</p> <p> Other</p> <p> Special Line Features</p> <p><b>Water Features</b></p> <p> Streams and Canals</p> <p><b>Transportation</b></p> <p> Rails</p> <p> Interstate Highways</p> <p> US Routes</p> <p> Major Roads</p> <p> Local Roads</p> <p><b>Background</b></p> <p> Aerial Photography</p>	<p>The soil surveys that comprise your AOI were mapped at 1:24,000.</p> <div style="border: 1px solid black; padding: 5px;"> <p>Warning: Soil Map may not be valid at this scale.</p> <p>Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.</p> </div> <p>Please rely on the bar scale on each map sheet for map measurements.</p> <p>Source of Map: Natural Resources Conservation Service Web Soil Survey URL: Coordinate System: Web Mercator (EPSG:3857)</p> <p>Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.</p> <p>This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.</p> <p>Soil Survey Area: Animas-Dolores Area, Colorado, Parts of Archuleta, Dolores, Hinsdale, La Plata, Montezuma, San Juan, and San Miguel Counties Survey Area Data: Version 19, Aug 29, 2024</p> <p>Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.</p> <p>Date(s) aerial images were photographed: Sep 6, 2021—Sep 17, 2021</p> <p>The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.</p>	



# Attachment V: USDA Soil Conservation Service Soil Types & Boundaries

Soil Map—Animas-Dolores Area, Colorado, Parts of Archuleta, Dolores, Hinsdale, La Plata, Montezuma, San Juan, and San Miguel Counties

Proposed Overland Subdivision Soil Types

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
54	Quazar very cobbly loam, 5 to 25 percent slopes	0.5	0.6%
331	Needleton stony loam, 30 to 65 percent slopes	89.5	99.4%
<b>Totals for Area of Interest</b>		<b>90.0</b>	<b>100.0%</b>